

1 HB77
2 208721-3
3 By Representative Whorton
4 RFD: Public Safety and Homeland Security
5 First Read: 02-FEB-21
6 PFD: 11/30/2020

1
2 ENROLLED, An Act,

3 Relating to distinctive motor vehicle license
4 plates; to amend Sections 32-6-271 and 32-6-280, Code of
5 Alabama 1975; to provide for an annual fee of one dollar for
6 the issuance of distinctive firefighter motor vehicle license
7 plates; and to provide that 50 cents of each dollar collected
8 would be deposited into a fund managed by the Alabama Joint
9 Fire Council and used for the purpose of expanding and
10 maintaining the Alabama Firefighter Memorial located in
11 Tuscaloosa, and that the other 50 cents of each dollar
12 collected would be distributed to the Alabama Fire College to
13 be used for training expenses associated with the Firefighter
14 Peer Support program.

15 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

16 Section 1. Sections 32-6-271 and 32-6-280, Code of
17 Alabama 1975, are amended to read as follows:

18 "§32-6-271.

19 "(a) A firefighter ~~may~~, upon application and subject
20 to the provisions of this division, may be issued a
21 distinctive motor vehicle license plate as identification as a
22 firefighter. In addition to the proper numbers, words, and
23 insignias used on the standard license plate issued for motor
24 vehicles, the distinctive plates so issued firefighters shall
25 bear a red Maltese cross emblem on each side to the left and

1 right of the regular tag numbers. The words "Fire Fighter"
2 should be centered at the bottom of the license plate.

3 "(b) In addition to any other fees provided for by
4 law, an annual additional fee of ~~twenty-five cents (\$.25)~~ one
5 dollar (\$1.00) is added to the cost of the firefighter
6 distinctive license plate provided for in this division,
7 effective January 1, 2022. The annual additional fee collected
8 pursuant to this section shall be distributed by each
9 licensing official to the state Comptroller. The state
10 Comptroller shall distribute the net proceeds monthly as
11 follows:

12 "(1) Fifty cents (\$.50) shall be deposited into a
13 fund managed by the Alabama Joint Fire Council and shall be
14 used for the purpose of expanding and maintaining the Alabama
15 Firefighter Memorial located in Tuscaloosa.

16 "(2) Fifty cents (\$.50) shall be distributed to the
17 Alabama Fire College Joint Fire Council to be used for
18 training expenses associated with the Firefighter Peer Support
19 Program."

20 "(3) The funds generated by this fee shall be subject
21 to audit from either the Alabama Department of Public
22 Examiners or an independent certified public accountant once
23 every three calendar years effective January 1, 2022.

24 "§32-6-280.

1 "(a) As used in this section, the following terms
2 shall have the following meanings:

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

10 "(2) Retired professional firefighter means a
11 retired member of a paid or part-paid fire department of a
12 city, town, county, or other subdivision of the state,
13 including the chief, assistant chief, warden, engineer,
14 captain, firemen, and all other officers and employees of the
15 department who actually engaged in fire fighting or rendering
16 first aid at the scene of an accident. Notwithstanding any
17 other provision of this division, retired professional
18 firefighter includes a retired professional firefighter who is
19 a resident of this state and who has retired from a
20 professional fire department in another state and otherwise
21 meets the requirements of this section.

22 "(b) (1) Notwithstanding Sections 32-6-64, 32-6-67,
23 and 32-6-68, a retired professional firefighter, upon
24 application and subject to the provisions of this section, may
25 be issued a distinctive motor vehicle license plate as

1 identification as a retired professional firefighter, and a
2 professional firefighter, upon application and subject to the
3 provisions of this section, may be issued a distinctive motor
4 vehicle license plate as identification as a professional
5 firefighter.

6 "(2) In addition to the proper numbers, words, and
7 insignias used on the standard license plate issued for motor
8 vehicles, the distinctive plates so issued for a retired
9 professional firefighter shall have a design created by the
10 state association of professional firefighters in coordination
11 with the Mobile Retired Firefighters and Paramedics
12 Association and the Tuscaloosa Retired Firefighters
13 Association, and the distinctive license plate so issued for a
14 professional firefighter shall have a design created by the
15 state association of professional firefighters.

16 "(c) (1) The distinctive license plates provided
17 herein shall be approved by the Commissioner of Revenue and
18 shall be issued through the judge of probate, license
19 commissioner, or other license issuing official of the several
20 counties of the state in the same manner as are other motor
21 vehicle license plates and the officers shall be entitled to
22 their regular fees for the service.

