

APA-6
10/96

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

Control No. 810 Department or Agency REVENUE

Rule No: 810-5-1-400

Rule Title: Performance and Registration Information Systems Management (PRISM) Program
Adopted in Alabama

 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:

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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.

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

(1) ~~On June 16, 2003, The the~~ Department of Revenue, in cooperation with the Department of Public Safety, entered into an agreement with the Federal Motor Carrier Safety Administration, shall to administer the joint federal/state program known as the Performance and Registration Information Systems Management (PRISM) ~~or such other designation that may, from time to time, be given to such program,~~ to promote motor carrier safety.

(2) The Department ~~of Revenue,~~ in administering the International Registration Plan, shall not issue or transfer motor vehicle registrations and license plates for commercial motor vehicles to any motor carrier or vehicle owner who has been prohibited from operating by a federal and/or state agency responsible for motor carrier safety.

(3) The Department ~~of Revenue,~~ with notice, shall suspend or revoke the registrations and license plates for commercial motor vehicles, issued to any motor carrier or vehicle owner who has been prohibited from operating by a federal or state agency responsible for motor carrier safety.

(4) The Department ~~of Revenue~~ shall reject applications for commercial motor vehicles if the U.S. Department of Transportation Number and/or Taxpayer Identification Number of the motor carrier and of the entity responsible for motor carrier safety for each vehicle is not provided, or if the submitted information does not match information from the federal or state agency responsible for motor carrier safety records. Anyone providing false or fraudulent information herein required may be subject to suspension or revocation of his or her motor vehicle registrations and license plates.

~~(5) Effective November 1, 2003, a motor carrier or vehicle owner(s) registering a commercial motor vehicle(s) in Alabama for the first time under the International Registration Plan IRP shall submit to the Department of Revenue at the time of registration the documents shown in paragraph (7) below, as required.~~

~~(6) (5) Effective January 1, 2004, a A~~ motor carrier or vehicle owner(s) renewing registering a commercial motor vehicle ~~registration(s)~~ in Alabama under the International Registration Plan shall submit ~~to the Department of Revenue at the time of registration~~ the documents shown in ~~paragraph (7)~~ below, as required.

~~(7) The following documents shall be provided in accordance with paragraphs (5) and (6) above:~~

(a) Documentation as to who is responsible for the safety fitness of the fleet(s) or vehicle(s) being registered (i.e. operational lease agreement);

~~(b) An updated motor carrier information report, and/or updated safety certification, as required;~~

~~(e)~~ (b) The U.S. Department of Transportation Number (USDOT#) of the motor carrier and of the fleet or vehicle owner(s) if different from the motor carrier;

~~(d)~~ (c) The Taxpayer Identification Number (TIN) of the motor carrier and of the owner(s) of the fleet or vehicle(s) being registered;

~~(e)~~ (d) Such other information as required, or may be hereinafter required, by the Department ~~of Revenue~~ or federal agency or state agency responsible for motor carrier safety.

~~(f)~~ (e) The Department ~~of Revenue~~ shall indicate on the motor vehicle registration database the suspended or revoked status of commercial motor vehicle registrations.

~~(g)~~ (f) The terms "commercial motor vehicle," "commerce" and "motor carrier" as used in this regulation shall be as defined in both Section 32-9A-1, and the Federal Motor Carrier Safety Regulations found in 49CFR Part 390.5, as currently defined, or hereinafter defined.

~~(8)~~ (6) Any motor carrier who is denied registration pursuant to Alabama's participation in the PRISM program through this rule, or whose registration(s) are suspended or revoked pursuant to this rule may appeal to the Administrative Law Judge pursuant to Section 40-2A-8, Code of Alabama 1975. Provided, during the appeal process, the Department may not issue or transfer registrations to a motor carrier who has been prohibited from operating by a federal/state agency, and, during the appeal process, any registrations previously issued by the Department shall be suspended or revoked.

Author: Tyles Fleeting Johnny Newman
Authority: Sections 40-2A-7(a)(5) and 32-6-56, Code of Alabama 1975
History: New rule: Filed November 4, 2003, effective December 9, 2003.