

1 HB80
2 181098-1
3 By Representative Hall
4 RFD: Transportation, Utilities and Infrastructure
5 First Read: 07-FEB-17
6 PFD: 02/01/2017

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8 SYNOPSIS: Under existing law, the Department of
9 Revenue processes and issues applications for a
10 certificate of title on a motor vehicle. Under
11 existing law, upon payment of all fees, the
12 department issues the certificate of title
13 electronically or mails it to the first lienholder,
14 or, if none, to the owner.

15 This bill would allow the applicant for a
16 certificate of title to request that the
17 certificate of title be mailed via registered mail.
18 This bill would authorize the Department of Revenue
19 to charge the applicant the additional cost
20 required to mail the certificate of title via
21 registered mail.

22
23 A BILL
24 TO BE ENTITLED
25 AN ACT
26

1 Relating to motor vehicle titles; to amend Sections
2 32-8-6 and 32-8-35 of the Code of Alabama 1975, to allow the
3 applicant for a certificate of title to request that the
4 certificate of title be mailed via registered mail; and to
5 authorize the Department of Revenue to charge the applicant
6 the additional cost required to mail the certificate of title.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8 Section 1. Sections 32-8-6 and 32-8-35, Code of
9 Alabama 1975, are amended to read as follows:

10 "§32-8-6.

11 "(a) There shall be paid to the department for
12 issuing and processing documents required by this chapter a
13 fee of fifteen dollars (\$15) for each of the following
14 transactions:

15 "(1) Each application for certificate of title;

16 "(2) Each application for replacement or corrected
17 certificate of title;

18 "(3) Each application for certificate of title after
19 transfer;

20 "(4) Each notice of security interest;

21 "(5) Each assignment by lienholder;

22 "(6) Each application for ordinary certificate of
23 title upon surrender of a distinctive certificate; or

24 "(7) Each application for the title history on a
25 vehicle.

26 "(b) The designated agents shall add the sum of one
27 dollar fifty cents (\$1.50) for each transaction, as specified

1 in subsection (a), processed for which this fee is charged to
2 be retained as the agent's commission for services rendered,
3 and all other fees collected shall be remitted to the
4 department in a manner prescribed by the department.

5 "(c) If more than one transaction is involved in any
6 application on a single vehicle and if supported by all
7 required documents, the fee charged by the department and by
8 the designated agent for processing and issuing shall be
9 considered as only one transaction for which the designated
10 agent shall receive and retain one dollar fifty cents (\$1.50)
11 and shall collect and remit to the department fifteen dollars
12 (\$15).

13 "(d) Every transaction shall be accompanied by the
14 fee specified in this chapter, regardless of whether the title
15 is issued electronically or not, unless specifically exempted
16 by this chapter.

17 "(e) Notwithstanding any other provisions of this
18 section, when any motor vehicle record, as prescribed by the
19 department, is requested, other than a title history as
20 provided in subdivision (7) of subsection (a), and the record
21 is provided electronically or in the form of a printout of an
22 electronic record, the fee shall be five dollars (\$5). The
23 five dollar (\$5) fee shall be distributed as follows: Fifty
24 percent shall be distributed to the State General Fund and the
25 remaining 50 percent shall be retained by the department for
26 use solely by the Motor Vehicle Division of the department for
27 training and technological and processing improvements.

1 "(f) The department may establish and charge a fee
2 not greater than the fee provided in subsection (e) for motor
3 vehicle records obtained through the national motor vehicle
4 title information system and provided to end users. The fee
5 shall be retained by the department for use solely by the
6 motor division of the department for costs associated with
7 providing the records, training, and technological and
8 processing improvements.

9 "(g) All motor vehicle title records, registration
10 records, and any other motor vehicle records as designated by
11 the department containing personal information as defined
12 under state or federal law, rules, or regulations shall only
13 be released by the department in accordance with such laws,
14 rules, or regulations. The department may establish procedures
15 to insure that all motor vehicle record disclosures are
16 handled in a uniform manner.

