

ACT No. 2006- 221

1 HB365  
2 79922-4  
3 By Representative Hubbard  
4 RFD: Government Finance and Appropriations  
5 First Read: 17-JAN-06



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ENROLLED, An Act,

To amend Section 32-7A-9, Code of Alabama 1975, relating to the fees for reinstatement of a motor vehicle registration that has been suspended, to provide further for the payment of the fees to the Department of Revenue or the county in which the license plate was issued.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 32-7A-9, Code of Alabama 1975, is amended to read as follows:

"§32-7A-9.

"(a) The department shall suspend the vehicle registration of any motor vehicle determined to be in violation of Section 32-7A-4, including any motor vehicle operated in violation of Section 32-7A-16 by an operator other than the owner of the vehicle. Neither the fact that, subsequent to the date of verification or violation, the owner acquired the required liability insurance policy nor the fact that the owner terminated ownership of the motor vehicle shall have any bearing upon the required suspension.

"(b) The registration of any motor vehicle registered in this state shall be suspended upon the department receiving notice of the conviction of the operator of the motor vehicle in another state of an offense which, if committed in this state, would constitute a violation of

1 Section 32-7A-4. Until it is terminated, any suspension under  
2 this chapter shall remain in force even if the registration is  
3 renewed or a new registration is acquired for the motor  
4 vehicle contrary to Section 32-7A-10.

5 "(c) In the case of a first violation, the  
6 department shall terminate the suspension upon payment by the  
7 owner of a reinstatement fee of one hundred dollars (\$100) in  
8 certified funds and submission of proof of insurance as  
9 prescribed by the department to either the department or to  
10 the vehicle owner's county license plate issuing official.

11 Upon a first violation, the owner's name and identifying  
12 information shall be provided to the director by the  
13 department, for the purpose of requiring the owner to purchase  
14 and maintain insurance pursuant to Section 32-7-13 or Section  
15 32-7-31, or both, for a period of one year.

16 "(d) In the case of a second or subsequent violation  
17 by a person having ownership interest in a motor vehicle or  
18 vehicles within the preceding four years, or a violation of  
19 Section 32-7A-16(3), the department shall terminate the  
20 suspension four months after its effective date upon payment  
21 by the owner of a reinstatement fee of two hundred dollars  
22 (\$200) in certified funds and submission of proof of insurance  
23 as prescribed by the department to either the department or to  
24 the vehicle owner's county license plate issuing official. In  
25 the case of a second or subsequent violation, the owner's name

1 and identifying information shall be provided to the director  
 2 by the department, for the purpose of the director requiring  
 3 the owner to purchase and maintain insurance pursuant to  
 4 Section 32-7-13 or Section 32-7-31, or both, for a period of  
 5 three years. Upon conviction of a second offense the violator  
 6 shall be guilty of a Class B misdemeanor.

7 "(e) In accepting the reinstatement fee and proof of  
 8 insurance, the owner's county license plate issuing official  
 9 shall be responsible for notifying and forwarding, not later  
 10 than the next business day, any required documentation  
 11 concerning the reinstatement of motor vehicle registration or  
 12 registrations to the department in the manner prescribed by  
 13 the department.

14 "(e) ~~All~~ (f) Except as provided in subsection (g),  
 15 all fees collected under this section shall be retained by the  
 16 department for use in the administration of this chapter;  
 17 provided, if the fees are collected by the owner's county  
 18 license plate issuing official, the official shall remit the  
 19 fee to the department, except for 10 percent of the fee, which  
 20 shall be retained by the official and distributed 50 percent  
 21 to the county license plate issuing official and 50 percent to  
 22 the county general fund. In the event the county license plate  
 23 issuing official receives a salary, the retained fee  
 24 distributed to the county license plate issuing official shall  
 25 be deposited into the county general fund. The county

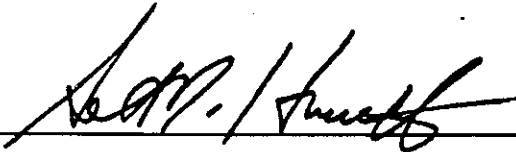
1 ~~treasurer shall maintain such fees as a special motor vehicle~~  
2 ~~registration and titling technology fund. The special fund~~  
3 ~~shall be used for all reasonable and necessary technology~~  
4 ~~expenses directly related to the registration or titling, or~~  
5 ~~both, of motor vehicles, including, but not limited to, the~~  
6 ~~purchase of hardware or software, or both, for motor vehicle~~  
7 ~~registration and titling activities. The special fund shall be~~  
8 ~~for the use of the official charged with motor vehicle~~  
9 ~~registration and titling responsibilities and shall be in~~  
10 ~~addition to the amount budgeted for the office of the~~  
11 ~~official. Moneys in the special fund shall be disbursed by the~~  
12 ~~county treasurer commission for the payment of motor vehicle~~  
13 ~~registration or titling-related technology expenses of those~~  
14 ~~official requisitioning expenditures from the fund. County~~  
15 ~~license plate issuing officials shall remit the balance of the~~  
16 ~~funds to the department in the manner prescribed by the~~  
17 ~~department by the 10th day of the month following the month of~~  
18 ~~collection. Refunds of reinstatement fees, less than the~~  
19 ~~retained fees, shall be granted in cases of duplicate payment,~~  
20 ~~or as approved by the department. Anyone who is denied a~~  
21 ~~refund of the reinstatement fee may appeal the denial to the~~  
22 ~~administrative law judge pursuant to Section 40-2A-8.~~

23 "(g) Notwithstanding the provisions of subsection  
24 (f), five dollars (\$5) ten dollars (\$10) of each reinstatement  
25 fee received shall be deposited by the department into the


1 Alabama Peace Officers' Annuity and Benefit Fund, as  
2 authorized by Section 36-21-66."

3 Section 2. This act shall become effective July 1,  
4 2006, following its passage and approval by the Governor, or  
5 its otherwise becoming law.

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Speaker of the House of Representatives



President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in  
and was passed by the House 22-FEB-06, as amended.

Greg Pappas  
Clerk

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Senate 02-MAR-06 Passed

APPROVED 03-10-06

TIME 3:10 p.m.

  
GOVERNOR

Alabama Secretary of State

Act Num....: 2006-221  
Bill Num...: H-365

Recv'd 03/10/06 03:53pmKCW