

APA-1  
11/96

**TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION**

Control 810 Department or Agency REVENUE

Rule Nos. 810-5-1-.486

Rule Title: Memorandum of Understanding Between the Administrative Office of Courts and the Department of Revenue

New;  Amend;  Repeal;  Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? No

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? N/A

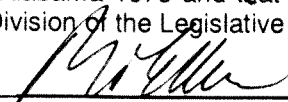
Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

\*\*\*\*\*  
Does the proposed rule have any economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

\*\*\*\*\*  
Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975 and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer 

Date 4/19/12

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**ECONOMIC IMPACT STATEMENT  
FOR APA RULE  
(Section 41-22-23(f))**

Control No. 810 Department or Agency REVENUE

Rule No: 810-5-1-.486

Rule Title:

           New            Amend   X   Repeal            Adopt by Reference

- NO  
 YES

This rule has no economic impact.

This rule has an economic impact, as explained below:

1. NEED/EXPECTED BENEFIT OF RULE:
  
2. COSTS/BENEFITS OF RULE AND WHY RULE IS THE MOST EFFECTIVE, EFFICIENT, AND FEASIBLE MEANS FOR ALLOCATING RESOURCES AND ACHIEVING THE STATED PURPOSE:
  
3. EFFECT OF THIS RULE ON COMPETITION:
  
4. EFFECT OF THIS RULE ON COST OF LIVING AND DOING BUSINESS IN THE GEOGRAPHICAL AREA WHERE THE RULE IS TO BE IMPLEMENTED:
  
5. EFFECT OF THIS RULE ON EMPLOYMENT IN THE GEOGRAPHICAL AREA HERE THE RULE IS TO BE IMPLEMENTED:
  
6. SOURCE OF REVENUE TO BE USED FOR IMPLEMENTING AND ENFORCING THIS RULE:
  
7. THE SHORT-TERM/LONG-TERM ECONOMIC IMPACT OF THIS RULE ON AFFECTED PERSONS, INCLUDING ANALYSIS OF PERSONS WHO WILL BEAR THE COSTS AND THOSE WHO WILL BENEFIT FROM THE RULE:
  
8. UNCERTAINTIES ASSOCIATED WITH THE ESTIMATED BENEFITS AND

BURDENS OF THE RULE, INCLUDING QUALITATIVE/QUANTITATIVE  
BENEFITS AND BURDEN COMPARISON:

9. THE EFFECT OF THIS RULE ON THE ENVIRONMENT AND PUBLIC HEALTH:
10. DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE RULE IS NOT IMPLEMENTED:
11. OTHER COMMENTS:

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**ALABAMA DEPARTMENT OF REVENUE**  
**Motor Vehicle Division**

**NOTICE OF INTENDED ACTION**

**RULE NO. & TITLE**

810-5-75-.24                      Title Procedure - First & Second Lien(s) to be Recorded (Security Interest Created by Owner). Title Procedure - Assignment and Transfer of Lien by Lienholder. Reference: Sections 32-8-60 through 32-8-67, Code of Alabama 1975, as amended.

**INTENDED ACTION:**        Amend an existing rule

**SUBSTANCE OF PROPOSED ACTION:**    The department proposes to amend the above rule to clarify the process for recording liens by designated agents and non-designated agents on motor vehicles and manufactured homes when there is no transfer of ownership. In addition, this amendment will clarify procedures for assigning and transferring liens on motor vehicles and manufactured homes. The rule title will also be amended under this proposed action.

**RULE NO. & TITLE**

810-5-75-.64                      Report of Unclaimed Vehicle - Where Vehicle Unclaimed for Longer than Thirty (30) Days. (Form MVT 38-1)

**INTENDED ACTION:**        Amend an existing rule

**SUBSTANCE OF PROPOSED ACTION:**    The department proposes to amend the above rule to require operators who are in the business of garaging, repairing, parking or storing vehicles for the public to electronically report a vehicle that has remained unclaimed for the time period designated in Section 32-8-84(c), Code of Alabama 1975.

