

Transmittal Sheet For Notice Of Intended Action

Control: 810
Rule Nos: 810-5-75-.28
Rule Title: Title Procedure - First Title For Assembled Vehicles.

Department or Agency: Revenue

New; Amended; Repealed; Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? No

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and , if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that result from the absence of the proposed rule? N/A

Are all the facets of the rulemaking process designed solely for the purpose of , and so they have, as their primary effect, the protection of the public? Yes

Does the proposed rule relate to or effect any matter of litigation which the agency is a party to concerning the subject matter of the purposed rule? No

Does the proposed rule have any economic impact? No

If the proposed rule has an economic impact , the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975 and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency .

Signature of certifying officer
Date 10/20/2020



**ALABAMA DEPARTMENT OF REVENUE
Motor Vehicle**

NOTICE OF INTENDED ACTION

RULE NO. & TITLE

810-5-75-.28

Title Procedure - First Title For Assembled Vehicles.

INTENDED ACTION

New, Repealed

**SUBSTANCE OF
PROPOSED ACTION:**

In compliance with the Red Tape Reduction Act 2013-88, this rule has been reviewed and the language has been incorporated into rule 810-5-75-.59 making this rule unnecessary. Additionally, Rule 810-5-75-.30 is being repealed and adopted as rule 810-5-75-.28 to keep rule numbering consistent. The proposed new rule incorporates operative provisions of rule 810-5-75-.30, while removing superfluous language, updating form numbers and code references, and clarifying the procedures for applying for a rebuilt title.

TIME, PLACE, MANNER OF PRESENTING VIEWS: A public hearing will be conducted at **01:30 PM on Tuesday, December 08, 2020** via web-conference. To participate in the upcoming web-conference public hearing please contact the Tax Policy and Governmental Affairs Division at Taxpolicy@revenue.alabama.gov or 334-242-1380 to obtain the appropriate sign-in information for a specific public hearing date. Copies of the rule(s) can be obtained at <http://www.revenue.alabama.gov/tax-policy/>.

All interested parties may present their views in writing to the **Secretary of the Alabama Department of Revenue, Room 4131, Gordon Persons Building, 50 N Ripley Street, Montgomery, Alabama 36132** at any time following publication of the notice up until the conclusion of the hearing. Interested parties may also may present their views during the web-conference.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Tuesday, December 08, 2020

CONTACT PERSON AT AGENCY:

Meagan Barrett

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



Kelley Askew Gillikin, Secretary
Alabama Department of Revenue

810-5-75-.28 Title Procedure - First Title For Assembled Vehicles **(REPEAL)**

(1) The term "Department" as used in this regulation shall mean the Department of Revenue of the State of Alabama.

(2) The term "major component" as used in this regulation shall mean the following:

(a) For passenger vehicles:

1. Motor or engine.
2. Transmission or trans-axle.
3. Trunk floor pan or rear section and roof.
4. Frame or any portion thereof (except frame horn), or, in the case of a unitized body, the supporting structure which serves as the frame, except when it is a part of the trunk floor pan, or rear section and roof.
5. Cowl, firewall, or any portion thereof.
6. Roof assembly.

(b) For truck, truck type, or bus type vehicles:

1. Motor or engine.
2. Transmission or trans-axle.
3. Frame or any portion thereof (except frame horn), or, in the case of a unitized body, the supporting structure which serves as the frame.
4. Cab.
5. Cowl or firewall or any portion thereof.
6. Roof assembly.
7. Cargo compartment floor panel or passenger compartment floor pan.

(c) For motorcycles:

1. Engine or motor.
2. Transmission or trans-axle.
3. Frame.
4. Front fork.
5. Crankcase.

(3) VEHICLES ASSEMBLED WITH KITS.

(a) Before making application for title, the applicant must obtain (available from all County License Plate Issuing Officials and from the Department) and properly complete form MVT 26-3 (Application For Alabama Assigned Vehicle Identification Number). NOTE: The vehicle identification number to be shown on form MVT 26-3 shall be the vehicle identification number of the vehicle from which the chassis or frame was removed. The applicant shall deliver completed form MVT 26-3 along with the following supporting documents to the Department.

