

1 HB62
2 108541-4
3 By Representative Wood
4 RFD: Public Safety
5 First Read: 12-JAN-10
6 PFD: 12/08/2009
7

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

ENROLLED, An Act,

To amend Section 40-12-250, Code of Alabama 1975, to provide for the determination of the registration fees for governmental and volunteer fire department license plates by the Department of Revenue; to provide that the fees may not exceed the fees required for standard passenger license plates as provided for in Sections 40-12-242 and 40-12-273, Code of Alabama 1975; to provide for an issuance fee in the amount as provided for in Section 40-12-271; to specify that governmental and volunteer fire department license plates may be transferred to another vehicle upon certain conditions being met; to provide for the replacement of license plates; to provide that all fees associated with governmental and volunteer fire department license plates would be retained by the Department of Revenue to cover the costs to administer the law.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 40-12-250 of the Code of Alabama 1975, is amended to read as follows:

"§40-12-250.

"(a) Motor vehicles owned and used by the state, ~~or~~ a county, or a municipality of this state shall not be subject to the payment of license taxes levied, but shall display permanent license plates. Any agency which obtains or

1 possesses a vehicle through a lease-purchase or an
2 installment-sales agreement with an option to buy shall be
3 considered as owning the vehicle for purposes of this section.
4 The purchasing agent or other officer of the state, county, or
5 municipality, shall apply to the Department of Revenue giving
6 the make, type, model, and vehicle identification number of
7 the vehicle or vehicles owned and used by the state, county,
8 or municipality, together with any other information the
9 department may require, which shall be furnished under oath by
10 the applying officer. If upon examination the application
11 appears correct to the department, it shall issue, to be
12 placed on the motor vehicles, the number of license plates, to
13 be used on no other vehicle than that for which issued. State
14 license plates shall have the letter "S" and the registration
15 number ~~stamped~~ printed thereon, county license plates shall
16 have the word "county" and the registration numbers, and
17 municipal license plates shall have the word "municipal" and
18 the registration number ~~stamped~~ printed thereon. License
19 plates on any vehicle owned by a municipal corporation or a
20 municipal board shall have "PUD", public utility department,
21 and the registration number ~~stamped~~ printed thereon. All
22 replacement license plates issued for the vehicles shall be
23 similarly ~~stamped~~ printed or marked. ~~For issuance of these~~
24 ~~license plates and to cover the expense of administration, the~~
25 ~~applying agency shall pay a sum as determined by the Alabama~~

1 ~~Department of Revenue and approved by the Legislative Council,~~
2 ~~equivalent to the actual cost of producing and issuing each~~
3 ~~license plate.~~ The motor vehicle shall be used exclusively in
4 the governmental or corporate functions of the state, county,
5 or municipality to which issued.

6 "(b) Any person who operates a motor vehicle owned
7 or used by the state or any county or municipality thereof
8 with an improper license plate or without a license plate
9 thereon shall be guilty of a misdemeanor and, upon conviction,
10 shall be punished as prescribed by law.

11 "(c) The department may issue permanent license
12 plates for vehicles owned by the United States or any agency
13 thereof which have been loaned to the state or a county or
14 municipality of this state, or to a public agency, including,
15 but not limited to, a volunteer fire department, if the state,
16 county, municipality, or public agency desires to obtain
17 license plates to operate the vehicle on the streets and
18 highways of this state. The license plates shall have words
19 indicating that the vehicle is on loan from the federal
20 government and a registration number. Vehicles displaying
21 these license plates shall be used in accordance with the
22 stipulations wherein the vehicle was loaned to the receiving
23 agency. The license plates may be issued by the department
24 upon application by the state, county, municipality, public
25 corporation, or agency receiving and using the vehicles, ~~and~~

1 ~~upon payment of a sum as determined by the Alabama Department~~
2 ~~of Revenue and approved by the Legislative Council, equivalent~~
3 ~~to the actual cost of producing and issuing each license~~
4 ~~plate.~~ Upon return of the vehicle to the United States agency,
5 the license plate shall be removed, and may be transferred by
6 the department to another vehicle loaned by the United States
7 and used by the governmental entity or agency. The department
8 shall promulgate rules and regulations as necessary to
9 implement this subsection.

10 "(d) The department may issue permanent license
11 plates for vehicles owned by volunteer fire departments. The
12 license plates shall have words indicating that the vehicle is
13 owned by a volunteer fire department and a registration
14 number. Vehicles displaying these license plates shall be used
15 in accordance with the stipulations provided by law for such
16 vehicles. The license plates may be issued by the department
17 upon application by a volunteer fire department ~~and upon~~
18 ~~payment of a sum as determined by the Alabama Department of~~
19 ~~Revenue and approved by the Legislative Council, equivalent to~~
20 ~~the actual cost of producing and issuing each license plate.~~
21 The vehicle shall be used exclusively for volunteer fire
22 department purposes. The department shall promulgate rules and
23 regulations as necessary to implement this subsection.

24 "(e) Registration fees for all license plates
25 provided for in this section shall be determined by the

1 department and may not exceed the fees for standard passenger
2 plates as provided for in Sections 40-12-242 and 40-12-273.
3 The department shall collect an issuance fee at the time of
4 registration for all license plates provided for in this
5 section in the amount as provided for in Section 40-12-271.

6 "(f) In the event a license plate provided for in
7 this section becomes so mutilated as to make it illegible, the
8 governmental entity or volunteer fire department shall file an
9 application with the Department of Revenue setting forth the
10 fact that the plate has been lost, mutilated, or destroyed.
11 The Department of Revenue shall issue a replacement license
12 plate upon payment of the replacement fee provided for in
13 Section 40-12-265 and the surrender of the tag.

14 "(g) When a governmental entity or volunteer fire
15 department sells, trades, or otherwise disposes of a motor
16 vehicle, the license plate shall be removed from the vehicle
17 and retained. The plate may be transferred to another vehicle
18 purchased or otherwise acquired by the governmental entity or
19 volunteer fire department pursuant to Section 40-12-260 and
20 upon payment of the fee provided for therein.

21 "(h) All fees associated with governmental and
22 volunteer fire department license plates shall be retained by
23 the Department of Revenue to cover the costs to administer
24 this section."

1 Section 2. This act shall become effective on
2 January 1, 2011, following its passage and approval by the
3 Governor, or its otherwise becoming law.

1

2

3

4

Speaker of the House of Representatives

5

6

President and Presiding Officer of the Senate

7

House of Representatives

8

I hereby certify that the within Act originated in
9 and was passed by the House 21-JAN-10.

10

11

Greg Pappas
Clerk

12

13

14

15

16

Senate

21-APR-10

Passed

17