

1 HB22  
2 163949-2  
3 By Representative Drake  
4 RFD: Public Safety and Homeland Security  
5 First Read: 03-MAR-15  
6 PFD: 02/18/2015

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8 SYNOPSIS: This bill would provide for a distinctive  
9 motor vehicle license plate for paid professional  
10 firefighters. The bill would provide penalties for  
11 falsely obtaining a professional firefighter tag.

12 This bill would also provide that a member  
13 of the Legion of Valor would receive a distinctive  
14 permanent license plate for a private passenger  
15 motor vehicle registered in the name of the  
16 resident without the payment of any fee or tax.

17 Amendment 621 of the Constitution of Alabama  
18 of 1901, now appearing as Section 111.05 of the  
19 Official Recompilation of the Constitution of  
20 Alabama of 1901, as amended, prohibits a general  
21 law whose purpose or effect would be to require a  
22 new or increased expenditure of local funds from  
23 becoming effective with regard to a local  
24 governmental entity without enactment by a 2/3 vote  
25 unless: it comes within one of a number of  
26 specified exceptions; it is approved by the  
27 affected entity; or the Legislature appropriates

1 funds, or provides a local source of revenue, to  
2 the entity for the purpose.

3 The purpose or effect of this bill would be  
4 to require a new or increased expenditure of local  
5 funds within the meaning of the amendment. However,  
6 the bill does not require approval of a local  
7 governmental entity or enactment by a 2/3 vote to  
8 become effective because it comes within one of the  
9 specified exceptions contained in the amendment.

10  
11 A BILL  
12 TO BE ENTITLED  
13 AN ACT

14  
15 Relating to distinctive license plates for motor  
16 vehicles; to provide for distinctive license plates for  
17 professional firefighters; to provide penalties for falsely  
18 obtaining a professional firefighter tag; to amend Sections  
19 32-6-250 and 32-6-251 of the Code of Alabama 1975, relating to  
20 distinctive license plates, to provide that a member of the  
21 Legion of Valor would receive a free distinctive license  
22 plate; and in connection therewith would have as its purpose  
23 or effect the requirement of a new or increased expenditure of  
24 local funds within the meaning of Amendment 621 of the  
25 Constitution of Alabama of 1901, now appearing as Section  
26 111.05 of the Official Recompilation of the Constitution of  
27 Alabama of 1901, as amended.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

2 Section 1. As used in this act, professional  
3 firefighter means a paid member of a paid or part-paid fire  
4 department of a city, town, county, or other subdivision of  
5 the state, including the chief, assistant chief, warden,  
6 engineer, captain, firemen, and all other officers and  
7 employees of the department who actually engage in fire  
8 fighting or rendering first aid at the scene of an accident.

9 Section 2. (a) Notwithstanding Sections 32-6-64,  
10 32-6-67, and 32-6-68, Code of Alabama 1975, a paid  
11 professional firefighter, upon application and subject to the  
12 provisions of this act, may be issued a distinctive motor  
13 vehicle license plate or tag upon identification as a paid  
14 professional firefighter.

15 (b) In addition to the proper numbers, words, and  
16 insignias used on the standard license plate or tag issued for  
17 motor vehicles, the distinctive plates or tags so issued for a  
18 professional firefighter shall have a design created by the  
19 state association of professional firefighters in coordination  
20 with the tag department of the Alabama Department of Revenue.  
21 Motor vehicle and motorcycle license plates shall bear the  
22 same design.

23 Section 3. (a) The distinctive license plate  
24 provided herein shall be prepared, approved by the  
25 Commissioner of Revenue, and shall be issued through the judge  
26 of probate, license commissioner, or other license issuing  
27 official of the several counties of the state in the same

1 manner as are other motor vehicle license plates or tags, and  
2 the officers shall be entitled to their regular fees for the  
3 service.

4 (b) By December 1 of each year, the Firefighters'  
5 Personnel Standards and Education Commission shall submit to  
6 the judge of probate, the license commissioner, or other  
7 license issuing official of each county a list of eligible  
8 professional firefighters from paid or part-paid fire  
9 departments under this act.

