

1 SB214
2 188723-1
3 By Senators Dial and Whatley
4 RFD: Governmental Affairs
5 First Read: 25-JAN-18

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8 SYNOPSIS: This bill provides the owner or owners of a
9 motor vehicle the ability to authorize the
10 disclosure of certain personally identifiable
11 information in the vehicle's registration record to
12 the sponsoring organization of certain distinctive
13 license plates and to public colleges and
14 universities.

15 This bill restricts the disclosure of
16 information to the owner name, owner address, and
17 owner email address, if applicable.

18 This bill prohibits the resale or disclosure
19 of such information by the sponsoring organization
20 or college or university to third parties without
21 written consent of the owner.

22 This bill updates the membership on the
23 Legislative Oversight Committee on license plates
24 to reflect organizational changes in state
25 agencies.

26
27 A BILL

1 TO BE ENTITLED

2 AN ACT

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4 To amend Sections 32-6-64 and 32-6-67, Code of
5 Alabama 1975, relating to motor vehicle distinctive license
6 plates and motor vehicle registration renewals; to provide the
7 owner or owners of a motor vehicle to consent to the
8 disclosure of certain information to the sponsoring
9 organization at the time of registration or renewal of certain
10 distinctive license plates; to provide that the sponsoring
11 organization of such distinctive license plates shall be
12 prohibited from the resale or disclosure of such information
13 to third parties without written consent from the owner; to
14 update the membership on the Legislative Oversight Committee
15 on license plates to reflect organizational changes in state
16 agencies.

17 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

18 Section 1. Sections 32-6-64 and 32-6-67, Code of
19 Alabama 1975, are hereby amended as follows:

20 "§32-6-64.

21 "(a) (1) The design of license plates, including all
22 emblems, slogans, symbols, or characters appearing on the
23 plates, shall be by rule as promulgated by the Commissioner of
24 Revenue, and as otherwise specified by law. The face of the
25 license plate to be displayed shall be fully treated with a
26 reflective material which will increase the nighttime
27 visibility and legibility of the plate.

1 "(2) Characters on the license plate which designate
2 the county of issuance shall be numeric, and all numerals on
3 the license plates shall be no smaller than two and
4 three-fourths inches in height. The following numbering scheme
5 shall be used:

6 "a. Jefferson County, 1; Mobile County, 2;
7 Montgomery County, 3.

8 "b. All other counties shall be ranked
9 alphabetically and assigned consecutive numbers beginning with
10 4 and concluding with 67.

11 "c. The Department of Revenue shall be responsible
12 for the numbering of distinctive license plates and shall
13 establish a system to minimize duplication of license plate
14 numbers. License plates that shall be approved for manufacture
15 under subsection (b) shall be numbered or personalized.

16 "(b) The sponsoring organization of any new or
17 reissued distinctive license plate that is not of a college or
18 university or a military category shall assure a minimum
19 quantity of 250 registrations in order for the proposed plate
20 to qualify for production consideration by the legislative
21 oversight committee under the provisions of Section 32-6-67.

22 "(1) The procedure to assure the quantity minimum
23 for a distinctive license plate shall be as follows:

24 "a. The sponsoring organization shall apply to the
25 Department of Revenue for approval for the proposed
26 distinctive license plate from the legislative oversight
27 committee. At the time of application, the sponsoring

1 organization shall submit a design for the plate or logo for
2 the quantity class being applied for as described below:

3 "1. Quantity Class 1 (250 to 999 registrations). A
4 new distinctive license plate category, or an existing
5 distinctive license plate to be reissued, in which
6 registrations are estimated to be at least 250, but less than
7 1,000, shall be in conformity with the design approved by the
8 legislative oversight committee for license plates in this
9 quantity class. This plate shall include a space designated on
10 the left side of the license plate, not exceeding two and
11 one-half inches in width and height, in which an appropriate
12 emblem, slogan, or logo design may be applied to represent the
13 organization for whom the distinctive license plate is issued.
14 Each proposed emblem, slogan, symbol, or logo shall be subject
15 to the approval of the legislative oversight committee.

