



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-.52

Rule Title: Designated Agent - Dealer, Financial Institution , and Pawnshop and Insurance Company Appointments .

\_\_\_\_\_ 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:

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11/96

**ALABAMA DEPARTMENT OF REVENUE  
Motor Vehicle Division**

**NOTICE OF INTENDED ACTION**

**RULE NO. & TITLE**

810-5-1-.237                      Mandatory Liability Insurance (MLI) Registration Reinstatement Procedures

**INTENDED ACTION:**        Amend an existing rule

**SUBSTANCE OF PROPOSED ACTION:**    The department proposes to amend the above rule to address code changes effective January 1, 2013 related to reinstating a suspended registration and revoking registration on stored/inoperable vehicles.

**RULE NO. & TITLE**

810-5-8-.10                      Mandatory Liability Insurance (MLI) Procedures for Random Sampling, Questionnaire Form, and Notice of Suspension

**INTENDED ACTION:**        Amend an existing rule

**SUBSTANCE OF PROPOSED ACTION:**    The department proposes to amend the above rule to address code changes effective January 1, 2013 related to the Department's questionnaire/notice of suspension procedures and how responses are to be handled. In addition, the department proposes to amend the title of the rule.

**RULE NO. & TITLE**

810-5-75-.52                      Designated Agent-Dealer, Financial Institution and Pawnshop Appointments

**INTENDED ACTION:**        Amend an existing rule

**SUBSTANCE OF PROPOSED ACTION:**    The department proposes to amend the above rule to permit insurance companies, legally authorized to do business in Alabama and having a place of business in Alabama, to become designated agents of the Department. As designated agents, these companies could then utilize the electronic title application processing system

(ETAPS) to apply for certificates of title. In addition, the department proposes to amend the title of the rule.

**RULE NO. & TITLE**

810-14-1-.23                      Refunds of Motor Vehicle Registration Fees

**INTENDED ACTION:**        Repeal an existing rule

**SUBSTANCE OF PROPOSED ACTION:**    The department proposes to repeal the above rule due to the fact that similar refund provisions are also included in Administrative Rule 810-5-1-.468, Refunds of Motor Vehicle Registration Fees; therefore, this rule is no longer necessary.

**TIME, PLACE, MANNER OF PRESENTING VIEWS:**    A public hearing will be held at 10:00 a.m. on Thursday, December 6, 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:**

Thursday, December 6, 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-.52 Designated Agent - Dealer, Financial Institution, ~~and Pawnshop~~ and Insurance Company Appointments.

(1) The term "Department" as used in this regulation shall mean the Department of Revenue of the State of Alabama.

(2) Every dealer as defined in Section 32-8-2 (2), Code of Alabama 1975, as amended, shall be a designated agent of the Department. A dealer may make application on form MVT 4-1 to become a designated agent of the Department. If the application is approved by the Commissioner of Revenue, the applicant shall enter into a bond with a corporate surety authorized to do business in this state as surety thereon, approved by the Commissioner of Revenue, payable to the State of Alabama in a sum to be determined by the Department, but in no event less than ten thousand dollars (\$10,000), conditioned on the faithful performance of its duties under the Act. (Bond form MVT 4-3 is provided by the Department.)-

(3) A financial institution making mortgage loans on motor vehicles or a pawnshop licensed to enter into pawn transactions for motor vehicle certificates of title, legally authorized to do business in Alabama and having a place of business in Alabama, may make application on form MVT 4-2 to become a designated agent of the Department. If the application is approved by the Commissioner of Revenue, the applicant shall enter into a bond with a corporate surety authorized to do business in this state as surety thereon, approved by the Commissioner of Revenue, payable to the State of Alabama in a sum to be determined by the Department, but in no event less than ten thousand dollars (\$10,000), conditioned on the faithful performance of its duties under the Act. (Bond form MVT 4-3 is provided by the Department.)

**(4) An insurance company, legally authorized to do business in Alabama and having a place of business in Alabama, may make application on form MVT 4-2 to become a designated agent of the Department. If the application is approved by the Commissioner of Revenue, the applicant shall enter into a bond with a corporate surety authorized to do business in this state as surety thereon, approved by the Commissioner of Revenue, payable to the State of Alabama in a sum to be determined by the Department, but in no event less than ten thousand dollars (\$10,000), conditioned on the faithful performance of its duties under the Act. (Bond form MVT 4-3 is provided by the Department.)**

~~(4)~~ (5) The Department shall not appoint an out of state dealer, ~~or~~ financial institution, ~~or~~ pawnshop or insurance company as a designated agent of the Department. Designated agents of the Department located outside the State of Alabama that were qualified prior to January 1, 2004, may continue to operate as a

designated agent of the Department as long as they comply with the requirements of Chapter 8, Title 32 of the Code of Alabama 1975, as amended. Should the designated agent license of an out of state designated agent be cancelled, the designated agent cannot be reinstated.

Author: Mike Gamble

Authority: Sections 40-2A-7(a)(5), ~~and 32-8-3(b)(2)~~ and 32-8-34(c), Code of Alabama 1975

History: New rule: Filed May 18, 2004, effective June 22, 2004.

Amended: Filed April 21, 2010, effective May 26, 2010.

Amended: Filed January 6, 2011, effective February 10, 2011.