



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-.40

Rule Title: **Requirements for Names and Signatures on Title Application and Title Assignments. Reference: Sections 32-8-1 thru 32-8-88, Code of Alabama 1975, as amended.**

     New  Amend      Repeal      Adopt by Reference

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 WHERE 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**

810-5-75-.66                      Title Procedure-Cancellation of Manufactured Home Certificate of Origin or Certificate of Title

**INTENDED ACTION:**        Adopt the above rule

**SUBSTANCE OF PROPOSED ACTION:**    The department proposes to adopt the above new rule to clarify the procedures for the cancellation of manufactured home certificates of origin and certificates of title in accordance with Section 32-20-20, Code of Alabama 1975.

**RULE NO. & TITLE**

810-5-75-.63                      Powers of Attorney - Guidelines for Use

**INTENDED ACTION:**        Amend the above rule

**SUBSTANCE OF PROPOSED ACTION:**    The department proposes to amend the above rule to clarify procedures for using powers of attorney. In addition, the department proposes to amend the title of the rule.

**RULE NO. & TITLE**

810-5-1-.227.06                      Memorandum of Understanding Between the Alabama Emergency Management Agency and the Department of Revenue

810-5-1-.488                        Memorandum of Understanding Between the Finance Department and the Alabama Department of Revenue

**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.

**RULE NO. & TITLE**

810-5-75-.40

Requirements for Names and Signatures on Title Application and Title Assignments. Reference: Sections 32-8-1 thru 32-8-88, Code of Alabama 1975, as amended

**INTENDED ACTION:** Amend the above rule

**SUBSTANCE OF PROPOSED ACTION:** The department proposes to amend the above rule to clarify name and signature requirements for title applications, title assignments and motor vehicle registrations.

**TIME, PLACE, MANNER OF PRESENTING VIEWS:** A public hearing will be held at 2:00 p.m. on Wednesday, May 16, 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, May 16, 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

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810-5-75-.40 Requirements for Names and Signatures on Title Application ~~s~~, and Title Assignments and Motor Vehicle Registrations. Reference: Sections 32-8-1 thru 32-8-88, Code of Alabama 1975, as amended.

(1) An application for a certificate of title, accompanied by the required supporting documents which reflect two (2) owners, shall have the names of both owners shown on the application. Two owners joined by the conjunction "and" or with no conjunction between the names shall have tenancy in common ownership rights and both owners shall be required to sign the title application. Two owners joined by the conjunction "or" or "and/or" shall have joint tenancy ownership rights **with rights of survivorship** and only one owner shall be required to sign the title application. No more than two owners shall be listed on an application for certificate of title.

(2) An assignment of title which reflects two (2) owners joined by the conjunction "and" or with no conjunction between the names shall have tenancy in common ownership rights and both owners shall be required to sign the title assignment. Two owners joined by the conjunction "or" or "and/or" shall have joint tenancy ownership rights **with rights of survivorship** and only one owner shall be required to sign the title assignment.

(3) The name of the owner(s) to be shown on the application for certificate of title shall be the legal ~~and exact~~ name of the owner(s) of the **motor vehicle or manufactured home** for which a certificate of title is requested. **Variances in the owner's first name shall not affect the legality of the name and the inclusion or omission of a title, middle name or initial, suffix or hyphenated name shall not affect the legality of the owner's name. However, the owner's name must be in agreement on all title documents. Any variance(s) in the owner's name between title documents will require that the owner provide an affidavit attesting to the variance(s).** Where the owner is doing business under a trade name, the trade name may be shown following the name of the individual owner.

**(4) The name(s) of the owner(s) or operator(s) shown on the application for certificate of title and certificate of title shall be identical to the names(s) of the owner(s) or operator(s) shown on the registration for the motor vehicle.**

Author: **Mike Gamble**, Jonathan Lawrence  
Authority: Sections 40-2A-7(a)(5) and 32-8-3(a)(2), Code of Alabama 1975  
History: Amended: Filed January 28, 2010, effective March 4, 2010.