

1 SB261  
2 108541-3  
3 By Senator Smith  
4 RFD: Finance and Taxation Education  
5 First Read: 14-JAN-10

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8 SYNOPSIS: Under existing law, the registration fees  
9 for government and volunteer fire department  
10 license plates are determined by the Department of  
11 Revenue and approved by the Legislative Council.  
12 The costs are required to be equivalent to the  
13 actual costs of producing and issuing the plates.

14 This bill would provide that the  
15 registration fees for the plates would be  
16 determined by the Department of Revenue and may not  
17 exceed the fees required for standard passenger  
18 license plates as provided for in Sections  
19 40-12-242 and 40-12-273, Code of Alabama 1975. The  
20 bill further provides for an issuance fee in the  
21 amount as provided for in Section 40-12-271 to be  
22 collected at the time of issuance or transfer of  
23 the governmental and volunteer fire department  
24 license plates. The bill would also provide that  
25 governmental and volunteer fire department license  
26 plates may be transferred to another vehicle upon  
27 certain conditions being met and provides for the

1 replacement of license plates provided for in this  
2 act and establishes the replacement fee. All fees  
3 associated with governmental and volunteer fire  
4 department license plates would be retained by the  
5 Department of Revenue to cover the costs to  
6 administer the law.

7  
8 A BILL  
9 TO BE ENTITLED  
10 AN ACT

11  
12 To amend Section 40-12-250, Code of Alabama 1975, to  
13 provide for the determination of the registration fees for  
14 governmental and volunteer fire department license plates by  
15 the Department of Revenue; to provide that the fees may not  
16 exceed the fees required for standard passenger license plates  
17 as provided for in Sections 40-12-242 and 40-12-273, Code of  
18 Alabama 1975; to provide for an issuance fee in the amount as  
19 provided for in Section 40-12-271; to specify that  
20 governmental and volunteer fire department license plates may  
21 be transferred to another vehicle upon certain conditions  
22 being met; to provide for the replacement of license plates;  
23 to provide that all fees associated with governmental and  
24 volunteer fire department license plates would be retained by  
25 the Department of Revenue to cover the costs to administer the  
26 law.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1           Section 1. Section 40-12-250 of the Code of Alabama  
2 1975, is amended to read as follows:

3           "§40-12-250.

4           "(a) Motor vehicles owned and used by the state, ~~or~~  
5 a county, or a municipality of this state shall not be subject  
6 to the payment of license taxes levied, but shall display  
7 permanent license plates. Any agency which obtains or  
8 possesses a vehicle through a lease-purchase or an  
9 installment-sales agreement with an option to buy shall be  
10 considered as owning the vehicle for purposes of this section.  
11 The purchasing agent or other officer of the state, county, or  
12 municipality, shall apply to the Department of Revenue giving  
13 the make, type, model, and vehicle identification number of  
14 the vehicle or vehicles owned and used by the state, county,  
15 or municipality, together with any other information the  
16 department may require, which shall be furnished under oath by  
17 the applying officer. If upon examination the application  
18 appears correct to the department, it shall issue, to be  
19 placed on the motor vehicles, the number of license plates, to  
20 be used on no other vehicle than that for which issued. State  
21 license plates shall have the letter "S" and the registration  
22 number ~~stamped~~ printed thereon, county license plates shall  
23 have the word "county" and the registration numbers, and  
24 municipal license plates shall have the word "municipal" and  
25 the registration number ~~stamped~~ printed thereon. License  
26 plates on any vehicle owned by a municipal corporation or a  
27 municipal board shall have "PUD", public utility department,

1 and the registration number ~~stamped~~ printed thereon. All  
2 replacement license plates issued for the vehicles shall be  
3 similarly ~~stamped~~ printed or marked. ~~For issuance of these~~  
4 ~~license plates and to cover the expense of administration, the~~  
5 ~~applying agency shall pay a sum as determined by the Alabama~~  
6 ~~Department of Revenue and approved by the Legislative Council,~~  
7 ~~equivalent to the actual cost of producing and issuing each~~  
8 ~~license plate.~~ The motor vehicle shall be used exclusively in  
9 the governmental or corporate functions of the state, county,  
10 or municipality to which issued.

