TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control 810 Department or Agency REVE	<u>INUE</u>
Rule Nos. 810-5-7540	
Rule Title: Requirements for Names and Signature Motor Vehicle Registrations	es on Title Applications, Title Assignments and
New; _XX _Amend;Repeal;Adopt by	y 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
**************************************	**************************************
If the proposed rule has an economic impact, the pronote prepared in accordance with subsection (f) of S	oposed rule is required to be accompanied by a fiscal Section 41-22-23, <u>Code of Alabama 1975</u> .
**************************************	**************************************
I certify that the attached proposed rule has been Chapter 22, Title 41, Code of Alabama 1975 and the Administrative Procedure Division of the Legisla	proposed in full compliance with the requirements of hat it conforms to all applicable filing requirements of tive Reference Service.
Signature of certifying officer	N Call
Date 9/22/14	

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

Control No	o. <u>810</u>	_ De	partment or Ag	jency <u>REVENUE</u>	
Rule No:	810-5-75	540			
Rule Title Motor Vehic			s for Names and	Signatures on Title App	lications, Title Assignments and
	_New	Х	Amend	Repeal	Adopt by Reference
● NO ○ YES			s no economic s an economic	c impact. c impact, as explaine	ed below:
1.	NEE)/EXP	ECTED BENE	FIT OF RULE:	
2.	EFFI	CIENT	, AND FEASIE		LE IS THE MOST EFFECTIVE, LLOCATING RESOURCES
3.	EFFE	CT O	F THIS RULE	ON COMPETITION	;
4.	THE		RAPHICAL A	ON COST OF LIVIN REA WHERE THE F	IG AND DOING BUSINESS IN RULE IS TO BE
5.				ON EMPLOYMENT IS TO BE IMPLEME	IN THE GEOGRAPHICAL ENTED:
6.			OF REVENUE IG THIS RULE		IMPLEMENTING AND
7.	AFFE	CTEL	PERSONS, I	NCLUDING ANALY	IC IMPACT OF THIS RULE ON SIS OF PERSONS 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

810-5-75-.31

Title Procedure - Transfer Of Title For Vehicle Under The

Abandoned Motor Vehicle Act - Bill of Sale (Form MVT 32-

13B)

INTENDED ACTION:

Amend rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to amend the title of the above rule, remove out dated language, and further clarify the procedures for obtaining a certificate of title pursuant to Chapter 13, Title 32, Code of Alabama 1975.

RULE NO. & TITLE

810-5-75-.40

Requirements for Names and Signatures on Title Applications,

Title Assignments and Motor Vehicle Registrations

INTENDED ACTION:

Amend rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to amend the above rule to provide further clarification that the vehicle owner's first name (or variance thereof) and last name are required to be shown on the title documentation.

810-5-9-.10

IFTA Quarterly Fuel Use Tax Returns

INTENDED ACTION:

Amend rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to amend the above rule to offer further clarification in filing the IFTA Quarterly Fuel Use Tax Returns.

810-5-9-.13

Cancellation, Suspension, or Revocation of an IFTA Account

License

INTENDED ACTION:

Amend rule

SUBSTANCE OF PROPOSED ACTION: The department proposes to amend the

title of the above rule, remove reference to the Administrative Law Division, and to provide further clarification.

TIME, PLACE, MANNER OF PRESENTING VIEWS: A public hearing will be held at 2:30 p.m. on Wednesday, November 5, 2014, Room 1203, First Floor, Gordon Persons Building, located at 50 N Ripley Street, Montgomery, Alabama. Copies of the rule(s) can be obtained at ww.revenue.alabama.gov/rulehear.html.

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 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, November 5, 2014

CONTACT PERSON AT AGENCY:

Patricia Toles 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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810-5-75-.40 Requirements for Names and Signatures on Title Applications, Title Assignments and Motor Vehicle Registrations.

- (1) An application for a certificate of title, accompanied by the required supporting documents which reflect two (2) owners, shall have the names of both owners shown on the application. Two owners joined by the conjunction "and" or with no conjunction between the names shall have tenancy in common ownership rights and both owners shall be required to sign the title application. Two owners joined by the conjunction "or" or "and/or" shall have joint tenancy ownership rights with rights of survivorship and only one owner shall be required to sign the title application. No more than two owners shall be listed on an application for certificate of title.
- (2) An assignment of title which reflects two (2) owners joined by the conjunction "and" or with no conjunction between the names shall have tenancy in common ownership rights and both owners shall be required to sign the title assignment. Two owners joined by the conjunction "or" or "and/or" shall have joint tenancy ownership rights with rights of survivorship and only one owner shall be required to sign the title assignment.
- (3) The name of the owner(s) to be shown on the application for certificate of title shall be the legal name of the owner(s) of the motor vehicle or manufactured home for which a certificate of title is requested. Variances in the owner's first name shall not affect the legality of the name and the inclusion or omission of a title, middle name or initial, suffix or hyphenated name shall not affect the legality of the owner's name. However, the owner's first name, or variance thereof, and last name are required to be shown on the application for certificate of title. However, Note that the owner's name must be in agreement on all title documents. Any and any variance(s) in the owner's name between title documents will require that the owner provide an affidavit attesting to the variance(s). Where If the owner is doing business under a trade name, the trade name may be shown following the name of the individual owner.
- (4) The name(s) of the owner(s) or operator(s) shown on the application for certificate of title and certificate of title shall be identical to the name(s) of the owner(s) or operator(s) shown on the registration for the motor vehicle.

Author:

Sherry Helms, Mike Gamble, Jonathan Lawrence

Authority:

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

History:

Adopted through APA 1982.

Amended: Filed January 28, 2010, effective March 4, 2010. Amended: Filed June 27, 2012, effective August 1, 2012.