ALABAMA DEPARTMENT OF REVENUE
ADMINISTRATIVE CODE

CHAPTER 810-5-75
TITLE PROCEDURE

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810-5-75-.01 Procedures for Titling a Vessel.

(1) In accordance with Chapter 5B of Title 33, Code of Ala. 1975, effective January 1, 2024, every vessel, for which Alabama is the state of principal use and of which construction was completed after December 31, 2023, must be issued a certificate of title unless exempted.

An owner of a vessel that is 26 feet or longer that was constructed on or prior to December 31, 2023, for which Alabama is the state of principal use may voluntarily apply for a certificate of title.

(2) Application Requirements and Fees. An application for a vessel title must be filed by a designated agent using the department's title system within 20 days of the date of transfer or the date Alabama becomes the state of principal use, whichever is later.

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

(b) The application fee shall be twenty dollars ($20) paid to the department and an additional $5 fee collected by the designated agent.

(c) The application must contain a Hull Identification Number (HIN). If a vessel does not have a HIN, an application for a state-assigned HIN must be submitted to the Alabama Law Enforcement Agency's Marine Patrol Division prior to making application for title.

(3) Surety Bond Requirements. If the department is not satisfied as to the ownership of the vessel or that there are no undisclosed security interests in it, the department may, as a condition of issuing a certificate of title, require the applicant to file with the department a surety bond. The value of the bond will be one and a half times the fair market value of the vessel as determined by a nationally recognized valuation system used by the department.

(4) Stolen Vessel Requirements. If a vessel is reported stolen, the department must be provided a copy of the police report so that the title record can be updated to protect the owner's interest.

(5) Record Requests. Vessel record requests and applicable fees must be submitted electronically through the department's record request portal. The request fee shall be twenty dollars ($20) paid to the department as provided in §33-5B-26.
Author: Leslie Mackey, Lisa Blankenship
Statutory Authority: Code of Ala. 1975, §40-2A-7(a)(5); Chapter 5B of Title 33.
History: **New Rule:** Published October 31, 2023; effective December 15, 2023.

810-5-75-.02 **Title Procedure - First Title For A Homemade Trailer (Repealed 1/12/10).**

(Repealed)
Author:
Statutory Authority: Code of Ala. 1975, §32-8-3(a)(2).
History: **Repealed:** Filed December 8, 2010; effective January 12, 2010.

810-5-75-.03 **Issuance Of A Certificate Of Title For An Imported Vehicle.**

(1) In accordance with the provisions of §32-8-42, Code of Ala. 1975, the department shall refuse issuance of certificate of title if the vehicle was not manufactured to comply with federal and state statutes, rules, and regulations governing safety, emissions, and anti-theft standards in effect at the time of manufacture, and has not subsequently been modified to comply with the standards.

(2) An application for an Alabama certificate of title for such an imported vehicle must be accompanied by the following documents prior to titling in Alabama:

(a) Authentic source of ownership document. In accordance with §32-8-36, Code of Ala. 1975, and administrative rule 810-5-75-.34, the owner is required to obtain a title under surety bond when the source of ownership document from another country does not disclose security interests in the motor vehicle.

(b) English translations for all documents written exclusively in a foreign language.

(c) At least one of the following United States Customs and Border Protection (CBP) forms with a customs release:

1. CBP Form 7501.

2. CBP Form 368.

3. CBP Form 3311.

4. CBP Form 6059B.

5. CBP Form 7523.

6. CBP Form 3461.

7. Equivalent CBP Form as determined by the department.

(d) United States Department of Transportation National Highway Traffic Safety Administration (NHTSA) HS-7 Declaration Form (Importation of Motor Vehicles and Motor Vehicle Equipment Subject to Federal Motor Vehicle Safety, Bumper and Theft Prevention Standards) if applicable.

(e) Original Bond Release Letter (if applicable) from NHTSA.

(f) The Manufacturer's Confirmation Letter (if applicable) or Environmental Protection Agency Form 3520-1.

(g) Any additional requirements specified on the NHTSA HS-7 Declaration Form.

(3) Military personnel or U.S. residents returning from a foreign country may present CBP Form 3299, Declaration for Title Entry of Unaccompanied Articles with an electronic Customs stamp in lieu of CBP Form 7501. CBP Form 3299 is used only when the vehicle has been titled in the United States, exported, and subsequently imported. The vehicle make and vehicle identification number (VIN) must be specified on the CBP 3299. When CBP form 3299 is submitted, NHTSA HS-7 Declaration Form is not required.

(4) Motor vehicles that are originally manufactured to conform to all applicable federal safety, emissions, and anti-theft prevention standards, and bear a label to that effect, permanently affixed by the original manufacturer, may be imported without restriction.

(5) Motor vehicles that are 25 model years old and older are not subject to federal safety, emissions, and anti-theft prevention standards can be titled and registered with proper ownership documentation. However, motor vehicles that are 35 model years old and older are exempt from titling.

Author: Winston Hyte, Jonathan Lawrence

Statutory Authority: Code of Ala. 1975, §§32-8-3(b)(2), 40-2A-7(a)(5).
History: Repealed: Filed November 5, 1997; effective December 10, 1997. **New Rule:** Filed May 18, 2004; effective June 22, 2004.
Amended: Published February 28, 2020; effective April 13, 2020.
Amended: Published January 31, 2022; effective March 17, 2022.

810-5-75-.04 **Leased Vehicles - First Title For A New (1975 And Later Models) Vehicle Purchased Within The State Of Alabama By A Lessor (Repealed 12/10/97).**

Author: Winston Hyte
Statutory Authority: Code of Ala. 1975, §§32-8-1, 32-8-88.
History: Repealed: Filed November 5, 1997; effective December 10, 1997.