(b) Supporting Documents:

1. For kits (1975 or subsequent year model) assembled with chassis or frame from a 1974 or prior model vehicle:

(i) Certified manufacturer's certificate of origin for new kit properly assigned to the applicant.

(ii) Certified copy of the most recent registration receipt in the applicant's name for the vehicle from which the chassis or frame was removed, or if the chassis or frame was obtained from a vehicle which was not registered in applicant's name, then a notarized bill-of-sale to the applicant for the chassis or frame must be attached. This bill-of-sale shall contain the vehicle identification number of the vehicle from which the chassis or frame was obtained.

(iii) If any of the major component parts were purchased individually, a notarized bill-of-sale for each component part must be attached. This bill-of-sale shall contain the identifying number (serial number) and trade name of the component part.

(iv) A notarized affidavit by the person assembling the vehicle stating what was done to assemble the vehicle and that said vehicle is now in operable condition.

2. For kits (1975 or subsequent year model) assembled with chassis or frame from a 1975 or subsequent year model vehicle:

(i) Certified manufacturer's certificate of origin for new kit properly assigned to the applicant.

(ii) Outstanding certificate of title (in applicant's name or assigned to applicant) for the vehicle from which the chassis or frame was removed, or if the chassis or frame was obtained from a vehicle which was not titled in applicant's name or assigned to the applicant and the certificate of title is unavailable, then a notarized bill-of-sale to the applicant for the chassis or frame must be attached. This bill-of-sale shall contain the vehicle identification number of the vehicle from which the chassis or frame was obtained.

(iii) If any of the major component parts were purchased individually, a notarized bill-of-sale for each component part must be attached. This bill-of-sale

shall contain the identifying number (serial number) and trade name of the component part.

(iv) A notarized affidavit by the person assembling the vehicle stating what was done to assemble the vehicle and that said vehicle is now in operable condition.

(c) Fee (See Schedule of Fees and Commissions). Upon receipt of a properly completed form MVT 26-3 and the required supporting documents, the Department will issue a vehicle identification number plate which will have an assigned vehicle identification number embossed thereon. The Department will then notify the applicant to bring the assembled vehicle to an inspection station designated by the Department so that the Department can physically inspect the assembled vehicle and, if everything is in order, attach the vehicle identification number plate to the assembled vehicle. The Department and the applicant shall then complete forms MVT 26-4 and MVT 5-1c. The Department will then process forms MVT 5-1c, MVT 26-3, MVT 26-4, and any other required supporting documents and, upon approval, issue a certificate of title with legend "ASSEMBLED".

(4) VEHICLES (NOT INCLUDING TRAILERS) ASSEMBLED FROM PARTS

(a) Before making application for title, the applicant must obtain (available from all County License Plate Issuing Officials and from the Department) and properly complete form MVT 26-3 (Application For Alabama Assigned Vehicle Identification Number). NOTE: The vehicle identification number to be shown on form MVT 26-3 shall be the vehicle identification number of the vehicle from which the chassis or frame was removed. The applicant shall deliver completed form MVT 26-3 along with the following supporting documents to the Department.

(b) Supporting Documents:

1. For vehicles assembled with chassis or frame from a 1974 or prior year model vehicle:

(i) Certified copy of the most recent registration receipt in the applicant's name for the vehicle from which the chassis or frame was removed, or if the chassis or frame was obtained from a vehicle which was not registered in applicant's name, then a notarized bill-of-sale to the applicant for the chassis or frame must be attached. This bill-of-sale shall contain the vehicle identification number of the vehicle from which the chassis or frame was obtained.

(ii) If any of the major component parts were purchased individually, a notarized bill-of-sale for each component part must be attached. This bill-of-sale

shall contain the identifying number (serial number) and trade name of the component part.

