



APA-6  
10/96

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

Control No. 810 Department or Agency REVENUE

Rule No: 810-5-1-227.07

Rule Title: Memorandum of Understanding Between the Alabama Department of Environmental Management and the Alabama Department of Revenue .

           New            Amend   X   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**

810-5-1-.227.07      Memorandum of Understanding Between the Alabama Department of Environmental Management and the Alabama Department of Revenue

**INTENDED ACTION:**      Repeal an existing rule

**SUBSTANCE OF PROPOSED ACTION:**      The department proposes to repeal the above rule due to the fact that it is no longer necessary.

**RULE NO. & TITLE**

810-5-12-.05      Evidence of Liability Insurance for Licensed Motor Vehicle Dealers, Motor Vehicle Reconditioners, Motor Vehicle Rebuilders and Motor Vehicle Wholesalers

**INTENDED ACTION:**      Adopt a new rule

**SUBSTANCE OF PROPOSED ACTION:**      The department proposes to adopt the above rule to establish guidelines for evidence of liability insurance coverage and to specify the methods of proof for liability insurance before the license is issued.

**RULE NO. & TITLE**

810-8-5-.06      Evidence of Liability Insurance for Motor Vehicle Dealers, Motor Vehicle Reconditioners, Motor Vehicle Rebuilders, or Motor Vehicle Wholesalers, Licensed under Act Number 539

**INTENDED ACTION:**      Repeal the above rule

**SUBSTANCE OF PROPOSED ACTION:**      The department proposes to repeal the above rule because it is being superseded by proposed new Rule 810-5-12-.05.

**TIME, PLACE, MANNER OF PRESENTING VIEWS:** A public hearing will be held at 2:00 p.m. on Thursday, July 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](http://www.revenue.alabama.gov/rulehear.html).

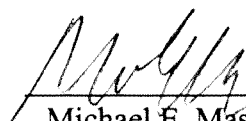
All interested parties may present their views in writing to the **Deputy Commissioner of the Alabama Department of Revenue, Room 4112, Gordon Persons Building, 50 N Ripley Street, Montgomery, Alabama 36132** at any time during the thirty-five (35) day period following publication of the notice or by appearing at the hearing.

**FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:**

Thursday, July 12, 2012

**CONTACT PERSON AT AGENCY:**

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

  
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Michael E. Mason, Deputy Commissioner  
Alabama Department of Revenue

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810-5-1-.227.07 Memorandum of Understanding Between the Alabama Department of Environmental Management and the Alabama Department of Revenue.  
**(REPEALED)**

(1) The Alabama Department of Revenue (ADOR) may allow access into the ADOR's motor vehicle registration and certificate of title database to the Alabama Department of Environmental Management (ADEM). The purpose of this access is limited to determining identity and ownership of vehicles observed during surveillance of illegal dumps within the State of Alabama.

(2) ADOR may allow access to the ADOR scrap tire environmental fee registration database to ADEM. The purpose of this access is for ADEM to determine compliance by tire dealers and retailers with the Alabama Scrap Tire Environmental Quality Act.

(3) ADEM agrees to be responsible for the access and dissemination of data by personnel within its agency. ADEM agrees to require its personnel with access to motor vehicle registration and certificate of title data or to the scrap tire environmental fee registration data to sign a "Non-Employee Confidentiality and Disclosure Statement" (Form COM-103) acknowledging that the use of the data is confined solely to the legitimate administration of its programs. These disclosure documents must be on file with the ADOR and a copy must be with the employee's personnel folder kept by ADEM. For the purposes of this rule, the word "personnel" shall be deemed to include employees of ADEM, vendors, contractors, subcontractors, and anyone with access to the data supplied by the ADOR.

(4) ADEM agrees to inform ADEM personnel with access to motor vehicle registration and certificate of title data provided pursuant to this memorandum of understanding that use or allowing the use of this data for reasons/uses other than the purpose(s) adopted in this MOU could be in violation of the Federal Driver's Privacy Protection Act, and could subject ADEM to federal sanctions. ADEM further agrees to inform personnel that anyone whose personal information is improperly released, or anyone who is injured due to the improper release of personal information contained within the motor vehicle registration or certificate of title databases, may bring a civil action in a U.S. District Court against the person and/or entity that wrongfully released the information.

(5) ADEM, in entering into this memorandum of understanding, agrees that if ADEM personnel release information contrary to the Federal Driver's Privacy Protection Act, such improper release shall be the responsibility of the person wrongfully releasing the data, with ADOR not responsible for the consequences of this improper action.

(6) ADEM shall advise ADEM personnel that the improper use of the information could constitute a violation of the Alabama Computer Crime Act and/or the provisions of Section 40-2A-10, Code of Alabama 1975.

(7) ADEM further agrees to provide the names of the individual(s) granted access to data pursuant to this agreement, and to promptly update the Department when there are additions or deletions to this listing of authorized individuals.

ADOR shall establish security standards for the data received by ADEM pursuant to the memorandum of understanding, which may include the audit of the receiving agency to ensure that the information is being properly secured.

Author: Amy Bright ~~Johnny Newman~~  
Authority: Sections 40-2A-7(a)(5), Code of Alabama 1975.  
History: New rule: Filed January 6, 2004, effective February 10, 2004.