

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-.230**

Rule Title: **The Sale of License Plates for Truck Tractors Limited to Travel within 15 Miles of its Domiciled Corporate Limits**

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:
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 WHERE 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

810-5-1-.230 The Sale of License Plates for Truck Tractors Limited to Travel within 15 Miles of its Domiciled Corporate Limits

INTENDED ACTION: Amend an existing rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to amend the above rule to provide procedures regarding the issuance of license plates to truck-tractors and tractors operated by certified motor carriers within 15 miles of the incorporated municipality in which the vehicle is domiciled. The rule is being amended to allow a truck-tractor and tractor displaying this restricted license plate to operate at the unladen weight of the vehicle with a temporary tag when the vehicle is being transferred from one incorporated municipality to another incorporated municipality. The temporary tag will be obtained prior to operation and shall be issued by the county license plate issuing official of the county in which the vehicle is presently domiciled. In addition, the department proposes to modify the title of the rule.

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 to include the provision that utility trailers are not required to be inspected by license plate issuing officials prior to registration. In addition, the department proposes to modify the title of the rule.

RULE NO. & TITLE

810-5-8-.08 Refunds of Mandatory Liability Insurance (MLI) Reinstatement Fees

INTENDED ACTION: Amend an existing rule

SUBSTANCE OF PROPOSED ACTION: The purpose of the above amendment is to change a code reference cited in the rule to conform to the provisions of Act 2011-688.

RULE NO. & TITLE

810-5-8-.09 Identification Numbers

INTENDED ACTION: Adopt a new rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to adopt the above new rule which will provide for department assigned identification numbers for vehicle registrants who are unable to provide a valid, unexpired driver's license or an identification card number.

RULE NO. & TITLE

810-5-75-.27 TITLE PROCEDURE - First Title For Vehicles Reconstructed With Glider Kits For A Vehicle To Be Titled That Has Been Reconstructed With A Glider Kit, The Glider Kit Must Be Designated By The Manufacturer On The Manufacturer's Certificate Of Origin A 1975 Or Subsequent Year Model. Reference: Sections 32-8-1 through 32-8-87, 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 procedures for obtaining first title for a vehicle assembled with a glider kit. In addition, the department proposes to modify the title of the rule.

RULE NO. & TITLE

810-5-75-.41 Dealer Required To Title Vehicle - Title Application Submitted to Department and is Returned to Dealer Because Transfer of Vehicle was not Consummated. Reference: Sections 32-8-1 through 32-8-87, Code of Alabama 1975, as amended.

INTENDED ACTION: Repeal an existing rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to repeal the above rule because the requirement is no longer necessary due to the ability to track ownership electronically through the electronic title application processing system (ETAPS).

RULE NO. & TITLE

810-5-75-.48 Title Procedures - Defining "Junk", "Parts Only" and "Scrap" Vehicles and Requiring Notice

INTENDED ACTION: Amend an existing rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to amend the above rule which clarifies the procedures for reporting the transfer of a motor vehicle for the purpose of dismantling or recycling it into metallic scrap.

RULE NO. & TITLE

810-5-75-.68 Title Procedure –Exemptions from Titling

INTENDED ACTION: Amend an existing rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to amend the above rule which provides exemptions from titling motor vehicles and clarifies exemptions from titling manufactured homes.

TIME, PLACE, MANNER OF PRESENTING VIEWS: A public hearing will be held at 10:00 a.m. on Wednesday, September 12, 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, September 12, 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-.230 The Sale of License Plates for Truck Tractors Limited to Travel within 15 Miles of its Domiciled Corporate Limits.

~~(1) Whereas, Act No. 84-186 provides for the issuance of a license plate for truck-tractors operated by a certified motor carrier and used exclusively within 15 miles of the corporate city limits in which it is customarily domiciled, and~~

~~(2) Whereas, the Commissioner of Revenue is empowered by Section 40-2-11, Code of Alabama 1975, to supervise and control the administration of the various tax and license laws of the State of Alabama, and~~

~~(3) Whereas, it being the opinion of the Commissioner of Revenue that certain clarifying rules and regulations need to be adopted.~~

(4) (1) In accordance with Section 40-12-248, Code of Alabama 1975, Ccertified motor carriers may purchase a license plate, commonly called "a mule tag" and designated by an "XL" prefix, for truck-tractors or tractors to be operated exclusively within fifteen (15) miles of the incorporated municipality in which it is customarily domiciled.

(5) (2) The fifteen (15) mile limit is determined by the city limits of the incorporated municipality in which the truck-tractor or tractor is domiciled and not the city limits of a contiguous incorporated municipality.

(6) (3) When the truck-tractor or tractor is moved or transferred from an incorporated municipality located in one county to an incorporated municipality located in another county, the license plate of the former county must be surrendered to the new county of domicile.

(7) (4) To avoid law enforcement actions, A temporary tag must be obtained in order to move or relocate for a truck-tractor or tractor to be moved or relocated from the municipality in which the truck-tractor or tractor is presently based, the owner or lessee must carry in the cab of the vehicle, and present upon request of law enforcement an affidavit on a form supplied by the Department of Revenue. This affidavit is an The temporary tag will be issued by the license plate issuing official in accordance with Section 32-6-213, Code of Alabama 1975, in the county in which the truck-tractor or tractor is presently based. The temporary tag is authorization to move or relocate the truck-tractor or tractor outside the fifteen (15) mile limit, ~~and will describe the vehicle, give the reason for the relocation, and is to be signed by a representative of the certificated carrier by whom the vehicle is owned or leased.~~ The truck-tractor or truck-trailer combination must be unladen when transferred from one municipality to a new location. Upon relocation, the owner or lessee operator must apply in the county of the new situs of the vehicle to the Judge of Probate or License Commissioner or other county official designated by law to register motor vehicles for the exchange of tags before the truck-tractor or tractor is placed into service.

~~(8)~~ (5) The Judge of Probate or other county official authorized to issue motor vehicle license tags will issue a replacement license plate bearing the county code number of the new county of domicile without charge except for the issuance fee provided for in Section 40-12-271, Code of Alabama 1975.

~~(9)~~ (6) The Judge of Probate or other county official authorized to issue motor vehicle license tags, upon issuance of such replacement tag, shall **forward appropriate copies of the registration certificate provide the registration record** to the Department of Revenue, Motor Vehicle Division, ~~"by the close of business the next business day"~~ in **a manner prescribed by the department accordance with Section 40-12-258, Code of Alabama 1975.**

Author: James Starling

Authority: Sections 40-2A-7(a)(5), 40-2-11 and 40-12-258, Code of Alabama 1975

History: Adopted as amended December 17, 1984; effective February 6, 1985.