

1 HB380
2 116036-2
3 By Representatives Hurst and Johnson
4 RFD: Public Safety
5 First Read: 21-JAN-10

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8 SYNOPSIS: Under existing law, motor vehicle licensing
9 officials are directed to refuse to issue
10 registration for a motor vehicle having a gross
11 weight of 33,000 pounds or more unless the
12 applicant furnishes proof of payment of the federal
13 heavy vehicle excise tax imposed by Title 26,
14 United States Code §4481. The federal law currently
15 requires the federal heavy vehicle excise tax on a
16 motor vehicle having a gross weight of 55,000
17 pounds or more.

18 This bill would delete the specific weight
19 reference and require an applicant to furnish proof
20 of payment that any federal heavy vehicle excise
21 tax imposed by Title 26, United States Code §4481,
22 has been paid on a motor vehicle prior to the
23 licensing official issuing, renewing, or
24 transferring a motor vehicle registration and
25 license plate for a motor vehicle.

26 Under existing law, Section 40-12-267, Code
27 of Alabama 1975, provides for an expiration date

1 for registrations for commercial vehicles. Section
2 32-6-61, Code of Alabama 1975, was later enacted
3 and provides for the expiration date for the
4 registration of the vehicles.

5 This bill would repeal Section 40-12-267 as
6 obsolete.

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8 A BILL
9 TO BE ENTITLED
10 AN ACT

11
12 Relating to motor vehicle license plates; to amend
13 Section 32-6-58, Code of Alabama 1975, to delete the specific
14 weight reference and to generally require an applicant to
15 furnish proof of payment of any federal heavy vehicle excise
16 tax imposed by Title 26, United States Code §4481, on certain
17 motor vehicles prior to the licensing official issuing,
18 transferring, or renewing any motor vehicle registration and
19 license plate for the motor vehicles; and to repeal Section
20 40-12-267, Code of Alabama 1975, which provides for expiration
21 dates of licenses issued, which is no longer applicable for
22 certain commercial motor vehicles.

23 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

24 Section 1. Section 32-6-58, Code of Alabama 1975, is
25 amended to read as follows:

26 "§32-6-58.

1 "(a) All judges of probate, license commissioners,
2 and other officials authorized by law to register motor
3 vehicles and issue motor vehicle license plates and to perform
4 other duties in connection with the issuance of motor vehicle
5 license plates shall refuse to ~~register a motor vehicle having~~
6 ~~a gross weight of 33,000 pounds or more and shall refuse to~~
7 ~~issue any motor vehicle registrations and license plate for~~
8 ~~such motor vehicle plates and shall refuse to transfer any or~~
9 ~~renew any motor vehicle registrations and license plates for~~
10 ~~such motor vehicles~~ unless the applicant furnishes proof of
11 payment, in the form prescribed by the Secretary of the United
12 States Treasury, that ~~the~~ any federal heavy vehicle excise tax
13 imposed by Title 26, United States Code §4481, has been paid.

14 "(b) The Department of Revenue ~~is empowered to~~ may
15 adopt ~~such~~ rules and regulations ~~as it may deem~~ necessary for
16 the proper administration of this section."

17 Section 2. Section 40-12-267, Code of Alabama 1975,
18 is repealed.

19 Section 3. This act shall become effective
20 immediately following its passage and approval by the
21 Governor, or its otherwise becoming law.