11 " (b) Any person who operates a motor vehicle owned  
12 or used by the state or any county or municipality thereof  
13 with an improper license plate or without a license plate  
14 thereon shall be guilty of a misdemeanor and, upon conviction,  
15 shall be punished as prescribed by law.

16 " (c) The department may issue permanent license  
17 plates for vehicles owned by the United States or any agency  
18 thereof which have been loaned to the state or a county or  
19 municipality of this state, or to a public agency, including,  
20 but not limited to, a volunteer fire department, if the state,  
21 county, municipality, or public agency desires to obtain  
22 license plates to operate the vehicle on the streets and  
23 highways of this state. The license plates shall have words  
24 indicating that the vehicle is on loan from the federal  
25 government and a registration number. Vehicles displaying  
26 these license plates shall be used in accordance with the  
27 stipulations wherein the vehicle was loaned to the receiving

1 agency. The license plates may be issued by the department  
2 upon application by the state, county, municipality, public  
3 corporation, or agency receiving and using the vehicles, ~~and~~  
4 ~~upon payment of a sum as determined by the Alabama Department~~  
5 ~~of Revenue and approved by the Legislative Council, equivalent~~  
6 ~~to the actual cost of producing and issuing each license~~  
7 ~~plate.~~ Upon return of the vehicle to the United States agency,  
8 the license plate shall be removed, and may be transferred by  
9 the department to another vehicle loaned by the United States  
10 and used by the governmental entity or agency. The department  
11 shall promulgate rules and regulations as necessary to  
12 implement this subsection.

13 "(d) The department may issue permanent license  
14 plates for vehicles owned by volunteer fire departments. The  
15 license plates shall have words indicating that the vehicle is  
16 owned by a volunteer fire department and a registration  
17 number. Vehicles displaying these license plates shall be used  
18 in accordance with the stipulations provided by law for such  
19 vehicles. The license plates may be issued by the department  
20 upon application by a volunteer fire department ~~and upon~~  
21 ~~payment of a sum as determined by the Alabama Department of~~  
22 ~~Revenue and approved by the Legislative Council, equivalent to~~  
23 ~~the actual cost of producing and issuing each license plate.~~  
24 The vehicle shall be used exclusively for volunteer fire  
25 department purposes. The department shall promulgate rules and  
26 regulations as necessary to implement this subsection.

1           "(e) Registration fees for all license plates  
2 provided for in this section shall be determined by the  
3 department and may not exceed the fees for standard passenger  
4 plates as provided for in Sections 40-12-242 and 40-12-273.  
5 The department shall collect an issuance fee at the time of  
6 registration for all license plates provided for in this  
7 section in the amount as provided for in Section 40-12-271.

8           "(f) In the event a license plate provided for in  
9 this section becomes so mutilated as to make it illegible, the  
10 governmental entity or volunteer fire department shall file an  
11 application with the Department of Revenue setting forth the  
12 fact that the plate has been lost, mutilated, or destroyed.  
13 The Department of Revenue shall issue a replacement license  
14 plate upon payment of the replacement fee provided for in  
15 Section 40-12-265 and the surrender of the tag.

16           "(g) When a governmental entity or volunteer fire  
17 department sells, trades, or otherwise disposes of a motor  
18 vehicle, the license plate shall be removed from the vehicle  
19 and retained. The plate may be transferred to another vehicle  
20 purchased or otherwise acquired by the governmental entity or  
21 volunteer fire department pursuant to Section 40-12-260 and  
22 upon payment of the fee provided for therein.

23           "(h) All fees associated with governmental and  
24 volunteer fire department license plates shall be retained by  
25 the Department of Revenue to cover the costs to administer  
26 this section."

1                   Section 2. This act shall become effective on  
2           January 1, 2011, following its passage and approval by the  
3           Governor, or its otherwise becoming law.