**RULE NO. & TITLE**

810-5-8-.06                        Affirmation of Motor Vehicle Liability Insurance

**INTENDED ACTION:**        Repeal the above rule

**SUBSTANCE OF PROPOSED ACTION:**    The department proposes to repeal the above rule due to the fact that the code requirement for affirmation of insurance compliance has been removed; therefore, this rule is no longer necessary.

**RULE NO. & TITLE**

810-5-1-.486 Memorandum of Understanding Between the Administrative Office of Courts and the Alabama Department of Revenue - Parking Ticket Cases

810-5-1-.487 Memorandum of Understanding Between the Administrative Office of Courts and the Alabama Department of Revenue - Convictions/Violations of Liability Insurance Laws

**INTENDED ACTION:** Repeal the above rules

**SUBSTANCE OF PROPOSED ACTION:** The department proposes to repeal the above rules due to the fact that they are no longer necessary.

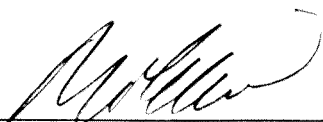
**TIME, PLACE, MANNER OF PRESENTING VIEWS:** A public hearing will be held at 10:00 a.m. on Wednesday, June 13, 2012, in the Office of the Legal Division, Room 3114, Gordon Persons Building, located at 50 N Ripley Street, Montgomery, Alabama. Copies of the rule(s) can be obtained at [www.revenue.alabama.gov/rulehear.html](http://www.revenue.alabama.gov/rulehear.html).

All interested parties may present their views in writing to the **Deputy Commissioner of the Alabama Department of Revenue, Room 4112, Gordon Persons Building, 50 N Ripley Street, Montgomery, Alabama 36132** at any time during the thirty-five (35) day period following publication of the notice or by appearing at the hearing.

**FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:**  
Wednesday, June 13, 2012

**CONTACT PERSON AT AGENCY:**

Patricia Toles  
Alabama Department of Revenue  
4131 Gordon Persons Building  
Montgomery, Alabama 36132  
(334) 242-1380

  
\_\_\_\_\_  
Michael E. Mason, Deputy Commissioner  
Alabama Department of Revenue

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810-5-1-.486 Memorandum of Understanding Between the Administrative Office of Courts and the Alabama Department of Revenue - Parking Ticket Cases.

**(REPEALED)**

The Department of Revenue may provide motor vehicle registration data to the Administrative Office of Courts. The Department of Revenue's purpose in providing such data is limited solely and strictly to assisting the Administrative Office of Courts in providing information to municipal courts within Alabama to facilitate the resolution of parking ticket cases. The Administrative Office of Courts agrees to require its personnel with access to the motor vehicle registration data to sign a Disclosure Statement acknowledging that the use of the data is to be confined solely to the purpose of providing data to municipal courts. The Administrative Office of Courts further agrees to be responsible for informing those municipal courts requesting motor vehicle registration data that the data is to be exclusively used by court personnel solely in the performance of their official duties as pertaining to parking ticket cases. The Administrative Office of Courts agrees to require an appropriate official of each municipal court to sign a (Anti) Disclosure Statement acknowledging that the use of the data is to be confined solely for the use by the courts in parking ticket cases being tried in the municipal courts. The court official signing the Disclosure Statement, or the individual selected by the chief judge of the municipal court, shall be responsible for ensuring that access to the data is for official purposes only, and for informing personnel within the municipal court with access to such motor vehicle registration data that use of such data for any other purposes than those specifically enumerated herein could be a violation of the federal Driver's Privacy Protection Act; also, that the improper use of the information could constitute a violation of the Alabama Computer Crime Act.

Author: Jay Starling, Brenda Coone, Johnny Newman  
Authority: Section 40-2A-7(a)(5), Code of Alabama 1975  
History: New rule: Filed November 20, 2000, effective December 25, 2000.  
Amended: Filed October 4, 2006, effective November 22, 2006.