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Commissioner

State of Alabama Department of Revenue

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June 20, 2012

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Assistant Commissioner

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Deputy Commissioner

MEMORANDUM

2012-11

TO: License Plate Issuing Officials and Programmers/
Law Enforcement

FROM: Sherry Helms, Registration Unit Supervisor
Motor Vehicle Division

SUBJECT: 2012 Legislative Action

Attached you will find a summary of the Acts signed into law by Governor Bentley during the regular 2012 legislative session which affect Motor Vehicle Titling, Registration and Insurance. The Motor Vehicle Division will provide additional information regarding the provisions of each Act prior to the respective effective dates.

Please contact the Motor Vehicle Division at (334) 242-9006 or tags@revenue.alabama.gov if you have any questions regarding these Acts.

MVD Summary of Legislation for 2012 Regular Session

House Laws				
Law #	Sponsor	Subject	Provisions	Effective Date
Act 2012-362	Sanderford	License Renewal; Eliminate Social Security # Requirement	<p>This bill would repeal the requirement for the SSN to be provided by applicants for the renewal of a license. The bill amends Section 30-3-194, which provides that any agency that issues or renews a license, certificate or permit to drive a private or commercial vehicle or engage in a profession, occupation, or recreational, sporting or commercial activity shall require applicants to provide the SSN to agency.</p> <p>Currently, applicants for International Registration Plan (IRP) license plates or International Fuel Tax Agreement (IFTA) licenses are required to provide a taxpayer identification number (FEIN or SSN), in accordance with the IFTA Agreement and Federal Motor Carrier Administration regulations, as adopted under Motor Vehicle Division administrative rules 810-5-9-.01 and 810-5-1-.400. The taxpayer identification number is maintained in the Motor Vehicle Division database; however, the taxpayer identification number is not required for renewal of the license or license plate.</p>	August 1, 2012
Act 2012-196	DeMarco	Jefferson County; Cities Designate Official to Issue License Plates	<p>This bill authorizes any city within Jefferson County to designate a city licensing official to process the renewal of motor vehicle license plates for residents of that city. As a consequence of processing license plate renewals, city license plate issuing officials would also be required to process mandatory liability insurance (MLI) reinstatements. Any transaction for a redesigned plate, requiring ordering through PROS, must be processed by the county license plate issuing official's offices. This bill also provides that participating cities are subject to an audit by the Examiners of Public Account and are responsible for any shortfalls. The bill also requires that the city license plate issuing official must be bonded by a bonding company authorized to conduct business in the State of Alabama and in an amount sufficient to cover the amounts as set out in Section 12-13-33. Although this bill does not directly affect the Motor Vehicle Division, it is anticipated that the Motor Vehicle Division would be required to assist city license plate officials who elect to participate in this program with the implementation of the program.</p>	January 1, 2013

Act 2012-491	Hammon, et al	Immigration Law	<p>This bill amends the Beason-Hammon Alabama Taxpayer and Citizen Protection Act, also known as the Immigration Act (2011-535).</p> <p>In Section 31-13-29(a) all references to a “business transaction” changed to “public records transaction” and includes applying/renewing a motor vehicle license plate, driver’s license or nondriver identification card, business license, commercial license, or professional license.</p> <p>Section 31-13-29(c)(1) removes the requirement of verifying an alien's lawful presence through SAVE and instead requires the presentation of one of the documents listed in Section 32-13-3(10).</p> <p>Section 31-13-29(c)(2) states a citizen and an alien demonstrating lawful permanent residence in the U.S. shall not be required to demonstrate citizenship or lawful status for subsequent public records transactions after initial verification is made.</p> <p>Section 31-12-29(d) has been amended to provide that only aliens not lawfully present or person knowingly acting on behalf of an alien not lawfully present who violate this section have committed a Class C felony.</p> <p>Section 31-13-29(g) provides a list of acceptable documents to demonstrate citizenship for public records transactions (legible copies of these documents are acceptable also), including ALVerify and a Uniformed Services Privileges and Identification Card. This section also allows the Department to promulgate a rule to provide other forms of identification to demonstrate citizenship.</p> <p>An official can only make a determination that an alien is unlawfully present in the U.S. if verified by the Department of Homeland Security through the SAVE program or other verification in accordance with 8 U.S.C. 1373(c).</p> <p>If the federal government notifies the state or a political subdivision that a person is an alien unlawfully present in the U.S., then any motor vehicle license plate(s), driver’s license/ nondriver identification card, business, professional, or commercial license must be revoked/ rescinded. The public record transaction cannot be reinstated until the official is notified by the federal government that the alien is lawfully present in the U.S.</p> <p>Section 32-6-10.1 includes language that the Alabama driver's license or non-driver ID of the person lawfully present shall include a foreign national designation.</p>	May 18, 2012
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MVD Summary of Legislation for 2012 Regular Session

Senate Laws

Law #	Sponsor	Subject	Provisions	Effective Date
Act 2012-416	Fielding and Orr	License Plates; Commissioner of Revenue Set Number of Years Plates Valid	This bill amends Section 32-6-62, to permit the Commissioner of Revenue to authorize a license plate design to be extended past the current five (5) year period. It also makes all license plate designs valid for a minimum period of five years. This bill does not have any effect on the "permanent" designed license plates.	August 1, 2012