(iii) A notarized affidavit by the person assembling the vehicle stating what was done to assemble the vehicle and that said vehicle is now in operable condition.

2. For vehicles assembled with chassis or frame from a 1975 or subsequent year model vehicle:

(i) Outstanding certificate of title (in applicant's name or assigned to applicant) for the vehicle from which the chassis or frame was removed, or if the chassis or frame was obtained from a vehicle which was not titled in applicant's name or assigned to the applicant and the certificate of title is unavailable, then a notarized bill-of-sale to the applicant for the chassis or frame must be attached. This bill-of-sale shall contain the vehicle identification number of the vehicle from which the chassis or frame was obtained.

(ii) If any of the major component parts were purchased individually, a notarized bill-of-sale for each component part must be attached. This bill-of-sale shall contain the identifying number (serial number) and trade name of the component part.

(iii) A notarized affidavit by the person assembling the vehicle stating what was done to assemble the vehicle and that said vehicle is now in operable condition.

(c) Fee (See Schedule of Fees and Commissions). Upon receipt of a properly completed form MVT 26-3 and the required supporting documents, the Department will issue a vehicle identification number plate which will have an assigned vehicle identification number embossed thereon. The Department will then notify the applicant to bring the assembled vehicle to an inspection station designated by the Department so that the Department can physically inspect the assembled vehicle and, if everything is in order, attach the vehicle identification number plate to the assembled vehicle. The Department and the applicant shall then complete forms MVT 26-4 and MVT 5-1c. The Department will then process forms MVT 5-1c, MVT 26-3, MVT 26-4, and any other required supporting documents and, upon approval, issue a certificate of title with legend "ASSEMBLED".

(5) TRAILERS ASSEMBLED FROM PARTS (FROM ONE OR MORE TRAILERS)

(a) Before making application for title, the applicant must obtain (available from all County License Plate Issuing Officials and from the Department) and properly complete form MVT 26-3 (Application For Alabama Assigned Vehicle Identification Number). NOTE: The vehicle identification

number to be shown on form MVT 26-3 shall be the vehicle identification number of the vehicle from which the chassis or frame was removed. The applicant shall deliver completed form MVT 26-3 along with the following supporting documents to the Department.

(b) Supporting Documents:

1. For trailers assembled with chassis or frame from a 1974 or prior year model vehicle:

(i) Certified copy of the most recent registration receipt in the applicant's name for the vehicle from which the chassis or frame was removed, or if the chassis or frame was obtained from a vehicle which was not registered in applicant's name, then a notarized bill-of-sale to the applicant for the chassis or frame must be attached. This bill-of-sale shall contain the vehicle identification number of the vehicle from which the chassis or frame was obtained.

(ii) If any of the major component parts were purchased individually, a notarized bill-of-sale for each component part must be attached. This bill-of-sale shall contain the identifying number (serial number) and trade name of the component part. 2. For trailers assembled with chassis or frame from a 1975 or subsequent year model vehicle:

(i) Outstanding certificate of title (in applicant's name or assigned to applicant) for the vehicle from which the chassis or frame was removed, or if the chassis or frame was obtained from a vehicle which was not titled in applicant's name or assigned to the applicant and the certificate of title is unavailable, then a notarized bill-of-sale to the applicant for the chassis or frame must be attached. This bill-of-sale shall contain the vehicle identification number of the vehicle from which the chassis or frame was obtained.

(ii) If any of the major component parts were purchased individually, a notarized bill-of-sale for each component part must be attached. This bill-of-sale shall contain the identifying number (serial number) and trade name of the component part.

3. A bill-of-sale for each part other than a major component part.

4. A bill-of-sale for materials used in the construction of the vehicle.

5. A notarized affidavit by the person assembling the vehicle stating what was done to assemble the vehicle and that said vehicle is now in operable condition.

