

APA-6
10/96

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

Control No. 810 Department or Agency REVENUE

Rule No: 810-5-8-.06

Rule Title: Affirmation of Motor Vehicle Liability Insurance

 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:

**ALABAMA DEPARTMENT OF REVENUE
Motor Vehicle Division**

NOTICE OF INTENDED ACTION

RULE NO. & TITLE

810-5-75-.24 Title Procedure - First & Second Lien(s) to be Recorded (Security Interest Created by Owner). Title Procedure - Assignment and Transfer of Lien by Lienholder. Reference: Sections 32-8-60 through 32-8-67, Code of Alabama 1975, as amended.

INTENDED ACTION: Amend an existing rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to amend the above rule to clarify the process for recording liens by designated agents and non-designated agents on motor vehicles and manufactured homes when there is no transfer of ownership. In addition, this amendment will clarify procedures for assigning and transferring liens on motor vehicles and manufactured homes. The rule title will also be amended under this proposed action.

RULE NO. & TITLE

810-5-75-.64 Report of Unclaimed Vehicle - Where Vehicle Unclaimed for Longer than Thirty (30) Days. (Form MVT 38-1)

INTENDED ACTION: Amend an existing rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to amend the above rule to require operators who are in the business of garaging, repairing, parking or storing vehicles for the public to electronically report a vehicle that has remained unclaimed for the time period designated in Section 32-8-84(c), Code of Alabama 1975.

RULE NO. & TITLE

810-5-8-.06 Affirmation of Motor Vehicle Liability Insurance

INTENDED ACTION: Repeal the above rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to repeal the above rule due to the fact that the code requirement for affirmation of insurance compliance has been removed; therefore, this rule is no longer necessary.

RULE NO. & TITLE

810-5-1-.486 Memorandum of Understanding Between the Administrative Office of Courts and the Alabama Department of Revenue - Parking Ticket Cases

810-5-1-.487 Memorandum of Understanding Between the Administrative Office of Courts and the Alabama Department of Revenue - Convictions/Violations of Liability Insurance Laws

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.

TIME, PLACE, MANNER OF PRESENTING VIEWS: A public hearing will be held at 10:00 a.m. on Wednesday, June 13, 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.


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, June 13, 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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810-5-8-.06 Affirmation of Motor Vehicle Liability Insurance. **(REPEALED)**

(1) Section 32-7A-10(d), Code of Alabama 1975, provides "officials authorized to issue motor vehicle license plates shall require an affirmation that the owners are in compliance with the liability insurance requirements of this chapter on each registration and on each transfer of registration."

(2) The Department will place in an appropriate location on the Motor Vehicle Registration Tag and Tax Receipts and the applications for apportioned vehicle registration an affirmation which will read, or substantially read as follows: "I/we certify/affirm that the information contained hereon is true and correct and that the vehicle described above is insured as required by Alabama law.

(3) Vehicle owners, when registering, renewing, or transferring their motor vehicle registration, by signing the Motor Vehicle Registration Tag and Tax Receipt or the applications for apportioned vehicle registration, shall be affirming that the vehicle(s) is/are currently insured in accordance with the provisions of Section 32-7A-4. Vehicle owners with fleet vehicles may sign an affirmation document listing all vehicles currently being registered as an alternative to signing each Registration Tag and Tax Receipt as affirmation, provided that the document contains the affirmation language shown in paragraph (2).

(4) If the motor vehicle is owned by more than one individual, only one signature by a vehicle owner is required.

(5) If the motor vehicle is being registered by someone other than an individual owner, the individual signing the Motor Vehicle Registration Tag and Tax Receipt must have personal knowledge that the vehicle is currently insured with a motor vehicle liability insurance policy (or that the vehicle is covered by a motor vehicle liability bond or a deposit of cash). License plate issuing officials shall accept the signature provided on the receipt as *prima facie* evidence that the vehicle is insured, and may accept the signature as a proper affirmation of insurance.

(6) In accordance with Section 32-7A-10(d), license plate issuing officials providing registration renewal by mail utilizing a renewal notice shall place on the renewal notice the above affirmation language with a signature line for the owner "to indicate compliance when renewing registration by mail."

(7) License plate issuing officials offering Internet renewal shall provide a method wherein vehicle owners can electronically "sign" the affirmation of insurance.

Author: Sherry Helms
Authority: Sections 40-2A-7(a)(5) and 32-7A-3(a), Code of Alabama 1975
History: Adopted through APA March 22, 2001, effective April 26, 2001.
Amended: Filed May 6, 2011, effective June 10, 2011.