

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control 810 Department or Agency REVENUE

Rule Nos. 810-5-1-227.05

Rule Title: Financial Institutions Issuance of Temporary License Tags/Registration Certificates

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 *Michael D. R...*

Date 4/21/14

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-.227.05

Rule Title: Financial Institutions Issuance of Temporary License Tags/Registration Certificates

           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:

APA-2  
11/96

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

**NOTICE OF INTENDED ACTION**

**RULE NO. & TITLE**

810-5-1-.204                      Placement of Motor Vehicle License Tags on Certain Motor Vehicles

**INTENDED ACTION:**        Amend an existing rule

**SUBSTANCE OF PROPOSED ACTION:** The department proposes to amend the above rule to allow the placement of license plates on the front of a truck or truck-tractor when a license plate cannot be displayed on the rear of the vehicle. In addition, the rule is being amended to remove obsolete language.

**RULE NO. & TITLE**

810-5-1-.205                      Temporary Tags - Authorized Uses

**INTENDED ACTION:**        Repeal an existing rule

**SUBSTANCE OF PROPOSED ACTION:** The department proposes to repeal the above rule due to the fact that the provisions of the rule is included in administrative rules 810-5-1-.227 and 810-5-1-.228.

**RULE NO. & TITLE**

810-5-1-.224                      Fee Requirement for Certain Special Tags

**INTENDED ACTION:**        Repeal an existing rule

**SUBSTANCE OF PROPOSED ACTION:** The department proposes to repeal the above rule due to the fact that the provisions of the existing rule is included in other administrative rules as well as the Code of Alabama 1975.

**RULE NO. & TITLE**

810-5-1-.227                      The Issuance of Temporary License Tags/Registration Certificates by Dealers or Manufacturers of Mobile Homes, Trailer Coaches, Travel Trailers or House Trailers, and by Dealers Appointed by the

Department of Revenue as Designated Agents (Other than Probate Judges).

**INTENDED ACTION:** Amend an existing rule

**SUBSTANCE OF PROPOSED ACTION:** The department proposes to amend the above rule to include the provisions of administrative rule 810-5-1-.227.05, which is being repealed. In addition, the department proposes to amend the title of the rule.

**RULE NO. & TITLE**

810-5-1-.227.05                      Financial Institutions Issuance of Temporary License  
Tags/Registration Certificates

**INTENDED ACTION:** Repeal an existing rule

**SUBSTANCE OF PROPOSED ACTION:** The department proposes to repeal the above rule due to the fact that the provisions of the rule has been added to administrative rule 810-5-1-.227.

**RULE NO. & TITLE**

810-5-1-.228                      The Issuance of Temporary License Tags/Registration Certificates by the  
Judge of Probate or Other County Official Authorized to Issue Motor  
Vehicle License Tags.

**INTENDED ACTION:** Amend an existing rule

**SUBSTANCE OF PROPOSED ACTION:** The department proposes amend the above rule to include temporary tag receipt requirements.

**RULE NO. & TITLE**

810-5-1-.240                      Permanent Trailer License Plates

**INTENDED ACTION:** Amend an existing rule

**SUBSTANCE OF PROPOSED ACTION:** The department proposes amend the above rule to remove obsolete language and to allow licensing officials to revoke a permanent trailer registration in the local and state registration databases when the permanent trailer license plate is surrendered, in lieu of submitting a form to the department.

**RULE NO. & TITLE**

810-5-1-.400                      Performance and Registration Information Systems Management (PRISM)  
Program Adopted in Alabama

**INTENDED ACTION:** Amend an existing rule

**SUBSTANCE OF PROPOSED ACTION:** The department proposes amend the above rule to reflect changes that were made to the Performance & Registration Information Systems Management (PRISM) Program.

**RULE NO. & TITLE**

810-5-75-.31.02 Abandoned Motor Vehicle Record Request (Form MVT 32-13).

**INTENDED ACTION:** Amend an existing rule

**SUBSTANCE OF PROPOSED ACTION:** The department proposes amend the above rule to allow an authorized representative of a person or firm in possession of an abandoned motor vehicle to provide written notice to the current owner, secured parties and lienholder regarding the planned sale of the vehicle. In addition, this rule is further amended to allow an Abandoned Motor Vehicle Record Request (MVT 32-13) to be submitted electronically through a service provider authorized by the department to provide motor vehicle records for this purpose.

