

1 SB172
2 135349-2
3 By Senator Holley
4 RFD: Governmental Affairs
5 First Read: 07-FEB-12

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8 SYNOPSIS: Under existing law, the Legislative
9 Oversight Committee on License Plates may consider
10 applications for the creation of license plate
11 categories for passenger cars, pickup trucks, and
12 self-propelled campers or house cars. Applications
13 for the creation of license plate categories for
14 motorcycles may not be considered through this
15 process.

16 This bill would add motorcycles to the list
17 of license plate categories that the committee may
18 consider. This bill would provide that an
19 application for the creation of a motorcycle
20 license plate category would be for Quantity Class
21 2 only. If the sponsoring organization is applying
22 for both a passenger car plate category and a
23 motorcycle plate category, separate applications
24 would be required to be filed with the committee.
25 The number of commitments to purchase required for
26 both passenger car and motorcycle license plate
27 categories, respectively, would be required to be

1 obtained before the categories would be established
2 and commitments could not be combined in order to
3 reach the required threshold.

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5 A BILL
6 TO BE ENTITLED
7 AN ACT

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9 To amend Section 32-6-64 of the Code of Alabama
10 1975, relating to motor vehicle distinctive license plates; to
11 authorize the Legislative Oversight Committee on License
12 Plates to consider license plate applications for the creation
13 of license plate categories for motorcycles; to provide that
14 an application for the creation of a motorcycle license plate
15 category would be for Quantity Class 2 only; to provide that
16 if the sponsoring organization is applying for passenger car
17 plate and motorcycle plate categories, separate applications
18 would be required to be filed; to provide that the number of
19 commitments to purchase for both passenger car and motorcycle
20 license plate categories would be required to be obtained
21 before the categories would be established and commitments
22 could not be combined in order to reach the required
23 threshold.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25 Section 1. Section 32-6-64, Code of Alabama 1975, is
26 amended to read as follows:

27 "§32-6-64.

1 "(a) (1) The design of license plates, including all
2 emblems, slogans, symbols, or characters appearing on the
3 plates, shall be by regulation as promulgated by the Revenue
4 Commissioner, and as otherwise specified by law. The face of
5 the license plate to be displayed shall be fully treated with
6 a reflective material which will increase the nighttime
7 visibility and legibility of the plate.

8 "(2) Characters on the license plate which designate
9 the county of issuance shall be numeric, and all numerals on
10 the license plates shall be no smaller than two and
11 three-fourths inches in height. The following numbering scheme
12 shall be used:

13 "a. Jefferson County, 1; Mobile County, 2;
14 Montgomery County, 3.

15 "b. All other counties shall be ranked
16 alphabetically and assigned consecutive numbers beginning with
17 4 and concluding with 67.

18 "c. The Department of Revenue shall be responsible
19 for the numbering of distinctive license plates and shall
20 establish a system to minimize duplication of license plate
21 numbers. License plates that shall be approved for manufacture
22 under subsection (b) shall be numbered or personalized.

23 "(b) ~~Effective January 1, 1997, the~~ The sponsoring
24 organization of any new or reissued distinctive license plate
25 that is not of a college or university or ~~an existing a~~
26 military category shall assure a minimum quantity of 250
27 registrations in order for the proposed plate to qualify for

1 production consideration by the legislative oversight
2 committee under the provisions of Section 32-6-67.

3 "(1) The procedure to assure the quantity minimum
4 for a distinctive license plate shall be as follows:

5 "a. The sponsoring organization shall apply to the
6 Department of Revenue for approval for the proposed
7 distinctive license plate from the legislative oversight
8 committee. A sponsoring organization that desires to submit an
9 application both for a passenger car and a motorcycle license
10 plate category shall submit an application for each category.

11 At the time of application, the sponsoring organization shall
12 submit a design for the plate or logo for the quantity class
13 being applied for as described below:

14 "1. Quantity Class 1 (250 to 999 registrations). A
15 new distinctive license plate category, or an existing
16 distinctive license plate to be reissued, in which
17 registrations are estimated to be at least 250, but less than
18 1,000, shall be in conformity with the design approved by the
19 legislative oversight committee for license plates in this
20 quantity class. This plate shall include a space designated on
21 the left side of the license plate, not exceeding two and
22 one-half inches in width and height, in which an appropriate
23 emblem, slogan, or logo design may be applied to represent the
24 organization for whom the distinctive license plate is issued.
25 The distinctive license plate may contain, either at the top
26 or bottom of the license plate, opposite the state name, the
27 name of the distinctive license plate category or group. Each

1 proposed emblem, slogan, symbol, or logo shall be subject to
2 the approval of the legislative oversight committee.

