



APA-6  
10/96

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

Control No. 810 Department or Agency REVENUE

Rule No: 810-5-1-.487

Rule Title: Memorandum of Understanding Between the Administrative Office of Courts and the Alabama Department of Revenue - Convictions /Violations of Liability Insurance Laws

           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-.487 Memorandum of Understanding Between the Administrative Office of Courts and the Alabama Department of Revenue - Convictions/Violations of Liability Insurance Laws. **(REPEALED)**

In order to assist court officials in performing their statutory duty of providing to the Department of Revenue reports of convictions pursuant to Section 32-7A-16 and Section 32-7A-17 (Act No. 2000-554). The Administrative Office of Courts may provide the information to the Department on behalf of the courts. The Department of Revenue is restricted to using that data exclusively in the administration of Chapter 7A of Title 32, and specifically in order to randomly sample persons who have been convicted during the previous four year period of violating laws requiring vehicle owners to obtain and display proof of liability insurance. The Administrative Office of Courts further agrees to retain within its records of conviction(s) when forwarding information concerning the current conviction. This record of previous conviction(s) is needed because the Department of Revenue is required to suspend the motor vehicle(s) registration (s) of those persons who are found to have multiple convictions, a minimum of four (4) months before reinstatement, and the Department is also required to collect a higher reinstatement fee for persons determined to have had multiple convictions of operating a motor vehicle on the street and highways of Alabama without first obtaining the necessary liability insurance required pursuant to Code of Alabama 1975, § 32-7A-1. et seq.. The Administrative Office of Courts and the Department of Revenue agree to facilitate the submission and the receipt of such information through electronic methods. As the information regarding convictions is public record, personnel with the Department of Revenue are not required to sign (Anti) Disclosure Statements with the Administrative Office of Courts. However, the Department of Revenue considers the information confidential as provided in Section 32-7A-21, and accordingly, will keep the information confidential and disclose the data only as necessary in the administration of Chapter 7A of Title 32.

Author: **Jay Starling, Johnny Newman**  
Authority: Sections 40-2A-7(a)(5) and 32-7A-3(a), Code of Alabama 1975  
History: New rule: Filed November 20, 2000, effective December 25, 2000.