

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 810 Department or Agency REVENUE

Rule Nos. 810-5-1-.227.06

Rule Title: Memorandum of Understanding Between the Alabama Emergency Management Agency and the Department of Revenue

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 Michael E. Mason

Date 3/20/2012

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:

APA-2
11/96

**ALABAMA DEPARTMENT OF REVENUE
Motor Vehicle Division**

NOTICE OF INTENDED ACTION

RULE NO. & TITLE

810-5-75-.66 Title Procedure-Cancellation of Manufactured Home Certificate of Origin or Certificate of Title

INTENDED ACTION: Adopt the above rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to adopt the above new rule to clarify the procedures for the cancellation of manufactured home certificates of origin and certificates of title in accordance with Section 32-20-20, Code of Alabama 1975.

RULE NO. & TITLE

810-5-75-.63 Powers of Attorney - Guidelines for Use

INTENDED ACTION: Amend the above rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to amend the above rule to clarify procedures for using powers of attorney. In addition, the department proposes to amend the title of the rule.

RULE NO. & TITLE

810-5-1-.227.06 Memorandum of Understanding Between the Alabama Emergency Management Agency and the Department of Revenue

810-5-1-.488 Memorandum of Understanding Between the Finance Department and the Alabama Department of Revenue

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.

RULE NO. & TITLE

810-5-75-.40

Requirements for Names and Signatures on Title Application and Title Assignments. Reference: Sections 32-8-1 thru 32-8-88, Code of Alabama 1975, as amended

INTENDED ACTION: Amend the above rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to amend the above rule to clarify name and signature requirements for title applications, title assignments and motor vehicle registrations.

TIME, PLACE, MANNER OF PRESENTING VIEWS: A public hearing will be held at **2:00 p.m. on Wednesday, May 16, 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, May 16, 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-.227.06 Memorandum of Understanding Between the Alabama Emergency Management Agency and the Department of Revenue. **(REPEALED)**

(1) The Department of Revenue may allow access into the Department's motor vehicle registration and certificate of title databases to the Alabama Emergency Management Agency. The purpose of this access is limited to assisting the Emergency Management Agency in carrying out its functions in regard to processing disaster applications under the Individual and Family Grant Program.

(2) The Emergency Management Agency agrees to be responsible for the access and dissemination of data by personnel within its agency. The Emergency Management Agency agrees to require its personnel to sign a Disclosure Statement acknowledging that the use of the data is to be confined solely to the legitimate administration of its programs. Personnel within the Emergency Management Agency are to be advised that use of such data for other purposes could be a violation of the federal Driver's Privacy Protection Act; also, that the improper use of the information could constitute a violation of the Alabama Computer Crime Act.

Author: **Jay Starling Johnny Newman**

Authority: Section 40-2A-7(a)(5), Code of Alabama 1975

History: New rule: Filed August 15, 2000, effective September 19, 2000.