

**ECONOMIC IMPACT STATEMENT
FOR APA RULE
(Section 41-22-23(f))**

Control No. 810 Department or Agency REVENUE

Rule No: **810-5-75-.46.01**

Rule Title: Assignment of Certificate of Title - Transferor's Signature Requirements

 New Amend X Repeal Adopt by Reference

This rule has no economic impact.

This rule has an economic impact, as explained below:

1. NEED/EXPECTED BENEFIT OF RULE:
2. COSTS/BENEFITS OF RULE AND WHY RULE IS THE MOST EFFECTIVE, EFFICIENT, AND FEASIBLE MEANS FOR ALLOCATING RESOURCES AND ACHIEVING THE STATED PURPOSE:
3. EFFECT OF THIS RULE ON COMPETITION:
4. EFFECT OF THIS RULE ON COST OF LIVING AND DOING BUSINESS IN THE GEOGRAPHICAL AREA WHERE THE RULE IS TO BE IMPLEMENTED:
5. EFFECT OF THIS RULE ON EMPLOYMENT IN THE GEOGRAPHICAL AREA WHERE THE RULE IS TO BE IMPLEMENTED:
6. SOURCE OF REVENUE TO BE USED FOR IMPLEMENTING AND ENFORCING THIS RULE:
7. THE SHORT-TERM/LONG-TERM ECONOMIC IMPACT OF THIS RULE ON AFFECTED PERSONS, INCLUDING ANALYSIS OF PERSONS WHO WILL BEAR THE COSTS AND THOSE WHO WILL BENEFIT FROM THE RULE:
8. UNCERTAINTIES ASSOCIATED WITH THE ESTIMATED BENEFITS AND BURDENS OF THE RULE, INCLUDING QUALITATIVE/QUANTITATIVE BENEFITS AND BURDEN COMPARISON:
9. THE EFFECT OF THIS RULE ON THE ENVIRONMENT AND PUBLIC HEALTH:
10. DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE RULE IS NOT IMPLEMENTED:
11. OTHER COMMENTS:

APA-2
11/96

ALABAMA DEPARTMENT OF REVENUE
Motor Vehicle Division

NOTICE OF INTENDED ACTION

RULE NO. & TITLE:

810-5-75-.68

Title Procedure – Exemptions from Titling

INTENDED ACTION:

Adopt a new rule

SUBSTANCE OF PROPOSED ACTION:

The department proposes to promulgate a new rule which will exempt the following vehicles from titling: motor vehicles more than 35 model years old, trailers more than 20 model years old and low speed vehicles as defined under federal regulations.

RULE NO. & TITLE:

810-5-75-.57

Application for Salvage Certificate of Title

INTENDED ACTION:

Amend an existing rule

SUBSTANCE OF PROPOSED ACTION:

The department proposes to amend the above rule to clarify the procedures for insurance companies to obtain electronic certificates of title for motor vehicles for which they have paid total loss claims due to the vehicles being reported as stolen. In addition, the title of the rule will be amended.

RULE NO. & TITLE:

810-5-75-.48

Title Procedures - Defining "Junk", "Parts Only" and "Scrap" Vehicles and Requiring Notice

INTENDED ACTION:

Amend an existing rule

SUBSTANCE OF PROPOSED ACTION:

The department proposes to amend the above rule to clarify the procedures for reporting the transfer of a motor vehicle for the purpose of dismantling it or recycling it into metallic scrap in accordance with Act 2011-633. In addition, Form MVT 5-18 will replace Form MVT 5-48 as an appendix to the rule.

RULE NO. & TITLE:

810-5-75-.07

Title Procedure – Request for Change of Address Only on a Certificate of Title

INTENDED ACTION:

Repeal an existing rule

SUBSTANCE OF PROPOSED ACTION:

The department proposes to repeal the above rule due to the fact that the procedure and form are no longer in use. Owner and lienholder addresses are now updated electronically through the electronic title application processing system (ETAPS).

