

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 810 Department or Agency REVENUE

Rule Nos. 810-5-9-.05

Rule Title: Credentials in Lieu of IFTA Decals

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 3/18/16

APA-6
10/96

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

Control No. 810 Department or Agency REVENUE

Rule No: 810-5-9-.05

Rule Title: Credentials in Lieu of IFTA Decals

 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

810-5-9-.05	Credentials in Lieu of IFTA Decals
810-5-9-.06	Request for Additional IFTA Decals
810-5-9-.12	IFTA Replacement Decals
810-5-1-.460	Situations Where Registrants are to Return Apportioned Registration License Plates and/or Cab Cards.

INTENDED ACTION: Repeal rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to repeal the above rules because relevant information is being incorporated into other administrative rules.

RULE NO. & TITLE

810-5-9-.03	Application for IFTA License
-------------	------------------------------

INTENDED ACTION: Amend rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to amend the above rule to clarify that IFTA license credentials can be submitted electronically and to direct the applicant to the IFTA website for required elements of the IFTA license application.

RULE NO. & TITLE

810-5-9-.01	International Fuel Tax Agreement
-------------	----------------------------------

INTENDED ACTION: Amend rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to amend the above rule to direct registrants to the International Fuel Tax Agreement (IFTA) website to view IFTA governing documents.

RULE NO. & TITLE

810-5-9-.09	IFTA Decals
-------------	-------------

INTENDED ACTION: Amend rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to amend the above rule to provide instructions to obtain IFTA Decals, including additional decals, replacements and temporary decal permits and also to clarify that requests can be submitted electronically.

RULE NO. & TITLE

810-5-1-.438 International Registration Plan

INTENDED ACTION: Amend rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to amend the above rule to remove obsolete language and to provide that the IRP documents are available on the IRP website.

RULE NO. & TITLE

810-5-1-.440 Department of Revenue to Issue Apportioned License Plates

INTENDED ACTION: Amend rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to amend the above rule to clarify that IRP applications can be submitted electronically and to provide instruction regarding the maximum weight for which a vehicle can be registered.

RULE NO. & TITLE

810-5-1-.441 Application for Apportioned Registration

INTENDED ACTION: Amend rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to amend the above rule to provide instructions regarding application for IRP registration.

RULE NO. & TITLE

810-5-1-.454 Temporary Evidence of Apportioned Registration (TEAR)

INTENDED ACTION: Amend rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to amend the above rule to provide guidance regarding the issuance of temporary evidence of apportioned registration (TEAR) and to clarify that applications can be submitted electronically.

RULE NO. & TITLE

810-5-1-.471 Alabama Registration Reciprocity Agreements

INTENDED ACTION: Amend rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to amend the above rule to remove reference to the previous address of the Motor Vehicle Division.

RULE NO. & TITLE

810-5-1-.469 Suspension, Cancellation, and/or Revocation of Apportioned License Plates and Cab Cards

INTENDED ACTION: Amend rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to amend the above rule to provide that appeals should now be made to the Alabama Tax Tribunal.

TIME, PLACE, MANNER OF PRESENTING VIEWS: A public hearing will be held at **2:30 p.m. on Thursday, May 19, 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://revenue.alabama.gov/analysis/upcoming-rule-hearings.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:

Thursday, May 19, 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

0987APC.INT

810-5-9-.05 Credentials in Lieu of IFTA Decals (REPEALED)

(1) In lieu of qualified motor vehicles displaying the annual decals, carriers may have in their possession a valid temporary permit or a valid trip permit as authorized by the International Fuel Tax Agreement.

(2) In order for a carrier to obtain a temporary permit, an Application for License (Form MV: IFTA-1) or a Request for Additional IFTA Decals (Form MV:IFTA-5) must be submitted to the Alabama Department of Revenue with the decal fee. If the submitted forms are complete, the account is current (i.e., no delinquent reports or outstanding liabilities), the remittance is received, and the vehicle information is provided, a temporary permit will be issued to the carrier.

(3) The applicant must submit the following vehicle information in order to receive a temporary permit:

- (a) Vehicle Identification Number (VIN);
- (b) Make of Vehicle;
- (c) Year of Vehicle.

(4) The carrier shall carry a legible copy of the IFTA license, issued to the carrier, in the qualified motor vehicle in addition to the temporary permit. These credentials will render the vehicle in compliance with the Agreement during the 30-day period until the carrier receives and affixes the annual decals.

(5) The temporary permit will contain the following information:

- (a) Carrier's Name;
- (b) Account Number;
- (c) Mailing Address;
- (d) City;
- (e) State;
- (f) Zip Code;
- (g) Issue Number;
- (h) Issue Date;
- (i) Expiration Date;

- (j) Issue Clerk;
- (k) Year of Vehicle;
- (l) Make of Vehicle;
- (m) Vehicle Identification Number.

(6) There is not a separate fee for the purchase of temporary decal permits because the permit serves as a temporary decal until the annual decals can be affixed to the qualified motor vehicle(s).

(7) An Alabama trip permit (Form MV: IFTA-DP-7) will contain the following information:

- (a) Issue Date;
- (b) Expiration Date;
- (c) Operator's Name;
- (d) Current License Number (vehicle tag number);
- (e) Mailing Address;
- (f) City;
- (g) State;
- (h) Zip Code;
- (i) State where the vehicle is registered;
- (j) Year of Vehicle;
- (k) Make of Vehicle;
- (l) Vehicle Identification Number;
- (m) Owner's Name;
- (n) Date Issued;
- (o) Issued by;
- (p) Agent;

(8) An Alabama trip permit is valid for a period of seven (7) days.

(9) The fee for Alabama trip permits will be twenty (\$20) dollars. Agents of the state (e.g., permitting agencies) may charge a processing fee in addition to the fee imposed by the Commissioner of Revenue.

(10) Any qualified motor vehicle failing to display the current annual decals, a current temporary permit, or valid trip permit will be found to be in violation of the Agreement, and the vehicle operator will be subject to citations and fines in accordance with Section 40-17-155, Code of Alabama 1975.

Author: Sherry Helms

Authority: Sections 40-2A-7(a)(5), 40-17-150 and 40-17-271(c), Code of Alabama 1975.

History: New rule: Filed November 28, 2001, effective January 2, 2002.

Amended: Filed November 8, 2006, effective December 13, 2006.