

1 HB420
2 206404-6
3 By Representative Wilcox
4 RFD: Transportation, Utilities and Infrastructure
5 First Read: 23-FEB-21

1 ENGROSSED

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4 A BILL
5 TO BE ENTITLED
6 AN ACT
7

8 Relating to the Legislative Oversight Committee on
9 License Plates; to amend Sections 32-6-64, 32-6-67, and
10 32-6-155.3 , Code of Alabama 1975; to provide that all
11 distinctive license plates be subject to approval and
12 oversight of the legislative oversight committee; to provide
13 for an application fee; to provide for reissuance
14 requirements; and to add §32-6-231.2 to the Code of Alabama
15 1795, to allow disability notations on all distinctive license
16 plates for eligible persons; and to allow the issuance of
17 Alabama Bicentennial distinctive license plates on and after
18 January 1, 2022.

19 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

20 Section 1. Sections ~~32-6-64 and 32-6-67~~ 32-6-64,
21 32-6-67, and 32-6-155.3, Code of Alabama 1975, are amended to
22 read as follows:

23 "§32-6-64.

24 "(a) (1) The design of license plates, including all
25 emblems, slogans, symbols, or characters appearing on the
26 plates, shall be by rule as ~~promulgated~~ adopted by the
27 Commissioner of Revenue, and as otherwise specified by law.

1 The face of the license plate to be displayed shall be fully
2 treated with a reflective material which will increase the
3 nighttime visibility and legibility of the plate.

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

9 "a. Jefferson County, 1; Mobile County, 2;
10 Montgomery County, 3.

11 "b. All other counties shall be ranked
12 alphabetically and assigned consecutive numbers beginning with
13 4 and concluding with 67.

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

19 "(b) The sponsoring organization of any new or
20 reissued distinctive license plate that is not of ~~a~~ an
21 in-state college or in-state university as provided in
22 subsection (b) of Section 32-6-150, or the Alabama Gold Star
23 Family license plate as provided in Section 32-6-630 or a
24 military or veteran related category shall assure a minimum
25 quantity of 250 registrations in order for the proposed plate
26 to qualify for production consideration by the legislative
27 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.

25 "2. Quantity Class 2 (1,000 or greater
26 registrations). This quantity class may use the logo system
27 described for Quantity Class 1, or may use a unique design for

1 the entire plate which is approved by the legislative
2 oversight committee and meets all other design and manufacture
3 requirements of Alabama law.

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

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

22 ~~"c~~ d. Each person desiring to register a vehicle in
23 the new category shall make application and shall remit, as a
24 commitment to purchase, the additional fee associated with the
25 license plate category in a manner as prescribed by rule of
26 the Commissioner of Revenue. Any credit card processing fee
27 associated with the transaction shall be paid by the person

1 making the commitment to purchase the distinctive license
2 plate and shall be nonrefundable.

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

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

26 "(2) Notwithstanding any other provisions to the
27 contrary, except where specifically provided by this

1 subsection, no ~~series of~~ distinctive license plates shall be
2 reissued unless the following requirements are met:

3 "a. For Quantity Class 1 distinctive license plates,
4 there shall have been issued in the prior license year a
5 minimum of 250 license plates.

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

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

12 "(c) (1) The Department of Corrections is directed to
13 supply all license plates and revalidation devices required
14 under this subdivision. The amounts charged by the Department
15 of Corrections for the manufacture of revalidation devices
16 shall not be less than that charged for the manufacture of
17 license plates on a per item basis.

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

23 "(d) After the five-year license plate has been in
24 use for a period of three years, the Department of Corrections
25 may manufacture all subsequent license plates for the
26 remaining two years of the period from a metal of less

1 durability and quality than the metal used in manufacturing
2 the five-year license plates.

3 "(e) (1) The department shall provide the owner or
4 owners of a motor vehicle who register a license plate
5 provided in this subsection the ability to opt-in to authorize
6 the release of certain personal information or to opt-out to
7 restrict the release of certain personal information by the
8 department to the sponsoring organization, college, or
9 university. The license plates that shall be subject to the
10 opt-in and opt-out provisions are as follows:

11 "a. A distinctive license plate issued pursuant to
12 this section.

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

15 "c. Other distinctive license plates as authorized
16 by the legislative oversight committee.

17 "(2) Each owner of the motor vehicle may designate
18 his or her consent through the opt-in authorization to release
19 certain personal information included within a motor vehicle
20 registration record to the sponsoring organization, college,
21 or university. The opt-in authorization shall be made at the
22 time of initial registration through the licensing official
23 for a license plate as specified in subdivision (1).

24 Subsequent opt-in authorizations shall be made directly to the
25 department. As used in this subsection, the term personal
26 information includes only the following information:

27 "a. Owner name.

1 "b. Owner address.

2 "c. Owner email address, if applicable.