3 "2. Quantity Class 2 (1,000 or greater
4 registrations). This quantity class may use the logo system
5 described for Quantity Class 1, or may use a unique design for
6 the entire plate which is approved by the legislative
7 oversight committee and meets all other design and manufacture
8 requirements of Alabama law. All requests for the creation of
9 motorcycle license plate categories shall be submitted for
10 Quantity Class 2 only. If a sponsoring organization is
11 applying for both passenger car license plate and motorcycle
12 license plate categories, commitments of 1,000 or more plates
13 shall be obtained for each category before the category is
14 created. Commitments to purchase for each license plate
15 category shall not be combined in order to reach the required
16 threshold. Passenger and motorcycle license plate categories
17 shall be of the same design.

18 "b. After the legislative oversight committee
19 approval and notification to the Department of Revenue, the
20 department shall also coordinate with the Comptroller to
21 establish funding procedures for deposit and maintaining
22 monies held pending issuance of the new category of license
23 plates.

24 "c. Each person desiring to register a vehicle in
25 the new category shall make application through the
26 appropriate county issuing official and shall remit, as a

1 commitment to purchase, the additional fee associated with the
2 license plate category.

3 "d. The issuing official shall deduct from the
4 additional fee and retain a two and one-half percent
5 commission as provided by law. The balance shall be forwarded
6 to the Comptroller to be retained in escrow, until such time
7 as the revenue received is equal to or greater than the
8 minimum amount required to issue license plates in that
9 category. If, after one year from the date of notification of
10 approval by the legislative oversight committee, the number of
11 subscribers for a category fails to reach 250 for Quantity
12 Class 1, or fails to reach 1,000 for Quantity Class 2, upon
13 notification by the Department of Revenue, the Comptroller
14 shall pay the money in escrow to the sponsoring organization
15 and no further consideration for production of this proposed
16 distinctive plate shall be made under this application.

17 "e. Upon notification by the Comptroller to the
18 Department of Revenue that a sufficient number of applications
19 for a plate category has been received, the department shall
20 initiate the ordering processes for design and manufacture of
21 the approved license plate. At that time, the Comptroller
22 shall pay out of the escrow account the amounts referred to in
23 Section 32-6-68.

24 "(2) Notwithstanding any other provisions to the
25 contrary, except where specifically provided by subsection
26 (b), effective January 1, 1997, no series of distinctive

1 license plates shall be reissued unless the following
2 requirements are met:

3 "a. For Quantity Class 1 distinctive license plates,
4 there shall have been issued in the prior license year a
5 minimum of 250 license plates.

6 "b. For Quantity Class 2 distinctive license plates,
7 there shall have been issued in the prior license year a
8 minimum of 1,000 license plates.

9 "(3) The use of distinctive license plate categories
10 shall be limited to use on passenger cars, pick-up trucks ~~of~~
11 ~~not more than 8,000 pounds gross weight, and self-propelled~~
12 ~~campers or house cars, and motorcycles.~~ Notwithstanding the
13 foregoing, a sponsoring organization desiring to establish a
14 license plate category for motorcycles may do so only if the
15 requisite number of commitments to purchase for Quantity Class
16 2 is obtained for motorcycle license plates.

17 "(c) (1) The Department of Corrections is directed to
18 supply all license plates and revalidation devices required
19 under this subdivision. The amounts charged by the Department
20 of Corrections for the manufacture of revalidation devices
21 shall not be less than that charged for the manufacture of
22 license plates on a per item basis.

23 "(2) The Department of Corrections shall maintain an
24 accurate system of record-keeping which shall trace and
25 account for the handling and distribution of each plate and
26 revalidation device throughout the manufacturing process until
27 the items are distributed to each county.

1 "(d) After the five-year license plate has been in
2 use for a period of three years the Department of Corrections
3 shall manufacture all subsequent license plates for the
4 remaining two years of the period from a metal of less
5 durability and quality than the metal used in manufacturing
6 the five-year license plates."

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