16 "2. Quantity Class 2 (1,000 or greater
17 registrations). This quantity class may use the logo system
18 described for Quantity Class 1, or may use a unique design for
19 the entire plate which is approved by the legislative
20 oversight committee and meets all other design and manufacture
21 requirements of Alabama law.

22 "b. After the legislative oversight committee
23 approval and notification to the Department of Revenue, the
24 department shall also coordinate with the Comptroller to
25 establish funding procedures for deposit and maintaining
26 monies held pending issuance of the new category of license
27 plates.

1 "c. Each person desiring to register a vehicle in
2 the new category shall make application and shall remit, as a
3 commitment to purchase, the additional fee associated with the
4 license plate category in a manner as prescribed by rule of
5 the Commissioner of Revenue. Any credit card processing fee
6 associated with the transaction shall be paid by the person
7 making the commitment to purchase the distinctive license
8 plate and shall be nonrefundable.

9 "d. The Department of Revenue shall deduct from the
10 additional fee and retain a two and one-half percent
11 commission. The balance shall be forwarded to the Comptroller
12 to be retained in escrow, until such time as the revenue
13 received is equal to or greater than the minimum amount
14 required to issue license plates in that category. If, after
15 one year from the date of notification of approval by the
16 legislative oversight committee, the number of subscribers for
17 a category fails to reach 250 for Quantity Class 1, or fails
18 to reach 1,000 for Quantity Class 2, the Comptroller shall pay
19 the money in escrow to the sponsoring organization and no
20 further consideration for production of this proposed
21 distinctive plate shall be made under this application. In
22 addition, the sponsoring organization may not submit another
23 application for a distinctive license plate for a period of
24 one year from the date the commitment to purchase period
25 ended.

26 "e. Upon determination by the Department of Revenue
27 that a sufficient number of applications for a plate category

1 has been received, the department shall initiate the ordering
2 processes for design and manufacture of the approved license
3 plate. At that time, the Comptroller shall pay out of the
4 escrow account the amounts referred to in Section 32-6-68.

5 "(2) Notwithstanding any other provisions to the
6 contrary, except where specifically provided by this
7 subsection, no series of distinctive license plates shall be
8 reissued unless the following requirements are met:

9 "a. For Quantity Class 1 distinctive license plates,
10 there shall have been issued in the prior license year a
11 minimum of 250 license plates.

12 "b. For Quantity Class 2 distinctive license plates,
13 there shall have been issued in the prior license year a
14 minimum of 1,000 license plates.

15 "(3) The use of distinctive license plate categories
16 shall be limited to use on passenger cars, pick-up trucks, and
17 self-propelled campers or house cars.

18 "(c) (1) The Department of Corrections is directed to
19 supply all license plates and revalidation devices required
20 under this subdivision. The amounts charged by the Department
21 of Corrections for the manufacture of revalidation devices
22 shall not be less than that charged for the manufacture of
23 license plates on a per item basis.

24 "(2) The Department of Corrections shall maintain an
25 accurate system of record-keeping which shall trace and
26 account for the handling and distribution of each plate and

1 revalidation device throughout the manufacturing process until
2 the items are distributed to each county.

3 "(d) After the five-year license plate has been in
4 use for a period of three years the Department of Corrections
5 may manufacture all subsequent license plates for the
6 remaining two years of the period from a metal of less
7 durability and quality than the metal used in manufacturing
8 the five-year license plates.

9 "(e) (1) The licensing official authorized and
10 required by law to issue license plates shall provide the
11 owner or owners of a motor vehicle who register or renew the
12 following license plates, the ability to authorize the release
13 of certain personal information by the Department of Revenue
14 to the sponsoring organization, college, or university:

15 "a. A distinctive license plate issued pursuant to
16 this section.

17 "b. A collegiate or university distinctive license
18 plate issued pursuant to Section 32-6-150.

19 "c. Other distinctive license plates as authorized
20 by the Legislative Oversight Committee.

21 "(2) Each owner of the motor vehicle may designate
22 his or her consent to the release of personal information
23 included within a motor vehicle registration record to the
24 sponsoring organization, college, or university. Such
25 authorization shall be made at the time of registration or
26 renewal of a motor vehicle and shall be made in a manner as
27 prescribed by the Department. As used herein, the term

1 "personal information" includes only the following
2 information:

3 "a. Owner name.

