

1 SB143
2 180958-2
3 By Senator Singleton
4 RFD: Transportation and Energy
5 First Read: 09-FEB-17

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4 ENGROSSED

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7 A BILL
8 TO BE ENTITLED
9 AN ACT

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11 Relating to the advertisement for the purchase of a
12 salvage or junk branded motor vehicle; to require the license
13 number be displayed; to provide criminal penalties; to provide
14 exemptions; and in connection therewith to have as its purpose
15 or effect the requirement of a new or increased expenditure of
16 local funds within the meaning of Amendment 621 of the
17 Constitution of Alabama of 1901, now appearing as Section
18 111.05 of the Official Recompilation of the Constitution of
19 Alabama of 1901, as amended.

20 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

21 Section 1. (a) A person, as defined in Section
22 32-8-2 of the Code of Alabama 1975, who advertises in a
23 newspaper, on a website, on a public display or sign, or
24 through an online service, for the purchase of a salvage or
25 junk branded motor vehicle shall clearly and conspicuously
26 disclose on the advertisement his or her true and correct
27 company name, physical address, telephone number, and current

1 license number issued under, and registered in accordance
2 with, Article 8 or Article 9, Chapter 12, Title 40, or Chapter
3 8, Title 13A, Code of Alabama 1975.

4 (b) (1) A person who advertises in violation of
5 subsection (a) commits a Class A misdemeanor.

6 (2) A person required by state law to be licensed as
7 a motor vehicle dealer, who is not licensed, and who
8 advertises in violation of subsection (a), commits a Class A
9 misdemeanor.

10 (3) One half of any fines assessed and collected for
11 violations of this subsection shall be deposited into the
12 General Fund and one half of any fines assessed and collected
13 for violations of this subsection shall be deposited with the
14 local law enforcement agency that has jurisdiction over the
15 crime committed.

16 (c) Subsections (a) and (b) do not apply to either
17 of the following:

18 (1) A person who offers to purchase a motor vehicle
19 on his or her behalf for personal purposes other than
20 rebuilding, dismantling, or recycling into metallic scrap as
21 provided by Section 32-8-87 of the Code of Alabama 1975, or a
22 motor vehicle that meets the conditions set forth in paragraph
23 f. of subdivision (2) of subsection (s) of Section 32-8-87,
24 Code of Alabama 1975.

25 (2) A motor vehicle dealer with an advertisement
26 that is physically attached to the outside of its physical

1 address or location, located on dealership property, or on an
2 easement directly adjacent to dealership property.

3 (d) This act does not apply to any of the following:

4 (1) A person conducting a private transaction
5 seeking to sell his or her own personal vehicle.

6 (2) A person licensed under Article 8 or Article 9,
7 Chapter 12, Title 40, Code of Alabama 1975.

8 (3) A person registered in accordance with Article
9 1A, Chapter 8, Title 13A, Code of Alabama 1975.

10 Section 2. Although this bill would have as its
11 purpose or effect the requirement of a new or increased
12 expenditure of local funds, the bill is excluded from further
13 requirements and application under Amendment 621, now
14 appearing as Section 111.05 of the Official Recompilation of
15 the Constitution of Alabama of 1901, as amended, because the
16 bill defines a new crime or amends the definition of an
17 existing crime.

18 Section 3. This act shall become effective on the
19 first day of the third month following its passage and
20 approval by the Governor, or its otherwise becoming law.

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Senate

Read for the first time and referred to the Senate
committee on Transportation and Energy..... 09-FEB-17

Read for the second time and placed on the calen-
dar 1 amendment..... 23-FEB-17

Read for the third time and passed as amended 07-MAR-17

Yeas 27
Nays 0

Patrick Harris,
Secretary.