

1 SB143
2 180958-3
3 By Senator Singleton
4 RFD: Transportation and Energy
5 First Read: 09-FEB-17

1 SB143

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4 ENROLLED, An Act,

5 Relating to the advertisement for the purchase of a
6 salvage or junk branded motor vehicle; to require the license
7 number be displayed; to provide criminal penalties; to provide
8 exemptions; and in connection therewith to have as its purpose
9 or effect the requirement of a new or increased expenditure of
10 local funds within the meaning of Amendment 621 of the
11 Constitution of Alabama of 1901, now appearing as Section
12 111.05 of the Official Recompilation of the Constitution of
13 Alabama of 1901, as amended.

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

15 Section 1. (a) A person, as defined in Section
16 32-8-2 of the Code of Alabama 1975, who advertises in a
17 newspaper, on a website, on a public display or sign, or
18 through an online service, for the purchase of a salvage or
19 junk branded motor vehicle shall clearly and conspicuously
20 disclose on the advertisement his or her true and correct
21 company name, physical address, telephone number, and current
22 license number issued under, and registered in accordance
23 with, Article 8 or Article 9, Chapter 12, Title 40, or Chapter
24 8, Title 13A, Code of Alabama 1975.

1 (b) (1) A person who advertises in violation of
2 subsection (a) commits a Class A misdemeanor.

3 (2) A person required by state law to be licensed as
4 a motor vehicle dealer, who is not licensed, and who
5 advertises in violation of subsection (a), commits a Class A
6 misdemeanor.

7 (3) One half of any fines assessed and collected for
8 violations of this subsection shall be deposited into the
9 General Fund and one half of any fines assessed and collected
10 for violations of this subsection shall be deposited with the
11 local law enforcement agency that has jurisdiction over the
12 crime committed.

13 (c) Subsections (a) and (b) do not apply to either
14 of the following:

15 (1) A person who offers to purchase a motor vehicle
16 on his or her behalf for personal purposes other than
17 rebuilding, dismantling, or recycling into metallic scrap as
18 provided by Section 32-8-87 of the Code of Alabama 1975, or a
19 motor vehicle that meets the conditions set forth in paragraph
20 f. of subdivision (2) of subsection (s) of Section 32-8-87,
21 Code of Alabama 1975.

22 (2) A motor vehicle dealer with an advertisement
23 that is physically attached to the outside of its physical
24 address or location, located on dealership property, or on an
25 easement directly adjacent to dealership property.

1 (d) This act does not apply to any of the following:

2 (1) A person conducting a private transaction
3 seeking to sell his or her own personal vehicle.

4 (2) A person licensed under Article 8 or Article 9,
5 Chapter 12, Title 40, Code of Alabama 1975.

6 (3) A person registered in accordance with Article
7 1A, Chapter 8, Title 13A, Code of Alabama 1975.

8 Section 2. Although this bill would have as its
9 purpose or effect the requirement of a new or increased
10 expenditure of local funds, the bill is excluded from further
11 requirements and application under Amendment 621, now
12 appearing as Section 111.05 of the Official Recompilation of
13 the Constitution of Alabama of 1901, as amended, because the
14 bill defines a new crime or amends the definition of an
15 existing crime.

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

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB143

Senate 07-MAR-17

I hereby certify that the within Act originated in and passed the Senate, as amended.

Patrick Harris,
Secretary.

House of Representatives
Passed: 18-APR-17

By: Senator Singleton