

1 SB453
2 139445-1
3 By Senators Dial and Holley
4 RFD: Governmental Affairs
5 First Read: 22-MAR-12

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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

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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 distinction 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, 2013, 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.