

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-.440

Rule Title: Department of Revenue to Issue Apportioned License Plates

 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:

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11/96

**ALABAMA DEPARTMENT OF REVENUE
Motor Vehicle Division**

NOTICE OF INTENDED ACTION

RULE NO. & TITLE

810-5-9-.05	Credentials in Lieu of IFTA Decals
810-5-9-.06	Request for Additional IFTA Decals
810-5-9-.12	IFTA Replacement Decals
810-5-1-.460	Situations Where Registrants are to Return Apportioned Registration License Plates and/or Cab Cards.

INTENDED ACTION: Repeal rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to repeal the above rules because relevant information is being incorporated into other administrative rules.

RULE NO. & TITLE

810-5-9-.03	Application for IFTA License
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INTENDED ACTION: Amend rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to amend the above rule to clarify that IFTA license credentials can be submitted electronically and to direct the applicant to the IFTA website for required elements of the IFTA license application.

RULE NO. & TITLE

810-5-9-.01	International Fuel Tax Agreement
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INTENDED ACTION: Amend rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to amend the above rule to direct registrants to the International Fuel Tax Agreement (IFTA) website to view IFTA governing documents.

RULE NO. & TITLE

810-5-9-.09	IFTA Decals
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INTENDED ACTION: Amend rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to amend the above rule to provide instructions to obtain IFTA Decals, including additional decals, replacements and temporary decal permits and also to clarify that requests can be submitted electronically.

RULE NO. & TITLE

810-5-1-.438 International Registration Plan

INTENDED ACTION: Amend rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to amend the above rule to remove obsolete language and to provide that the IRP documents are available on the IRP website.

RULE NO. & TITLE

810-5-1-.440 Department of Revenue to Issue Apportioned License Plates

INTENDED ACTION: Amend rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to amend the above rule to clarify that IRP applications can be submitted electronically and to provide instruction regarding the maximum weight for which a vehicle can be registered.

RULE NO. & TITLE

810-5-1-.441 Application for Apportioned Registration

INTENDED ACTION: Amend rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to amend the above rule to provide instructions regarding application for IRP registration.

RULE NO. & TITLE

810-5-1-.454 Temporary Evidence of Apportioned Registration (TEAR)

INTENDED ACTION: Amend rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to amend the above rule to provide guidance regarding the issuance of temporary evidence of apportioned registration (TEAR) and to clarify that applications can be submitted electronically.

RULE NO. & TITLE

810-5-1-.471 Alabama Registration Reciprocity Agreements

INTENDED ACTION: Amend rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to amend the above rule to remove reference to the previous address of the Motor Vehicle Division.

RULE NO. & TITLE

810-5-1-.469 Suspension, Cancellation, and/or Revocation of Apportioned License Plates and Cab Cards

INTENDED ACTION: Amend rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to amend the above rule to provide that appeals should now be made to the Alabama Tax Tribunal.

TIME, PLACE, MANNER OF PRESENTING VIEWS: A public hearing will be held at **2:30 p.m. on Thursday, May 19, 2016, Room 1203, First Floor**, Gordon Persons Building, located at 50 N Ripley Street, Montgomery, Alabama. Copies of the rule(s) can be obtained at <http://revenue.alabama.gov/analysis/upcoming-rule-hearings.cfm>

All interested parties may present their views in writing to the **Secretary of the Alabama Department of Revenue, Room 4131, Gordon Persons Building, 50 N Ripley Street, Montgomery, Alabama 36132** at any time following publication of the notice up until the conclusion of the hearing. Interested parties may also appear at the hearing to present their views.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, May 19, 2016

CONTACT PERSON AT AGENCY:

Timothy Sanders
Alabama Department of Revenue
4131 Gordon Persons Building
Montgomery, Alabama 36132
(334) 242-1380



Michael D. Gamble, Secretary
Alabama Department of Revenue

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810-5-1-.440 Department of Revenue to Issue Apportioned License Plates.

(1) The Department of Revenue shall be the sole issuing authority for applicants seeking apportioned vehicle registration under the provisions of the International Registration Plan (**IRP**) or any other registration/reciprocity compact requiring payment of apportioned registration fees which the State of Alabama, through the Commissioner of the Department of Revenue under the authority of **Section 32-6-56, Code of Alabama 1975 Act 848, Alabama 1978 Regular Session**, may enter.

(2) Vehicle, for the purpose of this rule or regulation, shall be held to mean any vehicle with three or more axles, or individually or in combination having a gross weight in excess of **1026,000** pounds.

(3) Any person seeking to apportionally register his/her vehicle or fleet must complete and file application(s) with the **Alabama Department of Revenue. Application(s) may be submitted electronically.** The following application forms are to be furnished by the **Alabama Department of Revenue**:

- (a) MV:IRP-B - ~~International Registration Plan~~ **IRP** Mileage Schedule;
 - (b) MV:IRP-A - ~~International Registration Plan~~ **IRP** Vehicle Schedule;
 - (c) MV:IRP-C - ~~International Registration Plan~~ **IRP** Supplemental Schedule;
 - (d) MV:IRP-G. - ~~International Registration Plan~~ **IRP** New Account Application;
- and
- (e) ~~International Registration Plan~~ **IRP** Renewal Application.

1. Forms should be typed or printed in ink.

(4)(a) Under the provisions of the ~~International Registration Plan~~ **IRP**, registrants are to declare the **combined gross vehicle** weights of ~~trucks and truck tractors~~ **motor vehicles** which they desire to be qualified in member jurisdictions. ~~The Department of Revenue may lower the weight given by a registrant to the legal limit permitted by the member jurisdiction(s). Furthermore, one listing a weight for a jurisdiction which falls between two established weight brackets for that jurisdiction will have the weight increased to the higher weight category. The cab card will reflect the registered weight of the vehicle for each jurisdiction. The registered vehicle weight cannot exceed the maximum weight allowed in each jurisdiction. The maximum operating weights for each jurisdiction can be found on the International Registration Plan, Inc. website at www.irponline.org.~~

(b) ~~Companies operating commercial buses over fixed routes are required to be registered under the International Registration Plan. As buses are registered using various criteria, such as seating capacity, and gross weight, it is the responsibility of the registrant~~

~~to provide the required information in order for the Department of Revenue to calculate registration fees for the jurisdictions in which the motor carrier elects to operate.~~

(5) Upon receipt of applications for apportioned registration, the Department of Revenue issues license plates based on the information provided on the application schedules. The Department of Revenue assumes no responsibility for any liability, damage, or enforcement action taken against the registrant as a result of the license plate credentials issued to the registrant. The registrant is responsible for securing the correct license plate classification (including weight classification) based on his/her operation of the vehicle and Alabama motor vehicle registration statutes. Upon receipt of the vehicle license plates and cab cards, the registrant must review the information shown on the cab card to ascertain whether he/she will be in compliance with the of law. It is the responsibility of the registrant to obtain the correct license plate classification by filing the appropriate schedules as shown provided in this rule.

Author: Sherry Helms
Authority: §§40-2A-7(a)(5), ~~40-12-10(d)~~ and 32-6-56, Code of Alabama 1975.
History: Amended: Filed June 30, 2006, effective August 4, 2006.