



# State of Alabama Department of Revenue

(www.revenue.alabama.gov)  
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May 26, 2010

## **MEMORANDUM**

**2010-13**

**TO:** License Plate Issuing Officials/Programmers  
**FROM:** Amy Bright, Registration Unit Supervisor *ab*  
Motor Vehicle Division  
**SUBJECT:** 2010 Legislative Action

During the regular session of the 2010 legislature, the following Acts were signed into law by Governor Riley. This memorandum provides a summary of these Acts.

### **Effective Date: June 1, 2010**

**Act 2010-261**                      **Subject: POW/MIA License Plate**  
**New Code Section(s):**        **32-6-660**

#### Provisions:

- Creates a new distinctive POW/MIA license plate for private passenger vehicles, pickup trucks and pleasure motor vehicles.
- There are no restrictions on who is eligible to obtain the license plates.
- The license plates will only be printed and issued when at least 1,000 (quantity class 2) precommitments are received for the passenger/pleasure motor vehicle license plate.
- The annual additional fee for the license plates is \$5. Revised commitment to purchase forms will be provided to each county to reflect the reduced additional fee to be collected.
- Creates a new distinctive POW/MIA license plate for motorcycles that are valid for as long as the passenger vehicle plate is valid.
- The license plates are not eligible for disability access (32-6-231.1), nor can they be personalized (32-6-150).

**Act 2010-748**                      **Subject: Salvage Vehicle Owner Retention**  
**Amended Code Section(s): 32-8-87**

Provisions:

- Allows the vehicle owner to provide evidence that he or she was the owner prior to the event which caused the salvage title to be issued in lieu of them being required to be a licensed rebuilder in order to apply for inspection of the salvage vehicle. Evidence of ownership could include a registration receipt, title, or title application.
- Eliminates the provision requiring the Department of Revenue to approve nationally recognized indexes and databases of retail values for the purpose of salvage vehicle valuations.
- Authorizes an owner of a salvage vehicle to apply for an inspection in certain cases where the supporting paperwork is incomplete or unavailable by posting a bond in accordance with 32-8-36. Currently, individuals who may have obtained a salvage vehicle from a previous owner or insurer who did not properly obtain a salvage title as required by this state or any other state, may not be granted a vehicle inspection, nor issued an Alabama certificate of title.
- Provides that any motor vehicle for which a certificate of title has been issued by any state with the notation of "junk", "parts car", "parts only", "nonrebuildable," or when a bill of sale has been issued for transfer of the vehicle with similar language the vehicle shall be considered to be "junk" and shall not be titled in this state.
- Requires that any scrap metal processor who acquires a motor vehicle for the purposes of recycling it into metallic scrap for remelting purposes shall surrender the certificate of title to the Department of Revenue for cancellation.
- Requires that scrap metal processors shall maintain records for a period of five years of every motor vehicle acquired for the purpose of recycling it into metallic scrap. Criminal penalties for violation of these provisions are also provided.

**Effective Date: July 1, 2010**

**Act 2010-582**                      **Subject: Fire Fighter License Plate**  
**Amended Code Section(s): 32-6-272**

Provisions:

- Reverts back to the Alabama Forestry Commission and the Fire Fighters' Personnel Standards and Education Commission preparing and providing lists to county officials, by December 1 of each year, of volunteer and paid fire fighters.

- If a fire fighter's name does not appear on the list, he/she may obtain the plates by presenting a certificate signed by the chief of the fire department to the license plate issuing official.
- If a paid, part-paid, or volunteer fire fighter dies in the line of duty, the widow or widower may receive one Fire Fighter distinctive license plate. We have attempted to contact the Alabama Forestry Commission to determine what type of documentation the widow or widower will have to present to the licensing official. As soon as we receive a response, each licensing official will be notified.

**Act 2010-710**                      **Subject: Retired Fire Fighter Plate**  
**New Code Section(s):**        **32-6-280**

Provisions:

- Creates a new distinctive Retired Fire Fighter license plate for private passenger vehicles, pickup trucks and pleasure motor vehicles not exceeding 12,000 pounds gross vehicle weight registered in the retired fire fighter's name.
- The fire fighter must have retired from a paid or part-paid fire department. Retirees from volunteer fire departments do not qualify to receive this plate.
- New plates will be issued beginning January 1, 2012. Retired Fire Fighters from a paid or part-paid fire department will not be able to obtain the *Fire Fighter* distinctive license plate after June 30<sup>th</sup>, 2010.
- By December 1st each year, the Fire Fighters' Personnel Standards and Education Commission will be required to send the county licensing officials lists of eligible retired fire fighters and eligible fire departments.
- The bill provides that the first time a retired fire fighter applies for the plate they are to present proof of eligibility to receive the plate.

**Effective Date: October 1, 2010**

**Act 2010-579**                      **Subject: Title/Motor Vehicle Issues**  
**Amended Code Section(s):** **32-8-2, 32-8-6, 32-8-31, 32-8-32, 32-8-36, 32-8-64**

Provisions:

- Eliminates the requirement that the license plate issuing official physically inspect utility trailers and motor vehicles not subject to the title law when the motor vehicles have been registered in this state during the current or previous two calendar years.



- Currently, the fees increase every year and exceed the cost of plates for passenger vehicles.

**Act 2010-716**                      **Subject: Collection & Distribution of MLI Reinstatement Fees**  
**Amended Code Section(s): 32-7A-9**

Provisions:

- Permits the Administrative Office of Courts (AOC) or the Circuit Court Clerk of any county to collect applicable fees and reinstate vehicle registrations resulting from MLI registration suspensions.
- Provides that it will be unlawful for the vehicle owner's county licensing official's office to fail to collect reinstatement fees, when due, and prohibits a reinstatement fee to be waived by the court when the vehicle owner cannot produce evidence that a valid insurance policy was in effect on the citation issuance date.
- Provides that 15% of the reinstatement fees collected by the AOC or the Circuit Court will be retained by their respective office and the balance will be remitted to ADOR.
- Caps the amount that can be accumulated during a fiscal year in the county license plate issuing official's special fund for improvement of office equipment and operations to \$10,000, and provides that any amount above the \$10,000 limit shall accrue to the county general fund.
- Removes the requirement that a registrant must pay reinstatement fees by "certified funds" and provides that ADOR will prescribe the manner of acceptable payments. This will allow ADOR to consider accepting reinstatement fees with more payment options such as credit card payments or by on-line electronic means.