(c) Fee (See Schedule of Fees and Commissions). Upon receipt of a properly completed form MVT 26-3 and the required supporting documents, the Department will issue a vehicle identification number plate which will have an assigned vehicle identification number embossed thereon. The Department will

then notify the applicant to bring the assembled vehicle to an inspection station designated by the Department so that the Department can physically inspect the assembled vehicle and, if everything is in order, attach the vehicle identification number plate to the assembled vehicle. The Department and the applicant shall then complete forms MVT 26-4 and MVT 5-1c. The Department will then process forms MVT 5-1c, MVT 26-3, MVT 26-4, and any other required supporting documents and, upon approval, issue a certificate of title with legend "ASSEMBLED".

(6) TRAILERS ASSEMBLED FROM PARTS - HOMEMADE TRAILERS (NOT MANUFACTURED FROM OTHER TRAILERS)

(a) Before making application for title, the applicant must obtain (available from all County License Plate Issuing Officials and from the Department) and properly complete form MVT 26-1 (Application For Assigned Vehicle Identification Number For A Homemade Trailer).

(b) Supporting Documents:

1. A bill-of-sale for each part with the identifying (serial) number (if available) and trade name for that component part listed on the bill-of-sale.
2. A bill-of-sale for materials used in the construction of the vehicle.

(c) Upon receipt of a properly completed form MVT 26-1 and the required supporting documents, the Department will issue a vehicle identification number plate which will have an assigned vehicle identification number embossed thereon. The Department will then mail the vehicle identification number plate and a partially completed form MVT 26-2 (Assigned Vehicle Identification Number for Homemade Trailer) for the trailer for which the assigned vehicle identification number request was made on form MVT 26-1. The applicant shall affix the vehicle identification number in the manner prescribed on form MVT 26-2 and sign form MVT 26-2. The applicant shall then make application for certificate of title through a designated agent of the Department who shall physically inspect the vehicle. The applicant shall surrender the original MVT 26-2 to the designated agent as a supporting document to accompany the MVT 5-1c (application for certificate of title). Upon the Department's receipt of forms MVT 5-1c and MVT 26-2, the required fee and any other required supporting documents and, upon approval, the Department will issue a certificate of title with the legend "ASSEMBLED" and the make "HOMEMADE".

Author: Mike Gamble
Authority: Code of Ala. 1975, §§32-8-1 thru 32-8-88, 32-8-3(b)(2), 40-2A-7(a)(5).
History: Amended: Filed November 23, 1998; effective December 28, 1998.
Amended: Filed October 13, 2000; effective November 17, 2000
Repealed: Filed October 20, 2020; effective

810-5-75-.28

Application for Certificate of Title to a Rebuilt Vehicle (NEW)

(1) Section 32-8-87, Code of Ala. 1975, provides that the owner of a salvage motor vehicle required to be titled in Alabama may make application for inspection to have a rebuilt title issued once the vehicle has been restored in this state to its operating condition which existed prior to the event which caused the salvage certificate of title to issue.

(2) All designated agents of the department who are licensed dealers must make application utilizing the Alabama Title System.

(3) Any owner who acquires an Alabama salvage certificate of title to his or her own vehicle from the insurance company in settlement of a claim shall make application utilizing an online portal provided by the department. A prior registration or other documentation evidencing ownership of the vehicle prior to the salvage title being issued may be submitted along with the salvage certificate of title in lieu of a rebuilder's license.

(4) Section 32-8-87, Code of Ala. 1975, provides the fee for inspection to be \$90 (\$75 application fee & \$15 title fee).

(5) Upon approval of the rebuilt application package and inspection of the motor vehicle, the department will attach an inspection decal containing a unique identifying number to the vehicle and issue a title containing the legend "REBUILT".

(6) The department may authorize designated agents to electronically submit title applications and supporting documents in a manner as prescribed by the department in lieu of delivering the original documents to the department.

Author: Mike Gamble and Jonathan Lawrence.

Authority: §§ 40-2A-7(a)(5), 32-8-3, and 32-8-87, Code of Ala. 1975.

History: **Filed:** October 20, 2020; effective