**TIME, PLACE, MANNER OF PRESENTING VIEWS:** A public hearing will be held at 2:00 p.m. on Wednesday, June 11, 2014, Room 1203, First Floor, 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 Secretary of the Alabama Department of Revenue, Room 4131, 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 11, 2014

**CONTACT PERSON AT AGENCY:**

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



Michael D. Gamble, Secretary  
Alabama Department of Revenue

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810-5-1-.227.05 Financial Institutions Issuance of Temporary License Tags/Registration Certificates. **(REPEALED)**

- (1) The Department of Revenue may, pursuant to Section 32-8-34, Code of Alabama 1975, elect to appoint financial institutions located within this state as designated agents to issue Temporary License Tags/Registration Certificates.
- (2) Financial institutions authorized as designated agents to issue temporary licenses may use the Temporary License Tags/Registration Certificates only on the authorized financial institution's repossessed motor vehicles. Proper use of such tags would be to allow potential purchasers of these vehicles to test-drive or otherwise demonstrate to their satisfaction the suitability of the authorized financial institution's repossessed motor vehicles. Moreover, the financial institutions may use the temporary tags to move repossessed vehicles to repair locations, or to different locations for the purpose of selling the vehicles (such as to a motor vehicle dealer or auto auction).
- (3) The temporary license tag may be issued for any type motor vehicle; however, if the vehicle is a truck or truck tractor, and if the vehicle has a gross weight exceeding twelve thousand pounds, the financial institution shall affix the notation "UNLADEN WEIGHT ONLY."
- (4) The qualified financial institution may only obtain temporary license tags and temporary tag receipts from the Department of Revenue, Motor Vehicle Division. The financial institution shall remit a fee of \$2.25 for each temporary license tag requested.
- (5) The qualified financial institution in issuing a temporary license tag/registration certificate, shall print, in ink, on the temporary tag itself in the format prescribed by the Department of Revenue the following: expiration date, vehicle ownership, make, year, vehicle identification number, model or type, issuing official's signature and name and date of issuance. Any erasures or other alterations of the information required on a temporary license tag will render the document void, and of no value to the person or vehicle described thereon.
- (6) In the event a qualified financial institution considers it necessary to void a temporary tag(s), a credit may be claimed when ordering subsequent temporary tags. All voided temporary tags and registration certificates must be forwarded to the Department of Revenue, Motor Vehicle Division, by the close of business the following business day.
- (7) In the event a qualified financial institution ceases the issuance of temporary tags, all unused tags and temporary tag receipts must be returned to the Department of Revenue, Motor Vehicle Division, and a refund may be obtained for fees previously paid by filing an application with the Department.

(8) A temporary tag must be displayed in the rear window of any passenger vehicle for which it was acquired. If obtained for a vehicle lacking a rear window, then the temporary tag must be posted in a location conspicuous to law enforcement officers.

(9) The qualified financial institution, in issuing the temporary tag, must print the following information on the Temporary Tag Receipt, Form MVR: 32-6-211: the temporary tag number, the vehicle owner and the owner's address, the vehicle make, vehicle identification number, model year, type vehicle, date issued, the financial institution's name and by whom the tag and receipt were issued. Any erasures or other alterations of the required information on the Temporary Tag Receipt will render the document void, and of no value to the person or vehicle described thereon.

(10) The original (registrant's) part of the completed Temporary Tag Receipt, Form MVR: 32-6-211, shall be retained within the motor vehicle to which the temporary tag was issued for the 20 day time period that the temporary tag is valid.

(11) The financial institution after issuing a temporary tag, must forward the second part (Department's) of the completed Temporary Tag Receipt, Form MVR: 32-6-211, to the Department of Revenue, Motor Vehicle Division, not later than the 10th day of the month succeeding the month the registration was issued as is provided in Section 40-12-260(a)(4)(b), Code of Alabama 1975. The third (designated agent's) part of the receipt is to be retained by the financial institution for audit purposes.

(12) Section 32-6-214, Code of Alabama 1975, provides that each temporary license tag is valid 20 days from the day of issue and must be used only on the vehicle for which issued and no temporary license tag shall be renewed nor shall successive temporary license tags be issued in connection with the same vehicle.

Author: James R. Camp  
Authority: Sections 40-2A-7(a)(5) and 32-6-218, Code of Alabama 1975  
History: Adopted through APA effective December 15, 1999.