

1 HB709
2 119822-1
3 By Representatives Wood, Bridges, Laird, Hurst, Brown,
4 Williams (J), Fincher, Clouse, Treadaway, Harper, Thigpen,
5 Thomas (E), Barton, Grantland, Fields, Vance, Mask, Williams
6 (P), Collier, Lewis, Ball and DeMarco
7 RFD: Commerce
8 First Read: 11-MAR-10

2
3
4
5
6
7
8 SYNOPSIS: Under existing law, the Public Service
9 Commission administers the federal Unified Carrier
10 Registration Act of 2005 (UCRA) in the state and
11 collects the assessments associated with
12 administration of the UCRA.

13 This bill would transfer the responsibility
14 for administration of the UCRA to the Department of
15 Revenue. This bill would also provide that the
16 department would collect the fees associated with
17 registration of UCRA and administer the provisions
18 of UCRA in Alabama and for the distribution of the
19 net fees to the Department of Public Safety.

20
21 A BILL
22 TO BE ENTITLED
23 AN ACT
24

25 To amend and renumber Section 37-3-32.1, Code of
26 Alabama 1975, as Article 10, Section 40-12-435, Code of
27 Alabama 1975; to transfer responsibility for administration of

1 the federal Unified Carrier Registration Act of 2005 (UCRA) to
2 the Department of Revenue and provide that the department
3 shall collect the fees associated with registration of UCRA
4 and administer the provisions of UCRA in this state and to
5 provide for distribution of the net fees to the Department of
6 Public Safety.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8 Section 1. Section 37-3-32.1, Code of Alabama 1975,
9 is amended and renumbered to read as follows:

10 "ARTICLE 10

11 "§~~37-3-32.1~~ 40-12-435.

12 "(a) Foreign and domestic motor carriers, motor
13 private carriers, leasing companies, brokers, and freight
14 forwarders shall not operate in interstate commerce in this
15 state without first registering with a base state and paying
16 all fees as required under the federal Unified Carrier
17 Registration Act of 2005.

18 "(b) The ~~Public Service Commission~~ Department of
19 Revenue is the state agency in this state responsible for the
20 administration of the federal Unified Carrier Registration Act
21 of 2005, including participating in the development,
22 implementation, and administration of the Unified Carrier
23 Registration Agreement. The ~~commission may~~ department shall
24 follow rules governing the Unified Carrier Registration
25 Agreement issued under the Unified Carrier Registration Plan
26 by its board of directors.

1 "~~commission may follow rules and~~ Department
2 of Revenue shall collect fee assessments set by the federal
3 Secretary of Transportation in accordance with federal rules
4 and regulations from foreign and domestic motor carriers,
5 motor private carriers, leasing companies, brokers, and
6 freight forwarders, and do all things necessary to enable this
7 state to participate in the federal Unified Carrier
8 Registration Agreement pursuant to the federal Unified Carrier
9 Registration Act of 2005. The ~~commission~~ department may
10 register applicants and collect all fees without notice or a
11 public hearing.

12 "(d) Any fees collected by the ~~commission~~ Department
13 of Revenue pursuant to ~~this section except application fees~~
14 subsection (c), less the actual cost of collection, shall be
15 distributed ~~as follows: One-sixth (1/6) shall be paid in the~~
16 ~~Motor Carrier Fund in the State Treasury Fund; and the~~
17 ~~remaining five-sixths (5/6) of the fees shall be paid in the~~
18 ~~Public Service Commission's~~ to the Department of Public
19 Safety's operating fund, and shall be expended for the payment
20 of expenses incurred by the ~~commission~~ Department of Public
21 Safety in the regulation of motor carriers upon appropriation
22 as provided by law.

23 "(e) The cost of collection shall be the sum of
24 money appropriated each year by law to the Department of
25 Revenue with which to pay the salaries plus that portion of
26 the cost of operation of the department that is expended to
27 collect the fees prescribed in this section. The cost of

1 collection shall be deducted from the fees collected pursuant
2 to this section. The expenditure of the funds appropriated
3 shall be budgeted and allotted pursuant to Article 4 of
4 Chapter 4 of Title 41 and shall be limited to the amount
5 appropriated to defray the expenses of operating the
6 department for each fiscal year.

7 ~~"(e)(f) This section shall not be construed as~~
8 ~~transferring affect the authority ~~for~~ of the ~~enforcement of~~~~
9 ~~Department of Public Safety to enforce the Federal Motor~~
10 ~~Carrier Safety Regulations or ~~any part of~~ the Motor Carrier~~
11 ~~Safety Assistance Program ~~from the Department of Public~~~~
12 ~~Safety."~~

13 Section 2. The Department of Revenue shall amend the
14 plan for participation by the State of Alabama in the federal
15 Unified Carrier Registration Plan to reflect the transfer of
16 responsibility from the Public Service Commission to the
17 Department of Revenue as provided in this act.

18 Section 3. Section 2 of this act shall become
19 effective following its passage and approval by the Governor,
20 or its otherwise becoming law. The remainder of this act shall
21 become effective on October 1 following its passage and
22 approval by the Governor, or its otherwise becoming law.