

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-.442

Rule Title: Farm and Forest Products 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:

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ALABAMA DEPARTMENT OF REVENUE
Motor Vehicle Division

NOTICE OF INTENDED ACTION

RULE NO. & TITLE

810-5-1-.228.01 Sending in Monthly Vehicle Reports

INTENDED ACTION: Repeal rule

SUBSTANCE OF PROPOSED ACTION: The department proposes repeal the above rule to delete obsolete procedures.

RULE NO. & TITLE

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

INTENDED ACTION: Repeal rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to repeal the above rule and replace it with new proposed rule 810-5-8-.06. The purpose of this action is to ensure that all mandatory liability insurance administrative rules are included within the same taxing division area of the rules index.

RULE NO. & TITLE

810-5-1-.442 Farm and Forest Products License Plates

INTENDED ACTION: Amend rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to amend the above rule to comply with the provisions of Act 2015-499.

RULE NO. & TITLE

810-5-8-.01 Issuance of Certificate of Motor Vehicle Liability Bond
810-5-8-.02 Issuance of Certificate of Cash Bond and Satisfaction of Judgements

INTENDED ACTION: Amend rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to clarify that liability bond amounts and cash bond amounts are in accordance with Section 32-7-6(c), Code of Alabama 1975.

RULE NO. & TITLE

810-5-8-.05 Evidence of Insurance Requirements

INTENDED ACTION: Amend rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to amend the above rule to clarify, in accordance with Section 32-7A-6, Code of Alabama 1975, that evidence of insurance can be provided in either a tangible or in an electronic format.

RULE NO. & TITLE

810-5-8-.06 Mandatory Liability Insurance (MLI) Registration Reinstatement Procedures

INTENDED ACTION: Adopt rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to adopt the above new rule which will replace existing rule 810-5-1-.237. The purpose of this action is to ensure that all mandatory liability insurance administrative rules are included within the same taxing division area of the rules index.

RULE NO. & TITLE

810-5-8-.10 Mandatory Liability Insurance (MLI) Questionnaire and Notice of Suspension

INTENDED ACTION: Amend rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to amend the above rule to clarify, in accordance with Section 32-7A-26, Code of Alabama 1975, that the department may send notices in an electronic format, instead of mailing such notices, when an electronic mail address is available.

TIME, PLACE, MANNER OF PRESENTING VIEWS: A public hearing will be held at **10:00 a.m. on Thursday, November 12, 2015, 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 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, November 12, 2015

CONTACT PERSON AT AGENCY:

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



Michael D. Gamble, Secretary
Alabama Department of Revenue

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810-5-1-.442 Farm and Forest Products License Plates.

(1) Section 40-12-248~~(b)~~, Code of Alabama 1975, provides for reduced annual license fees for certain trucks or truck tractors.

(2) The term "farmer" is defined in Section 40-12-240, Code of Alabama 1975.

~~(2)~~**(3)** Trucks or truck tractors owned and used by a farmer for transporting farm products or the personal property of the farmer for use on his or her farm shall be issued a farm (F) license plate for the proper weight classification declared by the vehicle owner.

(a) A farm license plate may be issued ~~for to one (1)~~ **four (4)** truck tractors owned and used by the farmer. A "truck tractor" is defined in Section 40-12-240, ~~as "every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicles and load so drawn."~~

(b) Farm license plates may be issued to pickup trucks. ~~A~~ **The term** "pickup truck" is defined in Section 32-8-2, ~~as "a truck with not more than two axles and a gross weight not exceeding 12,000 pounds."~~

(c) Farm license plates may not be issued to Sport Utility Vehicles (SUVs), since SUVs are primarily designed to transport passengers and are not considered to be a truck as defined in Section 40-12-240, Code of Alabama 1975.

(d) The phrase "for use on his or her farm" limits the use of farm license plates; therefore, pickup trucks, trucks and truck tractors displaying farm license plates may not be used to tow travel trailers, boats, ATVs, etc. for personal or recreational purposes and may not be used for hire.

~~(3)~~**(4)** Trucks owned and used by any person for transporting forest products from the point of severance to a sawmill, to a paper mill, or to a concentration yard shall be issued a forest products (L) license plate for the proper weight classification declared by the vehicle owner.

~~(4)~~**(5)** The registration fees charged for farm or forest products license plates shall be based on the gross vehicle weight of the truck or truck tractor. Gross vehicle weight is the empty weight of the truck or truck tractor plus the heaviest load to be carried and, in the case of combinations, shall include the empty weight of the heaviest trailer in which the truck or truck tractor shall be placed in combination, plus the heaviest load to be carried. **For a pickup truck used for agricultural purposes and not operated for commercial purposes, the gross weight is the weight of the pickup truck only without regard to the heaviest load to be carried including the heaviest load to be carried on any trailer used in combination with the pickup truck.**

~~(5)~~**(6)** All scaled weights for trucks or truck tractors properly displaying farm or forest products license plates shall be allowed a tolerance or a margin of error of 10 percent of the true gross axle weights to allow for any climatic conditions.

Author: Sherry Helms, James Starling
Authority: Sections 40-2A-7(a)(5), Code of Alabama 1975
History: Repeal and New: Filed May 6, 2011, effective June 10, 2011.