10 (c) Any person who joins a paid or part-paid fire  
11 department after December 1 of any year or any person who is  
12 mistakenly omitted from the lists prepared as described above  
13 may obtain a distinctive plate by presenting to the license  
14 issuing official proof of his or her membership in a fire  
15 department by means of a certificate signed by the chief of  
16 the department on a form prescribed by the Firefighters'  
17 Personnel Standards and Education Commission.

18 (d) Upon the applicant submitting proof of his or  
19 her identification, the professional firefighter shall be  
20 issued the requested number of distinctive license plates or  
21 tags upon the payment of the regular license fee for tags, as  
22 provided by law.

23 (e) The distinctive license plates or tags issued  
24 pursuant to this section shall be used only upon and for  
25 personally owned, private passenger vehicles, to include  
26 station wagons, pick-up trucks, and motorcycles registered in  
27 the name of the professional firefighter making application

1 therefor, and when so issued to the applicant shall be used  
2 upon the vehicle for which issued in lieu of the standard  
3 license plates or license tags normally issued for the  
4 vehicle.

5 (f) Any person who falsely obtains or certifies an  
6 individual to obtain a distinctive professional firefighter  
7 license plate, who is not qualified to obtain the plate shall  
8 be guilty of a Class C misdemeanor and, upon conviction, shall  
9 be punished as provided by law.

10 Section 4. Distinctive plates or tags as provided by  
11 this act shall be prepared and furnished for the licensing  
12 year commencing January 1, 2016, and thereafter as provided by  
13 law for the issuance of other license plates.

14 Section 5. Sections 32-6-250 and 32-6-251 of the  
15 Code of Alabama 1975, are amended to read as follows:

16 "§32-6-250.

17 "(a) A distinctive permanent license plate shall be  
18 issued to any resident of the state who is a recipient of the  
19 Medal of Honor or the widow of a recipient of the Medal of  
20 Honor, to any resident who is a recipient of the Purple Heart  
21 Medal, or to any resident who is a member of the Legion of  
22 Valor with positive proof of the award of the Medal of Honor,  
23 the Purple Heart, the Army Distinguished Service Cross, the  
24 Navy Cross, or the Air Force Cross, or to any resident who  
25 shows by satisfactory proof that he or she was a duly  
26 recognized former prisoner of war, for use on a private motor  
27 vehicle registered in the name of the resident. There shall be

1 no fee or tax for the license plate, except Purple Heart Medal  
2 recipients shall pay ad valorem taxes on vehicles for which  
3 the distinctive plates are issued, and no recipient shall  
4 receive a plate for more than one vehicle except as provided  
5 in subsection (c).

6 "(b) A former prisoner of war for purposes of this  
7 section is a person who, as a member of the United States  
8 Armed Forces, or while serving with a formal United States  
9 ally force, or as a United States civilian, was held as a  
10 prisoner of war during any armed conflict by forces hostile to  
11 the United States.

12 "(c) A person eligible to be issued a distinctive  
13 license plate under this section may be issued additional  
14 distinctive license plates, under any of the above license  
15 plate categories, if the person otherwise qualifies to receive  
16 the distinctive license plate, upon payment of all license tax  
17 and registration fees, including ad valorem taxes, for the  
18 vehicles. Annual renewal decals shall be provided after  
19 payment, if required, of license fees and taxes for the years  
20 during which a new tag or plate is not issued as provided in  
21 Section 32-6-63.

22 "§32-6-251.

23 "The special plates shall be of the same size as  
24 regular motor vehicle license plates, distinguished by the  
25 letters MOH, ~~or~~ LOV, ~~or~~ PHM to be of a different color scheme  
26 and design to any other vehicle tag in this state, or POW to  
27 be of the same color scheme as other distinguished military

1 tags in this state, whichever distinctive design applies, the  
2 nature of which shall be prescribed by a committee to be  
3 appointed by the chief legislative sponsors of this division."

4 Section 6. All laws or parts of laws which conflict  
5 with this act are repealed.

6 Section 7. Although this bill would have as its  
7 purpose or effect the requirement of a new or increased  
8 expenditure of local funds, the bill is excluded from further  
9 requirements and application under Amendment 621 because the  
10 bill defines a new crime or amends the definition of an  
11 existing crime.

12 Section 8. This act shall become effective on the  
13 first day of the third month following its passage and  
14 approval by the Governor, or its otherwise becoming law.