23 "(2) By December 1 of each year, the Firefighters'
24 Personnel Standards and Education Commission shall submit to
25 the judge of probate, the license commissioner, or other

1 license issuing official of each county a list of eligible
2 retired professional firefighters retired from paid or
3 part-paid fire departments under this section. The
4 Firefighters' Personnel Standards and Education Commission
5 shall also add to the list any retired professional
6 firefighter retired from a paid or part-paid fire department
7 in another state who submits proof to the commission of
8 eligibility pursuant to this division. The Firefighters'
9 Personnel Standards and Education Commission shall also submit
10 to the judge of probate, the license commissioner, or other
11 license issuing official of each county a list of eligible
12 professional firefighters from paid or part-paid fire
13 departments.

14 "(3) Any person who joins a paid or part-paid fire
15 department after December 1 of any year or any person who is
16 omitted from the list prepared as described ~~above~~ in
17 subdivision (2) may obtain a distinctive license plate by
18 presenting to the license issuing official proof of his or her
19 membership in a paid or part-paid fire department by means of
20 a certificate signed by the chief of the department on a form
21 prescribed by the Firefighters' Personnel Standards and
22 Education Commission.

23 "(4) Upon the initial application for a retired
24 professional firefighter distinctive license plate under this
25 section, an applicant for a distinctive plate provided ~~herein~~

1 in this section shall present to the judge of probate, the
2 license commissioner, or other license issuing official of the
3 county, proof of his or her retirement from a fire department
4 that is included on the list provided by the Firefighters'
5 Personnel Standards and Education Commission. Proof of the
6 person's retirement from a fire department included on the
7 list from the Firefighters' Personnel Standards and Education
8 Commission is not required for renewal of the distinctive
9 plate.

10 "(5) Upon the applicant submitting proof of his or
11 her identification, the professional firefighter shall be
12 issued the requested number of distinctive license plates upon
13 the payment of the regular fee for license plates, as provided
14 by law, but shall not be required to pay the three dollar (\$3)
15 fee.

16 "(6) Upon the applicant submitting proof of his or
17 her identification, the retired professional firefighter shall
18 be issued the requested number of distinctive license plates
19 upon the payment of the regular license fee for plates, as
20 provided by law, but shall not be required to pay the three
21 dollar (\$3) fee.

22 "(7) The distinctive license plates so issued shall
23 be used only upon and for personally owned, private passenger
24 vehicles, to include station wagons and pick-up trucks,
25 registered in the name of the retired professional firefighter

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

5 ~~"(8)~~ (8)a. In addition to any other fees provided
6 for by law, an annual additional fee of ~~twenty-five cents~~
7 ~~(\$.25)~~ one dollar (\$1.00) is added to the cost of the retired
8 professional firefighter and the professional firefighter
9 distinctive license plates provided for in this division. ~~The~~
10 ~~annual additional fee collected pursuant to this section shall~~
11 ~~be,~~ effective January 1, 2022. The annual additional fee
12 collected pursuant to this section shall be distributed by
13 each licensing official to the state Comptroller. The state
14 Comptroller shall distribute the net proceeds monthly as
15 follows:

16 ~~"a.1.~~ Fifty cents (\$.50) shall be deposited into a
17 fund managed by the Alabama Joint Fire Council and shall be
18 used for the purpose of expanding and maintaining the Alabama
19 Firefighter Memorial located in Tuscaloosa.

20 ~~"b.2.~~ Fifty cents (\$.50) shall be distributed to the
21 Alabama Fire College Joint Fire Council to be used for
22 training expenses associated with the Firefighter Peer Support
23 Program.

24 b. The funds generated by this fee shall be subject
25 to audit from either the Alabama Department of Public

1 Examiners or an independent certified public accountant once
2 every three calendar years effective January 1, 2022.

3 "(9) Anyone who is proven to have either falsely
4 obtained or certified an individual to obtain a distinctive
5 retired professional firefighter license plate or a
6 distinctive professional firefighter license plate shall be
7 guilty of a Class C misdemeanor, and upon conviction, shall be
8 punished according to law.

9 "(d) Retired professional firefighters distinctive
10 license plates as provided by this section shall be prepared
11 and furnished for the licensing year commencing January 1,
12 2012, and thereafter as is provided by law for the issuance of
13 other license plates. Professional firefighters distinctive
14 license plates as provided by this section shall be prepared
15 and furnished for the licensing year commencing January 1,
16 2016, and thereafter as is provided by law for the issuance of
17 other license plates.

18 "(e) The Department of Revenue may ~~promulgate~~ adopt
19 any rules necessary to administer this section."

20 Section 2. This act shall become effective on the
21 first day of the third month following its passage and
22 approval by the Governor, or its otherwise becoming law.

