

1 HB94
2 173170-1
3 By Representatives Baker, Davis, Faust, McMillan, Jones,
4 Shiver and McCutcheon
5 RFD: Public Safety and Homeland Security
6 First Read: 03-FEB-16

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8 SYNOPSIS: This bill would authorize a disabled veteran
9 eligible for a motor vehicle license tax and
10 registration fee exemption or reduction to obtain a
11 disabled veteran motor vehicle license plate to
12 apply the registration fee exemption or reduction
13 to obtain a license plate in any license plate
14 category in which the disabled veteran is otherwise
15 qualified to obtain a license plate.

16
17 A BILL
18 TO BE ENTITLED
19 AN ACT

20
21 Relating to motor vehicle license plates for
22 disabled veterans; to amend Sections 32-6-130; 40-12-244, as
23 amended by Act 2015-506 of the 2015 First Special Session; and
24 40-12-254 of the Code of Alabama 1975, to authorize a disabled
25 veteran to claim a license tax and registration fee exemption
26 or reduction for any license plate category in which the

1 disabled veteran is otherwise qualified to obtain a license
2 plate.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. Sections 32-6-130; 40-12-244, as amended
5 by Act 2015-506 of the 2015 First Special Session; and
6 40-12-254 of the Code of Alabama 1975, are amended to read as
7 follows:

8 "§32-6-130.

9 "(a) Any veteran, as defined in Section 31-5-1, who
10 is a resident of this state and who is suffering a physical
11 disability which requires that any motor vehicle he or she
12 operates be equipped with special mechanical control devices
13 or whose physical disability exceeds 50 percent, upon
14 application accompanied by proof of eligibility to the judge
15 of probate of the county for the special license plates
16 provided herein, as may be prescribed by the State Department
17 of Revenue, and upon payment of five dollars (\$5), unless
18 exempted from the payment of such fee by law, shall be issued
19 license plates, by the judge of probate as provided by law,
20 for private or pleasure motor vehicles, upon which, in lieu of
21 the number now prescribed by law shall be inscribed in legible
22 letters the words, "Disabled Veteran," and shall designate the
23 branch of service and an identifying number as prescribed by
24 the State Department of Revenue. The plates shall not be
25 transferable. The fee established by this section shall be in
26 lieu of the regular license fee now required for motor

1 vehicles and shall be used to defray the cost of issuing the
2 distinctive license plates.

3 "(b) In lieu of applying the registration fee of
4 five dollars (\$5) to the disabled veteran license plate
5 category provided for in subsection (a), the registration fee
6 may be applied to any license plate category in which the
7 disabled veteran qualifies to obtain a license plate. Any
8 additional fee required for a plate from a distinctive or
9 personalized license plate category shall still be required in
10 order to obtain the plate.

11 "§40-12-244.

12 "There shall be exempt from the operation of the
13 privilege or license tax and registration fee now or
14 hereinafter to be levied on automobiles and motor vehicles by
15 the State of Alabama one passenger vehicle owned by any of the
16 following:

17 "(1)a. An active member of the Alabama National
18 Guard or the Alabama State Guard, when organized in lieu of
19 the National Guard or for any service-connected disabled
20 veteran. The exemption for any service-connected disabled
21 veteran extends only to the service-connected disabled
22 veterans' license plate. The exemption for active members of
23 the Alabama National Guard or Alabama State Guard, when
24 organized in lieu of the National Guard, shall be claimed upon
25 presentation of proper identification on forms prescribed by
26 the Adjutant General. Active members of the National Guard may
27 obtain additional license plates for other passenger vehicles

1 which they own by paying the regular privilege or license tax
2 provided by law.

3 "b. A retired member of the Alabama National Guard
4 with 20 years or more service. The exemption shall be claimed
5 upon presentation of proper identification on forms prescribed
6 by the Adjutant General. Retired members of the Alabama
7 National Guard may obtain additional license plates for
8 passenger vehicles which they own upon presentation and proper
9 identification on forms prescribed by the Adjutant General and
10 by paying the regular privilege or license tax and
11 registration fee as provided by law.

12 "c. In lieu of applying the registration fee
13 exemption to the disabled veteran license plate category
14 provided in this subdivision, the exemption may be applied to
15 any license plate category in which the disabled veteran
16 qualifies to obtain a license plate. Any additional fee
17 required for a plate from a distinctive or personalized
18 license plate category shall still be required in order to
19 obtain the plate.

20 "(2)a. An officer, warrant officer, or enlisted
21 person serving as an active member of any United States armed
22 forces reserve organization or any service-connected disabled
23 veterans who were residents of Alabama at the time of entering
24 the service and who are still residents of Alabama at the time
25 the exemption is claimed. The exemption shall be claimed by
26 presentation of proper identification and proof of residence

1 requirements on forms prescribed by the state Department of
2 Revenue.

3 "b. In lieu of applying the registration fee
4 exemption to the disabled veteran license plate category
5 provided for in this subdivision, the exemption may be applied
6 to any license plate category in which the disabled veteran
7 qualifies to obtain a license plate. Any additional fee
8 imposed for a plate from a distinctive or personalized license
9 plate category shall still be required in order to obtain the
10 plate.

11 "(3) A member of a volunteer rescue squad.

12 "(4) The Civil Air Patrol; including those vehicles
13 owned by the national headquarters and those owned by the
14 Alabama wing of the Civil Air Patrol.

15 "(5) A volunteer firefighter who is a resident of
16 Alabama and who is entitled to the distinctive firefighter
17 plate issued pursuant to Section 32-6-272. The exemption for
18 one vehicle extends only to the firefighter distinctive
19 license plate.

20 "(6) A recipient of the "Alabama Gold Star Family"
21 distinctive plate, with respect to the registration fee, ad
22 valorem tax, and any additional fees.

23 "§40-12-254.

24 "(a) Any disabled veteran of World War II or of any
25 other hostilities in which the United States was, is, or shall
26 be engaged against any foreign state, whether as a result of a
27 declared war or not, who owns an automobile which has been, is

1 or shall hereafter be all or partly paid for with funds
2 furnished for such purpose by the Administrator of Veterans'
3 Affairs under authority of any act of the Congress of the
4 United States, is exempt from all license fees and ad valorem
5 taxes required by or prescribed in this article; provided,
6 that the veteran keeps such motor vehicle only for private
7 use. Application for an exemption may be made to the probate
8 judge of the county in which such veteran resides. The state
9 Department of Revenue shall prescribe and furnish application
10 forms to be used and may require the applicant to supply such
11 information as may be necessary to enable the probate judge to
12 determine the veteran's eligibility for the exemption. The
13 application shall be sworn to or affirmed by the veteran and
14 shall be accompanied by the document or instrument, or a
15 certified copy thereof, which evidences the veteran's
16 ownership of the vehicle. Upon determination of eligibility
17 and grant of the exemption, the probate judge shall issue a
18 license ~~tag~~ plate or stamp, to be provided by the state
19 Department of Revenue, permitting the operation of the motor
20 vehicle.

21 "(b) In lieu of applying the registration fee
22 exemption to the disabled veteran license plate category
23 provided for in this section, the exemption may be applied to
24 any license plate category in which the disabled veteran
25 qualifies to obtain a license plate. Any additional fee
26 imposed for a plate from a distinctive or personalized license

1 plate category shall still be required in order to obtain the
2 plate."

3 Section 2. This act shall become effective January
4 1, 2017, following its passage and approval by the Governor,
5 or its otherwise becoming law.