

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control 810 Department or Agency REVENUE

Rule Nos. 810-5-1-.212

Rule Title: Undercover License Plates

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

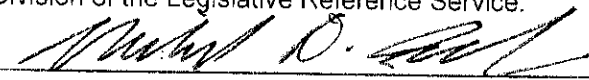
Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

\*\*\*\*\*  
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 4/19/16

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-.212

Rule Title: Undercover License Plates

\_\_\_\_\_ New  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**

810-5-1-.212 Undercover License Plates

**INTENDED ACTION:** Amend rule

**SUBSTANCE OF PROPOSED ACTION:** The department proposes to amend the above rule to change references from Department of Public Safety to Alabama Law Enforcement Agency (ALEA) and to add updates related to the Application for Undercover License Plates, form MV UC.

**RULE NO. & TITLE**

810-5-1-.246 Bill Of Sale, Invoice, Or Other Sales Document

**INTENDED ACTION:** Amend rule

**SUBSTANCE OF PROPOSED ACTION:** The department proposes amend the above rule to clarify the minimum requirements for a motor vehicle bill of sale, invoice or other sales document.

**TIME, PLACE, MANNER OF PRESENTING VIEWS:** A public hearing will be held at **2:00 p.m. on Wednesday, June 8, 2016, Room 1203, First Floor**, Gordon Persons Building, located at 50 N Ripley Street, Montgomery, Alabama. Copies of the rule(s) can be obtained at <http://www.revenue.alabama.gov/analysis/rules.cfm>

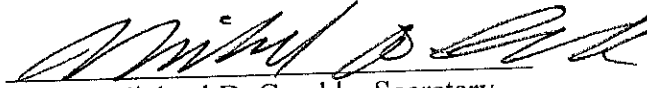
All interested parties may present their views in writing to the **Secretary of the Alabama Department of Revenue, Room 4131, Gordon Persons Building, 50 N Ripley Street, Montgomery, Alabama 36132** at any time following publication of the notice up until the conclusion of the hearing. Interested parties may also appear at the hearing to present their views.

**FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:**

Wednesday, June 8, 2016

**CONTACT PERSON AT AGENCY:**

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



Michael D. Gamble, Secretary  
Alabama Department of Revenue

0990APC.INT

810-5-1-.212 Undercover License Plates.

(1) License plate issuing officials may issue undercover license plates to law enforcement agencies **in order to carry out investigations and surveillances (Attorney General Opinion 86-00271)**. Prior to the issuance of an undercover license plate, the license plate issuing official must ensure that the requesting law enforcement agency has obtained the appropriate state, county or municipal license plate from the Department of Revenue **as provided under Section 40-12-250, Code of Alabama 1975(\$40-12-250)**. The **Department of Public Safety (DPS) Alabama Law Enforcement Agency (ALEA)** is responsible for issuing state license plates to vehicles owned and operated by the **DPS ALEA**.

(2) The following information must be provided on the Department of Revenue Application for Undercover License Plates, form MV UC:

- (a) Name of person applying for the undercover license plate,
- (b) Position of person applying for the undercover license plate,
- (c) Law Enforcement department or agency requesting the undercover license plate,
- (d) County in which the vehicle is based,
- (e) Vehicle Identification Number (VIN),
- (f) Vehicle year,
- (g) Vehicle make,
- (h) Vehicle model,
- (i) Vehicle color,
- (j) State, County, or Municipal License plate number assigned to vehicle,
- (k) If registration should appear in the state registration database,**
- (l) Name and address as it should appear in the state registration database,**
- (**k-m**) Signature of department head authorizing the issuance of the undercover license plate, and

(~~Ln~~) Telephone number of person authorizing the issuance of the undercover license plate.

**~~The application must be notarized.~~**

(3) If the undercover license plate record is to be reflected on the state registration database, the applicant should provide the name and address as it is to appear in the database (this may be a fictitious name and address). If the undercover license plate record is not to be reflected in the state registration database, the county license plate issuing officials should not upload the undercover license plate information to the database so that anyone performing a license plate query would receive a "no record" response.

(4) Pre-numbered standard license plates shall be issued free of charge for use on undercover motor vehicles, including automobiles, trucks, truck-tractors, trailers and recreational vehicles and are not subject to the payment of license taxes levied on motor vehicles.

(5) Law enforcement agencies often desire distinctive license plates for use on undercover vehicles as these plates do not reflect a county indicator. The Helping Schools and God Bless America pre-numbered license plates may be obtained for undercover vehicles without payment of ~~the any~~ additional fee. For any other distinctive or collegiate license plate, ~~the additional fees~~ must be collected. **Annual license plates for other vehicles (trucks, truck tractors, trailers, recreational vehicles, etc.) may also be obtained without the payment of the license fee.**

(6) Undercover license plates may not be issued to vehicles owned/used by non-law enforcement agencies, even though law enforcement officials may work part-time security for these non-law enforcement agencies.

(7) The United States General Services Administration (GSA) requires that federal law enforcement agencies provide a copy of the Manufacturer's Statement of Origin (MSO) with the Application for Undercover License Plates **(form MV UC)**.

(8) The ~~Department of Public Safety (DPS)~~ **ALEA** requires that employees of ~~the DPS~~ **ALEA** return a copy of the completed Application for Undercover License Plates **(form MV UC)** to the ~~director~~ **secretary** of ~~DPS~~ **the ALEA**.

(9) It is critical that information involving undercover vehicles be kept confidential. Accordingly, license plate issuing officials should retain any documentation involved with the issuance of undercover license plates in a locked secure location, and access to this information must be strictly limited.

Author: **Amy Bright Sherry Helms**

Authority: Section 40-2A-7(a)(5), Code of Alabama 1975  
History: Adopted: August 5, 1982.  
Repealed: Filed September 30, 2009, effective November 4, 2009.  
New Rule: Filed March 28, 2012, effective May 2, 2012.