

1 SB175  
2 139445-2  
3 By Senator Dial  
4 RFD: Commerce, Transportation, and Utilities  
5 First Read: 12-FEB-13

2  
3  
4  
5  
6  
7  
8 SYNOPSIS: Under existing law, a person desiring to  
9 participate in the commitment to purchase process  
10 for new specialty license plates must make  
11 application through the appropriate county issuing  
12 official and remit funds to the issuing official.

13 This bill would require that a person  
14 desiring to participate in the commitment to  
15 purchase process for new specialty plates make  
16 application and remit funds in a manner as  
17 prescribed by the Commissioner of Revenue.

18 This bill would also specify that if an  
19 organization sponsoring a specialty license tag  
20 fails to achieve the required number of  
21 commitments, the organization may not submit  
22 another application for a period of one year.

23 This bill would also further clarify the  
24 application of the law to pick-up trucks.

25  
26 A BILL  
27 TO BE ENTITLED

1 AN ACT

2  
3 To amend Section 32-6-64, Code of Alabama 1975,  
4 relating to the commitment to purchase process for specialty  
5 license plates; to authorize the Commissioner of Revenue to  
6 prescribe the manner in which persons make application and  
7 remit funds for the commitment to purchase process for  
8 specialty license plates; and to specify that a sponsoring  
9 organization that fails to achieve the required number of  
10 commitments may not submit another application for a period of  
11 one year.

12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

15 "§32-6-64.

16 "(a) (1) The design of license plates, including all  
17 emblems, slogans, symbols, or characters appearing on the  
18 plates, shall be by regulation as promulgated by the Revenue  
19 Commissioner, and as otherwise specified by law. The face of  
20 the license plate to be displayed shall be fully treated with  
21 a reflective material which will increase the nighttime  
22 visibility and legibility of the plate.

23 "(2) Characters on the license plate which designate  
24 the county of issuance shall be numeric, and all numerals on  
25 the license plates shall be no smaller than two and  
26 three-fourths inches in height. The following numbering scheme  
27 shall be used:

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

3            "b. All other counties shall be ranked  
4            alphabetically and assigned consecutive numbers beginning with  
5            4 and concluding with 67.

6            "c. The Department of Revenue shall be responsible  
7            for the numbering of distinctive license plates and shall  
8            establish a system to minimize duplication of license plate  
9            numbers. License plates that shall be approved for manufacture  
10           under subsection (b) shall be numbered or personalized.

11           "(b) Effective January 1, 1997, the sponsoring  
12           organization of any new or reissued distinctive license plate  
13           that is not of a college or university or an existing military  
14           category shall assure a minimum quantity of 250 registrations  
15           in order for the proposed plate to qualify for production  
16           consideration by the legislative oversight committee under the  
17           provisions of Section 32-6-67.

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

20           "a. The sponsoring organization shall apply to the  
21           Department of Revenue for approval for the proposed  
22           distinctive license plate from the legislative oversight  
23           committee. At the time of application, the sponsoring  
24           organization shall submit a design for the plate or logo for  
25           the quantity class being applied for as described below:

26           "1. Quantity Class 1 (250 to 999 registrations). A  
27           new distinctive license plate category, or an existing

1 distinctive license plate to be reissued, in which  
2 registrations are estimated to be at least 250, but less than  
3 1,000, shall be in conformity with the design approved by the  
4 legislative oversight committee for license plates in this  
5 quantity class. This plate shall include a space designated on  
6 the left side of the license plate, not exceeding two and  
7 one-half inches in width and height, in which an appropriate  
8 emblem, slogan, or logo design may be applied to represent the  
9 organization for whom the distinctive license plate is issued.  
10 The distinctive license plate may contain, either at the top  
11 or bottom of the license plate, opposite the state name, the  
12 name of the distinctive license plate category or group. Each  
13 proposed emblem, slogan, symbol, or logo shall be subject to  
14 the approval of the legislative oversight committee.

15 "2. Quantity Class 2 (1,000 or greater  
16 registrations). This quantity class may use the logo system  
17 described for Quantity Class 1, or may use a unique design for  
18 the entire plate which is approved by the legislative  
19 oversight committee and meets all other design and manufacture  
20 requirements of Alabama law.

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

1            "c. Each person desiring to register a vehicle in  
2 the new category shall make application ~~through the~~  
3 ~~appropriate county issuing official~~ and shall remit, as a  
4 commitment to purchase, the additional fee associated with the  
5 license plate category in a manner as prescribed by rule of  
6 the Commissioner of Revenue. Any credit card processing fee  
7 associated with the transaction shall be paid by the person  
8 making the commitment to purchase the distinctive license  
9 plate and shall be nonrefundable.

10            "d. The ~~issuing official~~ Department of Revenue shall  
11 deduct from the additional fee and retain a two and one-half  
12 percent commission ~~as provided by law~~. The balance shall be  
13 forwarded to the Comptroller to be retained in escrow, until  
14 such time as the revenue received is equal to or greater than  
15 the minimum amount required to issue license plates in that  
16 category. If, after one year from the date of notification of  
17 approval by the legislative oversight committee, the number of  
18 subscribers for a category fails to reach 250 for Quantity  
19 Class 1, or fails to reach 1,000 for Quantity Class 2, ~~upon~~  
20 ~~notification by the Department of Revenue,~~ the Comptroller  
21 shall pay the money in escrow to the sponsoring organization  
22 and no further consideration for production of this proposed  
23 distinctive plate shall be made under this application. In  
24 addition, the sponsoring organization may not submit another  
25 application for a distinctive license plate for a period of  
26 one year from the date the commitment to purchase period  
27 ended.

1           "e. Upon ~~notification by the Comptroller to~~  
2           determination by the Department of Revenue that a sufficient  
3           number of applications for a plate category has been received,  
4           the department shall initiate the ordering processes for  
5           design and manufacture of the approved license plate. At that  
6           time, the Comptroller shall pay out of the escrow account the  
7           amounts referred to in Section 32-6-68.

8           "(2) Notwithstanding any other provisions to the  
9           contrary, except where specifically provided by subsection  
10          (b), effective January 1, 1997, no series of distinctive  
11          license plates shall be reissued unless the following  
12          requirements are met:

13                 "a. For Quantity Class 1 distinctive license plates,  
14                 there shall have been issued in the prior license year a  
15                 minimum of 250 license plates.

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

19                 "(3) The use of distinctive license plate categories  
20                 shall be limited to use on passenger cars, pick-up trucks ~~of~~  
21                 ~~not more than 8,000 pounds gross weight,~~ and self-propelled  
22                 campers or house cars.

23                 "(c) (1) The Department of Corrections is directed to  
24                 supply all license plates and revalidation devices required  
25                 under this subdivision. The amounts charged by the Department  
26                 of Corrections for the manufacture of revalidation devices

1 shall not be less than that charged for the manufacture of  
2 license plates on a per item basis.

3 "(2) The Department of Corrections shall maintain an  
4 accurate system of record-keeping which shall trace and  
5 account for the handling and distribution of each plate and  
6 revalidation device throughout the manufacturing process until  
7 the items are distributed to each county.

8 "(d) After the five-year license plate has been in  
9 use for a period of three years the Department of Corrections  
10 shall manufacture all subsequent license plates for the  
11 remaining two years of the period from a metal of less  
12 durability and quality than the metal used in manufacturing  
13 the five-year license plates."

14 Section 2. This act shall not become operative as to  
15 license plate applications until January 1, 2014, or as  
16 otherwise provided by rule of the department.

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