RULE NO. & TITLE:

810-5-75-.26.01

Title Procedure – Motor Vehicles Exempt from Titling in Other States

INTENDED ACTION:

Repeal an existing rule

SUBSTANCE OF PROPOSED ACTION:

The department proposes to repeal the above rule due to the fact that the procedure is already codified in Section 32-8-39(b), Code of Alabama 1975.

RULE NO. & TITLE:

810-5-75-.37

Application for Certificate of Title-Seller's Signature Requirements

INTENDED ACTION:

Repeal an existing rule

SUBSTANCE OF PROPOSED ACTION:

The department proposes to repeal the above rule due to the fact that Act 2009-281 eliminated the requirement for a seller's signature on an application for certificate of title; therefore the rule is no longer necessary.

RULE NO. & TITLE:

810-5-75-.44

Assignment/Reassignment of Salvage Certificate of Title

INTENDED ACTION:

Repeal an existing rule

SUBSTANCE OF PROPOSED ACTION:

The department proposes to repeal the above rule due to the fact the assignment procedure is already addressed in Rule 810-5-75-.40 and all certificates of title for non-exempt vehicles now conform to the Federal Truth in Mileage Act of 1986; therefore, this rule is no longer necessary.

RULE NO. & TITLE:

810-5-75-.46.01

Assignment of Certificate of Title - Transferor's Signature Requirements

INTENDED ACTION:

Repeal an existing rule

SUBSTANCE OF PROPOSED ACTION:

The department proposes to repeal the above rule due to the fact that the procedure is already addressed in Rule 810-5-75-.40.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

A public hearing will be held at **10:00 a.m.** on **Thursday, October 6, 2011**, in the **Office of the Legal Division, Room 3114**, Gordon Persons Building, located at 50 N Ripley Street, Montgomery, Alabama. Copies of the rule(s) can be obtained at www.revenue.alabama.gov/rulehear.html.

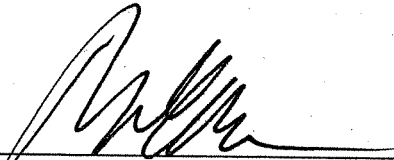
All interested parties may present their views in writing to the **Deputy Commissioner of the Alabama Department of Revenue, Room 4112, Gordon Persons Building, 50 N Ripley Street, Montgomery, Alabama 36132** at any time during the thirty-five (35) day period following publication of the notice or by appearing at the hearing.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, October 6, 2011

CONTACT PERSON AT AGENCY:

Patricia Toles
Alabama Department of Revenue
4131 Gordon Persons Building
Montgomery, Alabama 36132
(334) 242-1380



Michael E. Mason, Deputy Commissioner
Alabama Department of Revenue

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810-5-75-.46.01 Assignment of Certificate of Title - Transferor's Signature Requirements. **(REPEALED)**

(1) As required under Section 32-8-39 (c), Code of Alabama 1975, as amended, the Alabama Certificate of Title provides an assignment to be completed by the owner (transferor) upon transfer of a titled vehicle, as well as reassignments for licensed dealers to complete to further transfer the vehicle. The transferor of a vehicle must provide a properly assigned certificate of title to the transferee upon the transfer of a vehicle unless the transfer is by operation of law.

(2) The transferor's signature on a certificate of title, manufacturers' statement of origin, dealer reassignment form, power of attorney, and other documents requiring an assignment by the transferor shall meet the following criteria:

(a) Shall be the legal signature of transferor.

(b) Signature of transferor must be hand written.

(c) Signature must be first name first.

(d) Signature of each transferor is required when names of owners on the face of the certificate of title are joined by the conjunction "and", or when there is NO conjunction joining the names of the owners.

(e) Signature of either transferor is acceptable when names of owners on the face of the certificate of title are joined by the conjunction "or" or "and/or".

(f) If the transferor is a company, a representative of the company must sign as transferor. The signature of the representative must comply with all requirements set out in this regulation. Writing or printing the company name **will not** be acceptable as a signature.

Author: **Mike Gamble Winston Hye**

Authority: Section 32-8-1 through 32-8-88, Code of Alabama 1975

History: New rule filed November 5, 1997, effective December 10, 1997.