17 "(h) If an applicant for a certificate of title
18 requests that the certificate of title be mailed via
19 registered mail, the department may require the applicant to
20 pay the additional postage cost along with the other fees
21 required by this section.

22 "~~(h)~~ (i) The department may prescribe the method of
23 payment of any fees required under this chapter.

24 "§32-8-35.

25 "(a) The application for the first certificate of
26 title of a vehicle in this state shall be made by the owner to

1 a designated agent, on the form the department prescribes, and
2 shall contain all of the following:

3 "(1) The current legal name, current residence, and
4 current mailing address of the owner.

5 "(2) A description of the vehicle including the
6 following data: Year, make, model, vehicle identification
7 number, type of body, the number of cylinders, color, and
8 whether new or used.

9 "(3) The date of purchase by applicant, the name and
10 address of the person from whom the vehicle was acquired, and
11 the names and addresses of any lienholders in the order of
12 their priority and the dates of their security agreements.

13 "(4) Other information that the department may
14 require.

15 "(b) If the application is for a vehicle purchased
16 from a dealer, it shall contain the name and address of any
17 lienholder holding a security interest created or reserved at
18 the time of the sale and the date of the security agreement
19 and shall be signed by the designated agent as well as the
20 owner, and the designated agent shall forward the application
21 to the department in a manner prescribed by the department.

22 "(c) If the application is for a new vehicle, it
23 shall be accompanied by the certified manufacturer's statement
24 of origin showing proper assignments to the applicant. The
25 manufacturer upon the shipment of a motor vehicle into this
26 state shall forthwith furnish the dealer with a certified
27 statement of origin.

1 "(d) Each application shall contain or be
2 accompanied by the certificate of a designated agent that the
3 vehicle has been physically inspected by the agent, that the
4 vehicle identification number and descriptive data shown on
5 the application, pursuant to the requirements of subsection
6 (a)(2), are correct, and that the agent identified the person
7 signing the application and witnessed the signature.

8 "(e) If the application is for a first certificate
9 of title on a vehicle other than a new vehicle, then the
10 application shall conform with the requirements of this
11 section; except, that in lieu of the manufacturer's statement
12 of origin, the application shall be accompanied by a copy of
13 the bill of sale of the motor vehicle whereby the applicant
14 claims title or in lieu thereof certified copies of the last
15 two years' license plates and tax receipts and any other
16 information the department may reasonably require to identify
17 the vehicle and to enable the department to determine the
18 ownership of the vehicle and the existence or nonexistence of
19 security interests in it.

20 "(f) If the application refers to a vehicle last
21 previously registered in another state or country, the
22 application shall contain or be accompanied by the following:

23 "(1) Any certificate of title issued by the other
24 state or country.

25 "(2) Any other information and documents as the
26 department may reasonably require to establish the ownership

1 of the vehicle and the existence or nonexistence of security
2 interests in it.

3 "(3) The certificate of a designated agent that the
4 vehicle has been physically inspected by him or her, that the
5 vehicle identification number and descriptive data shown on
6 the application pursuant to subsection (a)(2) are correct, and
7 any other proof of the identity of the vehicle as the
8 department may reasonably require.

9 "(g) Every designated agent, within 10 calendar days
10 after an application is received by him or her, shall forward
11 to the department, in a manner as prescribed by the
12 department, the fee as provided in Section 32-8-6, and the
13 application, along with any other evidence of title as may
14 have been delivered to the designated agent by the applicant.

15 "(h) An applicant for a certificate of title may
16 request that the certificate of title be mailed via registered
17 mail. If such a request is made, the department may require
18 the applicant to pay any additional postage costs."

19 Section 2. This act shall become effective on the
20 first day of the third month following its passage and
21 approval by the Governor, or its otherwise becoming law.