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

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

12 "(5) The sponsoring organization of the distinctive
13 license plate or each college or university for which a
14 distinctive license plate has been issued can make an annual
15 request to the department for the listing of the owner
16 authorized opt-in disclosures. The sponsoring organization in
17 receipt of the listing shall be prohibited from the resale or
18 disclosure of the information to third parties without written
19 consent from the owner to whom the information pertains.

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

25 "(1) In-state collegiate or in-state university
26 category license plates.

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

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

5 "(g) Except as otherwise provided in this
6 subsection, no distinctive license plate shall be issued after
7 five consecutive years in which the plate has not met the
8 requirements for reissuance provided in this section. This
9 subsection does not apply to military or veteran related
10 categories or Alabama Gold Star Family distinctive license
11 plates. The Commissioner of Revenue may require persons who
12 qualify for military and veteran related categories or Alabama
13 Gold Star Family distinctive license plates to be recertified
14 not more than every five years by providing the licensing
15 official with Form DD214 or any other documentation prescribed
16 by law or rule as evidence of qualification for the license
17 plate. In the event that Form DD214 or other qualifying
18 documentation prescribed by law or rule is unavailable, the
19 applicant shall provide the licensing official with a
20 certification of eligibility from the Department of Veterans
21 Affairs after the applicant provides that office with other
22 authoritative documentation evidencing eligibility for the
23 license plate.

24 "(h) Any distinctive license plate not created
25 pursuant to this section shall be subject to the reissuance
26 provisions of this section and Section 32-6-62 unless
27 specifically exempted by law, provided the Alabama Gold Star

1 Family distinctive license plate design in effect on January
2 1, 2021, shall not be subject to the redesign provisions of
3 Section 32-6-62.

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

9 "§32-6-67.

10 "(a) There is created a legislative committee to
11 oversee the implementation and administration of this Article
12 2, except Subdivision 1 of Division 1. The committee shall be
13 composed of three members of the House of Representatives and
14 a county license plate issuing official, who shall be
15 appointed by and serve at the pleasure of the Speaker of the
16 House, and three members of the Senate and a county license
17 plate issuing official, who shall be appointed by and serve at
18 the pleasure of the Presiding Officer of the Senate. The
19 committee shall also be composed of the Secretary of the
20 Alabama State Law Enforcement Agency or his or her designee, a
21 ~~probate judge~~ judge of probate who is a licensing plate
22 official appointed by the President of the Probate Judges
23 Association, and a county licensing plate official who shall
24 be appointed by the Alabama Association of Tax Administrators.
25 The Department of Revenue shall designate a representative,
26 the Department of Transportation shall designate a
27 representative, and the Department of Corrections shall

1 designate a representative of Alabama Correctional Industries
2 as nonvoting and advisory members to the committee. The chair,
3 who shall be selected by the members of the committee from the
4 legislative members on the committee, shall have the authority
5 to call meetings of the committee when he or she deems it
6 necessary or as otherwise provided in this section.

7 "(b) The committee shall:

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

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

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

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

18 "(c) Decisions of the committee concerning approval,
19 disapproval, or indefinite postponement of further action on a
20 proposed distinctive license plate shall be interpreted to be
21 the intent of the entire body of the Legislature, and
22 separate, specific action by the Legislature concerning a
23 distinctive license plate proposal shall not be considered.

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

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

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

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

7 "(4) Groups within high schools, junior colleges,
8 universities, and technical schools, such as band boosters,
9 athletic boosters, and the like, without the express written
10 permission of the high school, junior college, university, or
11 technical school.

12 "(5) Unions.

13 "(6) Political organizations.

14 "(7) Religious organizations.

15 "(8) Groups that promote racial or social
16 disharmony.

17 "(9) Public officials.

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

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

25 "(g) The committee members who are members of the
26 Legislature shall be entitled to, and shall receive, the same
27 daily legislative compensation, expense allowances, per diem,

1 and other compensation which they receive while in legislative
2 session for each weekday, Monday through Friday, during any
3 week in which the committee actually meets. The
4 non-legislative members of the committee shall be entitled to,
5 and shall receive, the same per diem and expenses that are
6 paid to state employees."

7 "§32-6-155.3.

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

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

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

23 "(d) (1) The plates shall be issued, printed, and
24 processed like other distinctive plates provided in this
25 chapter, furnished for the licensing years commencing January
26 1, 2016, and ending December 31, 2020. The plates issued

1 pursuant to this subdivision may not be renewed after December
2 31, 2020.

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

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

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

11 §32-6-231.2

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

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

26 (c) The Department of Revenue may adopt rules
27 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.

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Transportation,
Utilities and Infrastructure 23-FEB-21

Read for the second time and placed
on the calendar 1 amendment 03-MAR-21

Read for the third time and passed
as amended..... 30-MAR-21
Yeas 91, Nays 7, Abstains 0

Jeff Woodard
Clerk