

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control 810 Department or Agency REVENUE

Rule Nos. 810-5-1-.212

Rule Title: Undercover License Plates

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 1/20/12

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

Control No. 810 Department or Agency REVENUE

Rule No: **810-5-1-.212**

Rule Title: **Undercover License Plates**

X 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: **N/A**
2. COSTS/BENEFITS OF RULE AND WHY RULE IS THE MOST EFFECTIVE, EFFICIENT, AND FEASIBLE MEANS FOR ALLOCATING RESOURCES AND ACHIEVING THE STATED PURPOSE: **N/A**
3. EFFECT OF THIS RULE ON COMPETITION: **N/A**
4. EFFECT OF THIS RULE ON COST OF LIVING AND DOING BUSINESS IN THE GEOGRAPHICAL AREA WHERE THE RULE IS TO BE IMPLEMENTED: **N/A**
5. EFFECT OF THIS RULE ON EMPLOYMENT IN THE GEOGRAPHICAL AREA WHERE THE RULE IS TO BE IMPLEMENTED: **N/A**
6. SOURCE OF REVENUE TO BE USED FOR IMPLEMENTING AND ENFORCING THIS RULE: **N/A**
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: **N/A**
8. UNCERTAINTIES ASSOCIATED WITH THE ESTIMATED BENEFITS AND BURDENS OF THE RULE, INCLUDING QUALITATIVE/QUANTITATIVE BENEFITS AND BURDEN COMPARISON: **N/A**
9. THE EFFECT OF THIS RULE ON THE ENVIRONMENT AND PUBLIC HEALTH: **N/A**
10. DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE RULE IS NOT IMPLEMENTED: **N/A**
11. OTHER COMMENTS:

APA-2
11/96

**ALABAMA DEPARTMENT OF REVENUE
Motor Vehicle Division**

NOTICE OF INTENDED ACTION

RULE NO. & TITLE: 810-5-1-.207 Motor Vehicle Wreckers

INTENDED ACTION: Adopt new rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to adopt the above rule to provide guidance regarding the new motor vehicle wrecker classification created by Act 2011-540.

RULE NO. & TITLE: 810-5-1-.212 Undercover License Plates

INTENDED ACTION: Adopt new rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to adopt the above rule to provide guidelines and procedures when issuing undercover license plates to law enforcement agencies.

RULE NO. & TITLE: 810-5-1-.247 Guidelines for Vehicle Identification Number (VIN) Inspections

INTENDED ACTION: Amend an existing rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to amend the above rule due to the provisions of Act 2010-579 which exempt vehicles registered in this state in the previous two calendar years from a physical inspection by the county licensing official.

RULE NO. & TITLE: 810-5-8-.07 Vehicles Exempt from the Mandatory Liability Insurance Law

INTENDED ACTION: Adopt new rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to adopt the above rule to exempt vehicles covered by a blanket liability insurance policy or commercial automobile liability insurance policy from the Mandatory Liability Insurance Law verification process.

RULE NO. & TITLE: 810-5-75-.34 Title Procedure – Title Obtained Under Surety Bond

INTENDED ACTION: Amend an existing rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to amend the above rule to provide uniform amounts for surety bonds that are being posted to obtain certificates of title. By establishing uniform surety bond amounts, the surety bond request process can be standardized and integrated into the electronic title application processing system (ETAPS).


TIME, PLACE, MANNER OF PRESENTING VIEWS: A public hearing will be held at 10:00 a.m. on Wednesday, March 7, 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, March 7, 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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810-5-1-.212 Undercover License Plates. (NEW RULE)

(1) License plate issuing officials may issue undercover license plates to law enforcement agencies. Prior to the issuance of an undercover license plate, the license plate issuing official must ensure that the requesting law enforcement agency has obtained the appropriate state, county or municipal license plate from the Department of Revenue (§40-12-250). The Department of Public Safety (DPS) is responsible for issuing state license plates to vehicles owned and operated by DPS.

(2) The following information must be provided on the Department of Revenue Application for Undercover License Plates, Form MV UC:

- (a) Name of person applying for the undercover license plate,
- (b) Position of person applying for the undercover license plate,
- (c) Law enforcement department or agency requesting the undercover license plate,
- (d) County in which the vehicle is based,
- (e) Vehicle Identification Number (VIN),
- (f) Vehicle year,
- (g) Vehicle make,
- (h) Vehicle model,
- (i) Vehicle color,
- (j) State, County or Municipal license plate number assigned to vehicle,
- (k) Signature of department head authorizing the issuance of the undercover license plate, and
- (l) Telephone number of person authorizing the issuance of the undercover license plate.

The application must be notarized.

(3) If the undercover license plate record is to be reflected on the state registration database, the applicant should provide the name and address as it is to appear in the database (this may be a fictitious name and address). If the undercover

license plate record is not to be reflected in the state registration database, the county license plate issuing officials should not upload the undercover license plate information to the database so that anyone performing a license plate query would receive a “no record” response.

(4) Pre-numbered standard license plates shall be issued free of charge for use on undercover motor vehicles, including automobiles, trucks, truck-tractors, trailers and recreational vehicles and are not subject to the payment of license taxes levied on motor vehicles.

(5) Law enforcement agencies often desire distinctive license plates for use on undercover vehicles as these plates do not reflect a county indicator. The Helping Schools and God Bless America pre-numbered license plates may be obtained for undercover vehicles without payment of the additional fee. For any other distinctive or collegiate license plate, the additional fee must be collected. Annual license plates for other vehicles (trucks, truck-tractors, trailers, recreational vehicles, etc.) may also be obtained without the payment of the license fee.

(6) Undercover license plates may not be issued to vehicles owned/used by non-law enforcement agencies, even though law enforcement officials may work part-time security for these non-law enforcement agencies.

(7) The United States General Services Administration (GSA) requires that federal law enforcement agencies provide a copy of the Manufacturer’s Statement of Origin (MSO) with the Application for Undercover License Plates.

(8) DPS requires that employees of DPS return a copy of the completed Application for Undercover License Plates to the director of DPS.

(9) It is critical that information involving undercover vehicles be kept confidential. Accordingly, license plate issuing officials should retain any documentation involved with the issuance of undercover license plates in a locked secure location, and access to this information must be strictly limited.

Author: Amy Bright
Authority: Sections 40-2A-7(a)(5), Code of Alabama 1975
History: