

1 HB420
2 206404-8
3 By Representative Wilcox
4 RFD: Transportation, Utilities and Infrastructure
5 First Read: 23-FEB-21

1
2 ENROLLED, An Act,

3 Relating to the Legislative Oversight Committee on
4 License Plates; to amend Sections 32-6-64, 32-6-67, and
5 32-6-155.3 , Code of Alabama 1975; to provide that all
6 distinctive license plates be subject to approval and
7 oversight of the legislative oversight committee; to provide
8 for an application fee; to provide for reissuance
9 requirements; and to add §32-6-231.2 to the Code of Alabama
10 1795, to allow disability notations on all distinctive license
11 plates for eligible persons; and to allow the issuance of
12 Alabama Bicentennial distinctive license plates on and after
13 January 1, 2022.

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

15 Section 1. Sections ~~32-6-64 and 32-6-67~~ 32-6-64,
16 32-6-67, and 32-6-155.3, Code of Alabama 1975, are amended to
17 read as follows:

18 "§32-6-64.

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

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

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

8 "b. All other counties shall be ranked
9 alphabetically and assigned consecutive numbers beginning with
10 4 and concluding with 67.

11 "c. The Department of Revenue shall be responsible
12 for the numbering of distinctive license plates and shall
13 establish a system to minimize duplication of license plate
14 numbers. License plates that shall be approved for manufacture
15 under subsection (b) shall be numbered or personalized.

16 "(b) The sponsoring organization of any new or
17 reissued distinctive license plate that is not of a an
18 in-state college or in-state university as provided in
19 subsection (b) of Section 32-6-150, or the Alabama Gold Star
20 Family license plate as provided in Section 32-6-630 or a
21 military or veteran related category shall assure a minimum
22 quantity of 250 registrations in order for the proposed plate
23 to qualify for production consideration by the legislative
24 oversight committee under the provisions of Section 32-6-67.

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

3 "a. The sponsoring organization shall apply to the
4 Department of Revenue for approval for the proposed
5 distinctive license plate from the legislative oversight
6 committee. A sponsoring organization shall be limited to one
7 distinctive license plate design per application. At the time
8 of application, and upon payment of the application fee
9 required in paragraph b., if applicable, the sponsoring
10 organization shall submit a design for the plate or logo for
11 the quantity class being applied for as described below:

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

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

7 "b. Effective January 1, 2022, each sponsoring
8 organization shall submit an application fee equal to the cost
9 of producing the distinctive license plate template not to
10 exceed one hundred dollars (\$100) at the time the initial
11 application is made, the funds of which shall be distributed
12 by the Comptroller to the Department of Corrections to cover
13 the costs of producing the template of the distinctive license
14 plate for the sponsoring organization. On or before October 1,
15 2021, and by each October 1 thereafter, the Department of
16 Corrections shall certify the cost of production to the
17 legislative oversight committee for the subsequent calendar
18 year.

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

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

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

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

7 "(2) Notwithstanding any other provisions to the
8 contrary, except where specifically provided by this
9 subsection, no ~~series of~~ distinctive license plates shall be
10 reissued unless the following requirements are met:

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

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

17 "(3) The use of distinctive license plate categories
18 shall be limited to use on passenger cars, pick-up trucks, and
19 self-propelled campers or house cars.

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

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

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

12 "(e) (1) The department shall provide the owner or
13 owners of a motor vehicle who register a license plate
14 provided in this subsection the ability to opt-in to authorize
15 the release of certain personal information or to opt-out to
16 restrict the release of certain personal information by the
17 department to the sponsoring organization, college, or
18 university. The license plates that shall be subject to the
19 opt-in and opt-out provisions are as follows:

20 "a. A distinctive license plate issued pursuant to
21 this section.

22 "b. A collegiate or university distinctive license
23 plate issued pursuant to Section 32-6-150.

24 "c. Other distinctive license plates as authorized
25 by the legislative oversight committee.

1 "(2) Each owner of the motor vehicle may designate
2 his or her consent through the opt-in authorization to release
3 certain personal information included within a motor vehicle
4 registration record to the sponsoring organization, college,
5 or university. The opt-in authorization shall be made at the
6 time of initial registration through the licensing official
7 for a license plate as specified in subdivision (1).
8 Subsequent opt-in authorizations shall be made directly to the
9 department. As used in this subsection, the term personal
10 information includes only the following information:

11 "a. Owner name.

12 "b. Owner address.

13 "c. Owner email address, if applicable.

14 "(3) Each owner of the motor vehicle may restrict
15 the release of personal information included within a motor
16 vehicle registration record for a license plate as specified
17 in subdivision (1) to the sponsoring organization, college, or
18 university by selecting to opt-out. The opt-out selection
19 shall be made directly to the department.

20 "(4) The subsequent opt-in authorization provided in
21 subdivision (2) and opt-out selection provided in subdivision
22 (3) shall be made in a manner as prescribed by the department.

23 "(5) The sponsoring organization of the distinctive
24 license plate or each college or university for which a
25 distinctive license plate has been issued can make an annual

1 request to the department for the listing of the owner
2 authorized opt-in disclosures. The sponsoring organization in
3 receipt of the listing shall be prohibited from the resale or
4 disclosure of the information to third parties without written
5 consent from the owner to whom the information pertains.

6 "(f) All proposed distinctive license plates and the
7 continued issuance of all existing distinctive license plates
8 shall be subject to the approval and oversight of the
9 legislative oversight committee under Section 32-6-67 and this
10 section, except for the following:

11 "(1) In-state collegiate or in-state university
12 category license plates.

13 "(2) Military or veteran related category license
14 plates.

15 "(3) Alabama Gold Star Family license plates as
16 provided in Section 32-6-630.

17 "(g) Except as otherwise provided in this
18 subsection, no distinctive license plate shall be issued after
19 five consecutive years in which the plate has not met the
20 requirements for reissuance provided in this section. This
21 subsection does not apply to military or veteran related
22 categories or Alabama Gold Star Family distinctive license
23 plates. The Commissioner of Revenue may require persons who
24 qualify for military and veteran related categories or Alabama
25 Gold Star Family distinctive license plates to be recertified

1 not more than every five years by providing the licensing
2 official with Form DD214 or any other documentation prescribed
3 by law or rule as evidence of qualification for the license
4 plate. In the event that Form DD214 or other qualifying
5 documentation prescribed by law or rule is unavailable, the
6 applicant shall provide the licensing official with a
7 certification of eligibility from the Department of Veterans
8 Affairs after the applicant provides that office with other
9 authoritative documentation evidencing eligibility for the
10 license plate.

11 "(h) Any distinctive license plate not created
12 pursuant to this section shall be subject to the reissuance
13 provisions of this section and Section 32-6-62 unless
14 specifically exempted by law, provided the Alabama Gold Star
15 Family distinctive license plate design in effect on January
16 1, 2021, shall not be subject to the redesign provisions of
17 Section 32-6-62.

18 "(i) The provisions in this act amending this
19 section shall not amend the distribution of the additional fee
20 associated with a distinctive license plate as provided in
21 Section 32-6-68 or as otherwise provided under Article 2 of
22 this chapter.

23 "§32-6-67.

24 "(a) There is created a legislative committee to
25 oversee the implementation and administration of this Article

1 2, except Subdivision 1 of Division 1. The committee shall be
2 composed of three members of the House of Representatives and
3 a county license plate issuing official, who shall be
4 appointed by and serve at the pleasure of the Speaker of the
5 House, and three members of the Senate and a county license
6 plate issuing official, who shall be appointed by and serve at
7 the pleasure of the Presiding Officer of the Senate. The
8 committee shall also be composed of the Secretary of the
9 Alabama State Law Enforcement Agency or his or her designee, a
10 ~~probate judge~~ judge of probate who is a licensing plate
11 official appointed by the President of the Probate Judges
12 Association, and a county licensing plate official who shall
13 be appointed by the Alabama Association of Tax Administrators.
14 The Department of Revenue shall designate a representative,
15 the Department of Transportation shall designate a
16 representative, and the Department of Corrections shall
17 designate a representative of Alabama Correctional Industries
18 as nonvoting and advisory members to the committee. The chair,
19 who shall be selected by the members of the committee from the
20 legislative members on the committee, shall have the authority
21 to call meetings of the committee when he or she deems it
22 necessary or as otherwise provided in this section.

23 "(b) The committee shall:

24 "(1) Meet not less than once every six months.

1 "(2) Require that a simple majority of committee
2 voting members be in attendance for conducting whatever
3 business requires committee action.

4 "(3) Establish guidelines for the qualification of
5 organizations which may sponsor a new or continued issuance of
6 a license plate category, or may benefit from that issuance.

7 "(4) Approve, disapprove, or indefinitely postpone,
8 by a vote of two-thirds of the members present at a committee
9 meeting, a request for a new license plate category.

