

APA-1
11/96

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control 810 Department or Agency REVENUE

Rule Nos. 810-5-1-247

Rule Title: Guidelines for Vehicle Identification Number (VIN) Inspections

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 7/20/12

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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-.247

Rule Title: Guidelines for Vehicle Identification Number (VIN) Inspections

 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:

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-.247 Guidelines for Vehicle Identification Number (VIN) Inspections.

(1) All vehicles being titled for the first time in Alabama and all non-titled vehicles being registered for the first time ~~in a new owner's name~~ by the license plate issuing official must be physically inspected by the license plate issuing official to ensure that the VIN is properly recorded on the application for certificate of title and/or vehicle registration. The physical inspection requirements do not apply to the following:

- (a) Registration renewals;
- (b) Vehicles registered pursuant to Section 32-6-56, Code of Alabama 1975 (IRP-registered vehicles);
- (c) Vehicles registered in this state during the current year or within the previous two calendar years;
- (d) ~~1975 and subsequent year motor v~~ehicles owned by a manufacturer, ~~or dealer~~ or wholesaler and held in inventory for sale or which are properly registered with dealer, dealer transit or manufacturer license plates;
- (e) Utility trailers as defined in Section 40-12-240, Code of Alabama 1975, and rule 810-5-1-.240.

(2) License plate issuing officials may appoint a government official located in Alabama or a law enforcement officer as a deputy for the purpose of inspecting a motor vehicle, by completing Department of Revenue Form MVT 5-10. The government official must verify the vehicle identification number (VIN), make, year, model, body type, number of cylinders, color, and odometer reading of the vehicle by signing the form.

(3) All vehicles must have a unique VIN. It is the registrant's responsibility to ensure that the VIN is permanently affixed to the vehicle. The VIN must be 17 characters for 1981 and later year model motor vehicles, in accordance with the Code of Federal Regulations, Title 49, Chapter V, Part 565. The VIN is not required to be 17 characters for trailers.

(4) Required ownership documentation for first time registrations for ~~non-titled trailers and 1974 and prior year model motor~~ vehicles not required to be titled in Alabama is a bill of sale that contains the minimum requirements established in Department of Revenue Administrative Rule 810-5-1-.246. The VIN on the vehicle must be compared to the ~~number~~ VIN appearing on the ownership documentation to ensure that the correct vehicle is being registered.

(6) Guidelines on where to locate the VIN on the vehicle:

(a) Passenger vehicles/pickup trucks – driver's side windshield or inside driver's door jamb.

(b) Motorcycle – on front fork.

(c) Trailer – on trailer frame or tongue.

(d) Assembled vehicles – driver's door jamb.

(e) ~~Homemade trailers – on trailer frame or tongue.~~

~~(f)~~—1954 and prior year vehicles – inner fender well or driver's door post.
Motor number is to be used as VIN if there is not a VIN plate on the vehicle.

Author: **James Starling**, Amy Bright

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

History: New Rule: Filed January 22, 2010, effective February 26, 2010.

Amended: Filed March 28, 2012, effective May 2, 2012.