

# Transmittal Sheet For Notice Of Intended Action

Control: 810  
Rule Nos: 810-5-75-.36  
Rule Title: Responsibilities Of Designated Agents

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New;  Amended;  Repealed;  Adopt by Reference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.

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### 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-.36

Responsibilities Of Designated Agents

**INTENDED ACTION**

Amended

**SUBSTANCE OF  
PROPOSED ACTION:**

This rule has been reviewed and is being amended to clarify the requirement for a bill of sale related to a retail or casual sale be included in the title application package submitted by designated agents for issuing certificates of 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](mailto: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

(1) Designated agents are required to utilize the department's online title system to generate and submit title application data and required fees. A designated agent must obtain authorization to use the department's online title system within 60 days of establishment of a designated agent account. Failure to obtain authorization will result in the designated agent status being revoked.

(2) Designated agents must submit the fees required under §32-8-6 or §32-20-4, Code of Ala. 1975, and properly complete the title application package in the following order:

(a) Title Application must be on top of the title package.

(b) Ownership documents: Surrender of outstanding manufacturer's statement of origin, certificate of title, or other title documentation that is either in applicant 's name or properly assigned to the applicant.

(c) All other supporting documents including but not limited to a bill of sale **for a retail or casual sale**, power of attorney, correction affidavit, and reassignment supplements.

(3) Designated agents must verify that information provided on supporting documents corresponds with the information provided on the title application. All motor vehicles and manufactured homes not currently titled in Alabama must be physically inspected by the designated agent to verify that the descriptive data is accurate and the vehicle identification number (VIN) plate or manufactured home identification number agrees with the VIN or manufactured home identification number on the application and the document(s) by which the applicant claims ownership of the motor vehicle or manufactured home.

(4) Designated agents authorized under Chapter 8 of Title 32, Code of Ala. 1975, may perform their duties personally, through any of their officers or authorized employees, or through a title service provider, pursuant to §32-8-2, Code of Ala. 1975.

(5) Designated agents authorized under Chapter 20 of Title 32, Code of Ala. 1975, may perform their duties personally, through any of their officers or authorized employees.

(6) Dealers are prohibited from processing title applications on behalf of another dealer unless both dealerships are owned by the same entity.

**Author:** Mike Gamble and Lisa Blankenship

**Authority:** §§ 40-2A-7(a)(5), Chapter 8 of Title 32, 32-20-3(b), 32-20-4, and 32-20-20, Code of Ala. 1975

**History:** **Amended:** Filed November 23, 1998; effective December 28, 1998.

**Amended:** Filed November 18, 2019; effective January 13, 2020.  
**Amended:** Filed July 21, 2020; effective September 14, 2020.  
**Amended:** Filed October 20, 2020; effective