4 "b. Owner address.

5 "c. Owner email address, if applicable.

6 "(3) The sponsoring organization of such distinctive
7 license plates or each college or university for which a
8 distinctive license plate has been issued can make an annual
9 request to the Department for the listing of the owner
10 authorized disclosures. The sponsoring organization in receipt
11 of such listing shall be prohibited from the resale or
12 disclosure of such information to third parties without
13 written consent from the owner to whom the information
14 pertains."

15 "§32-6-67.

16 "(a) There is created a legislative committee to
17 oversee the implementation and administration of this Article
18 2, except Subdivision 1 of Division 1. The committee shall be
19 composed of three members of the House of Representatives and
20 a county license plate issuing official, who shall be
21 appointed by and serve at the pleasure of the Speaker of the
22 House, and three members of the Senate and a county license
23 plate issuing official, who shall be appointed by and serve at
24 the pleasure of the Lieutenant Governor, the ~~Director of the~~
25 ~~Alabama Criminal Justice Information Center, the Director of~~
26 ~~Public Safety~~ Secretary of the Alabama State Law Enforcement
27 Agency or his or her designee, the Director of the Department

1 of Transportation or his or her designee, and a probate judge
2 as appointed by the President of the Probate Judges
3 Association. The Department of Revenue shall designate a
4 representative and the Department of Corrections shall
5 designate a representative of Alabama Correctional Industries
6 as nonvoting and advisory members to the committee. The chair,
7 who shall be picked by the members of the committee from the
8 legislative members on the committee, shall have the authority
9 to call meetings of the committee when he or she deems it
10 necessary or as otherwise provided in this section.

11 "(b) The committee shall:

12 "(1) Meet not less than once every six months or as
13 otherwise prescribed by the chair.

14 "(2) Require that a simple majority of committee
15 voting members be in attendance for conducting whatever
16 business requires committee action.

17 "(3) Establish guidelines for the qualification of
18 organizations which may sponsor a new or continued issuance of
19 a license plate category, or may benefit from that issuance.

20 "(4) Approve, disapprove, or indefinitely postpone,
21 by a vote of two-thirds of the members present at a committee
22 meeting, a request for a new license plate category.

23 "(c) Decisions of the committee concerning approval,
24 disapproval, or indefinite postponement of further action on a
25 proposed distinctive license plate shall be interpreted to be
26 the intent of the entire body of the Legislature, and

1 separate, specific action by the Legislature concerning a
2 distinctive license plate proposal shall not be considered.

3 "(d) The committee shall not consider for approval
4 applications from the following types of organizations:

5 "(1) Out-of-state colleges and universities except
6 as provided in subsection (e).

7 "(2) Private businesses, business organizations, or
8 commercial entities of any type.

9 "(3) Public schools K-12, junior colleges, and
10 technical schools, exclusive of the Helping Schools Tag as
11 established in Sections 32-6-300 and 32-6-301.

12 "(4) Groups within high schools, junior colleges,
13 universities, and technical schools, such as band boosters,
14 athletic boosters, and the like.

15 "(5) Unions.

16 "(6) Political organizations.

17 "(7) Religious organizations.

18 "(8) Groups that promote racial or social
19 disharmony.

20 "(9) Public officials.

21 "(e) The committee may consider and approve an
22 application for a distinctive license plate for an
23 out-of-state college or university, upon submission of an
24 application pursuant to Section 32-6-64.

25 "(f) Upon the request of the chair, the Secretary of
26 the Senate and the Clerk of the House shall provide clerical
27 assistance necessary for the work of the committee.

1 "(g) The committee members who are members of the
2 Legislature shall be entitled to, and shall receive, the same
3 daily legislative compensation, expense allowances, per diem,
4 and other compensation which they receive while in legislative
5 session for each weekday, Monday through Friday, during any
6 week in which the committee actually meets. The
7 non-legislative members of the committee shall be entitled to,
8 and shall receive, the same per diem and expenses that are
9 paid to state employees."

10 Section 2. This act shall become effective January
11 1, 2019, following its passage and approval by the Governor,
12 or its otherwise becoming law.