10 "(c) Decisions of the committee concerning approval,
11 disapproval, or indefinite postponement of further action on a
12 proposed distinctive license plate shall be interpreted to be
13 the intent of the entire body of the Legislature, and
14 separate, specific action by the Legislature concerning a
15 distinctive license plate proposal shall not be considered.

16 "(d) The committee shall not consider for approval
17 applications from the following types of organizations:

18 "(1) Out-of-state colleges and universities except
19 as provided in subsection (e).

20 "(2) Private businesses, business organizations, or
21 commercial entities of any type.

22 "(3) Public K-12 schools, private or proprietary
23 two-year colleges, and private or proprietary technical
24 schools, exclusive of the Helping Schools Tag as established
25 in Sections 32-6-300 and 32-6-301.

1 "(4) Groups within high schools, junior colleges,
2 universities, and technical schools, such as band boosters,
3 athletic boosters, and the like, without the express written
4 permission of the high school, junior college, university, or
5 technical school.

6 "(5) Unions.

7 "(6) Political organizations.

8 "(7) Religious organizations.

9 "(8) Groups that promote racial or social
10 disharmony.

11 "(9) Public officials.

12 "(e) The committee may consider and approve an
13 application for a distinctive license plate for an
14 out-of-state college or university, upon submission of an
15 application pursuant to Section 32-6-64.

16 "(f) Upon the request of the chair, the Secretary of
17 the Senate, and the Clerk of the House shall provide clerical
18 assistance necessary for the work of the committee.

19 "(g) The committee members who are members of the
20 Legislature shall be entitled to, and shall receive, the same
21 daily legislative compensation, expense allowances, per diem,
22 and other compensation which they receive while in legislative
23 session for each weekday, Monday through Friday, during any
24 week in which the committee actually meets. The
25 non-legislative members of the committee shall be entitled to,

1 and shall receive, the same per diem and expenses that are
2 paid to state employees."

3 "§32-6-155.3.

4 "(a) Notwithstanding Sections 32-6-64, 32-6-67, and
5 32-6-68, upon application to the judge of probate, license
6 commissioner, or other issuing official, compliance with motor
7 vehicle registration and licensing laws, and payment of
8 regular fees required by law for license plates, owners of
9 private passenger or pleasure motor vehicles who are residents
10 of Alabama shall be issued distinctive "Alabama Bicentennial"
11 license plates.

12 "(b) Payment of required license fees and taxes for
13 the years during which a new plate is not issued shall be
14 evidenced as provided in Section 32-6-63.

15 "(c) The "Alabama Bicentennial" license plate shall
16 be designed by the Department of Revenue, subject to approval
17 by the Legislative Oversight Committee created pursuant to
18 Section 32-6-67.

19 "(d) (1) The plates shall be issued, printed, and
20 processed like other distinctive plates provided in this
21 chapter, furnished for the licensing years commencing January
22 1, 2016, and ending December 31, 2020. The plates issued
23 pursuant to this subdivision may not be renewed after December
24 31, 2020.

1 "(2) Notwithstanding subdivision (1), beginning
2 January 1, 2022, "Alabama Bicentennial" license plates shall
3 be issued, printed, and processed like other distinctive
4 plates as provided in this chapter.

5 "(e) The Department of Revenue may ~~promulgate~~ adopt
6 rules necessary to administer this section."

7 Section 2. Section 32-6-231.2, is added to the Code
8 of Alabama 1975 to read as follows:

9 §32-6-231.2

10 (a) Commencing on January 1, 2022, a vehicle owner
11 who is qualified to receive a distinctive license plate
12 pursuant to this chapter, who has a long-term disability, as
13 defined in Section 32-6-230, who submits to the judge of
14 probate, license commissioner, or other issuing authority
15 medical proof satisfactory to the Commissioner of Revenue that
16 he or she is a disabled individual in accordance with Public
17 Law 100-641 and rulemaking resulting therefrom, may be issued
18 a license plate under this chapter or Chapter 12 of Title 40,
19 which displays the International Symbol of Access.

20 (b) License plates displaying the International
21 Symbol of Access may be displayed on private passenger
22 automobiles, motorcycles, pickup trucks, or self-propelled
23 campers or house cars.

24 (c) The Department of Revenue may adopt rules
25 necessary to administer this subsection.

1 Section 3. This act shall become effective on the
2 first day of the third month following its passage and
3 approval by the Governor, or its otherwise becoming law.

