



APA-6  
10/96

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

Control No. 810 Department or Agency REVENUE

Rule No: 810-5-75-.64

Rule Title: Report of Unclaimed Vehicle

           New   X   Amend            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:

**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

0872APC.INT

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

(1) An operator of a place of business for garaging, repairing, parking or storing vehicles for the public, in which a vehicle remains unclaimed for the period designated in Section 32-8-84(c), Code of Alabama 1975, and whose owner's name and address are unknown to the operator, shall ~~complete electronically a report of the unclaimed vehicle (Form MVT 38-1) and cause such form to be mailed or delivered through an electronic application provided by the~~ Department within the period as established in Section 32-8-84(c), Code of Alabama 1975.

(2) The ~~individual completing the~~ report of an unclaimed vehicle ~~(Form MVT 38-1)~~ shall provide contain the following information ~~on the form~~: vehicle identification number, year, make, ~~year~~, model, ~~body type, color, number of cylinders, license plate number and state of issuance, if available, date vehicle was left at operator's establishment, name and address of firm name, address, and telephone number of~~ entity making report, type of firm making report, license plate number and state of issuance if available, name of law enforcement agency if impounded by such an agency, and the signature and date of the individual who completes the form and date vehicle was left at the entity.

(3) A ~~record of a certified copy of the Alabama title history including the current Alabama title information for any~~ vehicle reported as unclaimed may be obtained from the Department upon written request and the payment of the required fee as specified in Section 32-8-6 (e), Code of Alabama 1975, as amended.

(4) Motor vehicle reports of unclaimed property records will be maintained for a period of one (1) year from the date the report is filed with the Department.

Author: Danny McLendon, Mike Gamble  
Authority: Sections 40-2A-7(a)(5), 32-8-1 through 32-8-88, Code of Alabama 1975, as amended  
History: Filed October 18, 1996, effective date November 22, 1996.  
Amended: Filed April 21, 2010, effective May 26, 2010.