

Transmittal Sheet For Notice Of Intended Action

Control: 810
Rule Nos: 810-5-75-.30
Rule Title: Title Procedure - First Title for a Rebuilt Vehicle

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New; Amended; Repealed; Adopt by Reference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-.30

Title Procedure - First Title for a Rebuilt Vehicle

INTENDED ACTION

Repealed

**SUBSTANCE OF
PROPOSED ACTION:**

In compliance with the Red Tape Reduction Act 2013-88, this rule has been reviewed and is being repealed and moved to 810-5-75-.28 to keep numbering consistent within the rule chapter, while removing superfluous language, updating form numbers and code references,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-.30 Title Procedure - First Title for a Rebuilt Vehicle. **(REPEAL)**

(1) Vehicle owner must first complete an INV 26-15E Form (Application For Inspection of a Salvage Vehicle and Affirmation Supporting Salvage Certificate) and submit to the department. The INV 26-15E properly completed provides the written affirmation by the owner as required by Section 32-8-87 (k), Code of Alabama 1975, by stating the following:

(a) The actions taken to restore the vehicle to its operating condition which existed prior to the event which caused the salvage certificate to issue.

(b) Applicant personally inspected the completed vehicle and it complies with all safety requirements set forth by the state of Alabama and any regulations promulgated thereunder.

(c) The identification numbers of the restored vehicle and its parts have not, to the knowledge of the owner, been removed, destroyed, falsified, altered or defaced.

(d) The Alabama salvage certificate document or foreign jurisdiction's salvage certificate of title or equivalent attached to the application has not, to the knowledge of the owner, been forged, falsified, altered or counterfeited.

(e) All information contained on the application and its attachments is true and correct to the knowledge of the owner.

(2) Supporting Documents:

(a) The outstanding Alabama or foreign jurisdiction's salvage certificate of title or equivalent properly assigned to reflect the correct chain of ownership down to and including the applicant.

(b) In the event of an older year model salvage vehicle coming into Alabama from a jurisdiction where it was not required to be titled, a properly signed and notarized bill-of-sale, which declares the vehicle to be salvage, from the insurance company that declared the vehicle as salvage or from the titled owner, to the salvage buyer, is required. The bill-of-sale must provide a complete vehicle description, including the manufacturer's identification number.

(c) A notarized bill of sale for each transfer of the vehicle subsequent to the transfer from the insurance company (if the vehicle is coming into Alabama from a jurisdiction where it was not required to be titled).

(d) Whenever any major component part as defined in Section 32-8-87(m), Code of Alabama 1975, is replaced and is not that component from the original salvage vehicle, appropriate notarized bill(s)-of-sale, with identifying number of part and trade name of part, for that component is required. Bills-of-sale must also be provided for minor component parts, but are not required to be notarized.

(e) A copy of the applicant's regulatory rebuilder's license to serve as evidence that the owner is a licensed Rebuilder in the state of Alabama. However, where an owner acquires an Alabama salvage certificate of title to his or her own vehicle from an insurance company in settlement of a claim, a prior registration or other document that shows that he or she owned the vehicle prior to the issuance of the salvage title may be submitted in lieu of a rebuilder's license. In addition, no rebuilder's license shall be required in such cases where the owner qualifies to apply for an inspection pursuant to Section 32-8-87(r), Code of Alabama 1975.

(f) When the public vehicle identification number (VIN) plate has been removed from the vehicle the owner must complete an INV 26-3 form (Application for Alabama Assigned Vehicle identification Number). If the identity of the vehicle can be established, the department will issue an assigned VIN plate containing the vehicle identification number that was issued by the manufacturer and affix the plate to the vehicle. Should it not be possible to establish the identity of the vehicle, the department will issue an Alabama assigned vehicle identification number on the VIN plate.

(g) A notarized statement or a statement on company letterhead must be provided stating in detail all repairs necessary to restore the vehicle, when the application for inspection is for one of the following:

1. Travel Trailer,
2. Semi Trailer, or
3. Moving, collapsible, and folding campers (model years 1990 and after)

(h) Inspection fee of \$75.00 plus title fee of \$15, for a total of \$90.00.

(3) Upon receipt of a properly completed Form INV 26-15E, the required supporting documents and the required fees, the department's agent will physically inspect the rebuilt vehicle, and if everything is in order, the department's agent will proceed as follows:

(a) Upon inspecting a vehicle for which the Form INV 26-15E (Application for Inspection of a Salvage Vehicle and Affirmation Supporting Salvage Certificate) is received by the department on or after October 1, 1996, as evidenced by the received date stamped on the INV 26-15E by the department, the department's agent shall, upon the vehicle successfully passing inspection attach to driver's side door jamb, a secure decal which shall state "Rebuilt Salvage Vehicle – Anti-Theft Inspection Passed".

(b) Attach Alabama assigned vehicle identification number plate when necessary.

(c) The department's agent shall complete Form INV 105 (Rebuilt Salvage Vehicle Secure Decal/Alabama Assigned Vehicle Identification Number) on which both shall certify that the secure decal denoting that the vehicle is a "Rebuilt Salvage Vehicle", and an Alabama assigned vehicle identification number plate when necessary, have been attached to the vehicle as required.

(d) The Department's agent shall complete a Form INV 105 (Completion of Vehicle Inspection) in which the Department's agent certifies the following:

1. He/she inspected the vehicle and its parts and there is no indication that the VIN of the vehicle or its parts have been removed, altered, defaced, destroyed, or tampered with.

2. The vehicle appears to have been restored to its operating condition which existed prior to the event which caused the salvage certificate to be issued.

3. That neither the vehicle nor any of its component parts are reported stolen with National Crime Information Center and/or the Alabama Criminal Justice Information Center and/or the National Motor Vehicle Title Information System.

4. That the statements on the application for inspection of a salvage vehicle appear to be true and correct.

(e) The department's agent shall complete a Form INV 105 and return the Form and INV 105 to the department whereupon approval, an Alabama Certificate of Title will be issued to the owner which shall contain a legend on its face stating that the vehicle has been "REBUILT".

1. Each Form INV 26-15 (Application for Inspection of a Salvage Vehicle and Affirmation Supporting Salvage Certificate) received by the department on or after October 1, 1996, as evidenced by the received date stamped on the INV 26-15E by the department, shall result in the ensuing certificate of title containing a legend on its face stating that the vehicle has been "REBUILT".

2. Any person who sells, exchanges, delivers, or otherwise transfers any interest in any vehicle for which a salvage title or rebuilt title has been issued shall disclose in writing the existence of this kind of title to the prospective purchaser, recipient in exchange, recipient by donation, or recipient by other act of transfer. The disclosure must be made at the time of or prior to the completion of the sale, exchange, donation, or other act of transfer. The writing shall contain the following in no smaller than 10 point type: "This vehicle's title contains the designation "salvage" or "rebuilt"."

Author: Mike Gamble

Authority: §§ 32-8-3(a)(2), 32-8-1 thru 32-8-88, Code of Ala. 1975,

History: **Amended:** Filed October 18, 1996; effective November 22, 1996.

Amended: Filed September 26, 2001; effective October 31, 2001.

Amended: Filed January 11, 2011, effective February 15, 2011.

Repealed: October 20, 2020, effective