

APA-1

### Transmittal Sheet For Notice Of Intended Action

Control: 810

Department or Agency: Revenue

Rule Nos: 810-5-1-.241

Rule Title: Collegiate License Plates

New;  Amended;  Repealed;  Adopt by Reference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 result from the absence of the proposed rule? N/A

Are all the 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 06/15/2016

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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-.241

Rule Title: Collegiate License Plates

           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**

810-5-1-.241                      Collegiate License Plates

**INTENDED ACTION:**        Amend rule

**SUBSTANCE OF PROPOSED ACTION:** The department proposes to amend the above rule to update collegiate license plate procedures and law changes.

**TIME, PLACE, MANNER OF PRESENTING VIEWS:** A public hearing will be held at **1:30 p.m. on Wednesday, August 10, 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, August 10, 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

**810-5-1-.241 Collegiate and Collegiate Personalized License Plates for Two-Year Colleges and Universities.**

(1) ~~As referenced in Section 32-6-150, Code of Alabama 1975~~ **For purposes of Act 2006-629**, “two-year colleges” shall be deemed as referring to Alabama based public schools meeting the definition of “junior college” found in Section 16-60-81, Code of Alabama 1975. The term “two-year colleges” does not include “technical schools.”

(2) ~~Act 2006-629 is interpreted as having repealed the prohibition against distinctive plates under Section 32-6-67, Code of Alabama 1975, for junior colleges. In accordance with Section 32-6-150, Code of Alabama 1975, Colleges and Universities authorizing the issuance of a distinctive license plate will pay for the manufacturing costs of producing the license plates as determined by the Department of Corrections. Subsequently, the Department of Revenue will bill participating schools for the manufacture of such license plates.~~

(3) ~~Act 2006-629 amends Section 32-6-150 (a) to provide that two-year collegiate license plates shall be issued “in compliance with all laws and regulations.” Thus, these plates shall be issued in compliance with the provisions of Subdivision 2 of Chapter 6 of Title 32, and specifically with the provisions of Section 32-6-64 requiring the submission of a design to the Legislative Oversight Committee on License Plates (LOC), the approval of the submitted design by the LOC, and the timely securing of the necessary commitments to purchase (Quantity Class 1 or 2). The provision that prohibits remanufacture of plates if the number of plates issued in the fifth year (and every subsequent fifth year) of issuance fail to meet the Quantity Class requirements is also applicable.~~

(4) ~~Section 32-6-150, Code of Alabama 1975, (d), which requires colleges and universities desiring distinctive collegiate license plates to pay production costs prior to the manufacture of license plates is not applicable to the two-year college license plates authorized under Act 2006-629. Instead, the additional fee for two-year college plates is to be distributed in accordance with Section 32-6-68, Code of Alabama 1975, which includes a manufacturing fee to the Alabama Department of Corrections.~~

Author: **Billy Phillips Jay Starling**.

Authority: 40-2A-7(a)(5) and 40-12-252(c), Code of Alabama 1975.

History: New Rule: Filed December 27, 2006, effective January 31, 2007.