810-5-75-.05 **Title Procedure On Title Applications For An Alabama Certificate Of Title Submitted By An Alabama Out-Of-State Resident - Transfer Of Title For A Used 1975 And Later Model Vehicle (Repealed 6/10/11).**

(REPEALED)
Author: Mike Gamble
Statutory Authority: Code of Ala. 1975, §§32-8-3(a)(2), 40-2A-7(a)(5).
History: Repealed: Filed May 6, 2011; effective June 10, 2011.

810-5-75-.06 **Title Procedure On Title Applications For An Alabama Certificate Of Title Submitted By An Alabama Out-Of-State Resident - First Title For A New (1975 And Later Models) Vehicle (Repealed 6/10/11).**

(REPEALED)
Author: Mike Gamble
Statutory Authority: Code of Ala. 1975, §§32-8-3(a)(2), 40-2A-7(a)(5).
History: Repealed: Filed May 6, 2011; effective June 10, 2011.

810-5-75-.07 **Title Procedure - Request For Change Of Address Only On A Certificate Of Title (Repealed 12/23/11).**

(REPEAELD)

Author: Mike Gamble
Statutory Authority: Code of Ala. 1975, §32-8-3(a)(2), 32-8-1, 32-8-87
History: Repealed: Filed November 18, 2011; effective December 23, 2011.

810-5-75-.08 Title Procedure - Application For Corrected Certificate Of Title (Repealed 6/10/11).

(REPEALED)
Author: Mike Gamble
Statutory Authority: Code of Ala. 1975, §§32-8-3(a)(2), 40-2A-7(a)(5).
History: Repealed: Filed May 6, 2011; effective June 10, 2011.

810-5-75-.09 Transfer Of Title For A Vehicle From A Deceased Owner.

(1) When an owner of a motor vehicle becomes deceased and the estate has not been and will not be probated, the next of kin may apply for replacement title or transfer ownership of the vehicle by submitting a title application to the department that is accompanied by:

(a) A Next of Kin Affidavit (Form MVT 5-6), attesting the desire of all said heirs to apply for replacement title or transfer ownership.

(b) A copy of the death certificate for the person reflected as the owner on the form.

When transferring ownership, the next of kin must complete the assignment of the certificate of title as the "seller" on behalf of the estate of the deceased owner.

(2) When an owner of a motor vehicle becomes deceased and the estate has been or will be probated the executor or administrator of the estate may apply for replacement title or transfer ownership of the vehicle by submitting a title application to the department that is accompanied by a copy of the letters testamentary, letters of administration, or an equivalent order issued by a court of competent jurisdiction. When transferring ownership, the executor or administrator must complete the assignment of the certificate of title as the "seller" on behalf of the estate of the deceased owner.

(3) When a deceased owner acquires a motor vehicle, but did not obtain title to the vehicle before their death, the vehicle must be titled in the estate of the deceased owner by following the

procedures in paragraphs (1) or (2) above depending on whether or not the estate will be probated.

(4) The fees associated with processing title documents are provided for in §32-8-6, Code of Ala. 1975.

(5) The department may authorize the documents referenced in this rule to be electronically submitted to the department in lieu of delivering the original documents to the department.
Author: Don R. Clemons, Jonathan Lawrence
Statutory Authority: Code of Ala. 1975, §§32-8-3(a)(2), 32-8-6, 40-2A-7(a)(5).
History: **Repealed and New Rule:** Filed April 9, 2010; effective May 14, 2010. **Amended:** Published September 30, 2020; effective November 14, 2020.

810-5-75-.10 **Title Procedure - Transfer Of Title For A Vehicle From A Deceased Owner Whose Estate Does Not Require Probate (Left Will) (Repealed 5/14/10).**

(Repealed)
Author: Don R. Clemons
Statutory Authority: Code of Ala. 1975, §§32-8-3(a)(2), 40-2A-7(a)(5).
History: **Repealed:** Filed April 9, 2010; effective May 14, 2010.

810-5-75-.11 **Title Procedure - Transfer Of Title For A Vehicle From A Deceased Owner Whose Estate Requires Probate (Left Will) (Repealed 5/14/10).**

(Repealed)
Author: Don R. Clemons
Statutory Authority: Code of Ala. 1975, §§32-8-3(a)(2), 40-2A-7(a)(5).
History: **Repealed:** Filed April 9, 2010; effective May 14, 2010.

810-5-75-.12 **Title Procedure - Transfer Of Title For A Vehicle From A Deceased Owner Whose Estate Requires Probate (No Will) (Repealed 5/14/10).**

(Repealed)
Author: Don R. Clemons
Statutory Authority: Code of Ala. 1975, §§32-8-3(a)(2), 40-2A-7(a)(5).
History: **Repealed:** Filed April 9, 2010; effective May 14, 2010.

810-5-75-.13 Title Procedure - Transfer Of Title For A Vehicle Obtained By A Sheriff's Or Court Sale (Repealed 6/10/11).

(REPEALED)
Author: Mike Gamble
Statutory Authority: Code of Ala. 1975, §§32-8-3(a)(2), 40-2A-7(a)(5).
History: Repealed: Filed May 6, 2011; effective June 10, 2011.

810-5-75-.14 Involuntary Transfer by Operation of Law.

(1) When the interest of an owner in a motor vehicle or manufactured home passes to another, other than by voluntary transfer, the transferee must make application for a new certificate of title through a designated agent. The transferee must also surrender the last certificate of title, if available, and provide proof of the transfer to the designated agent.

(2) Except as provided in paragraph (3), the proof of transfer must identify the vehicle or manufactured home by vehicle identification number or manufactured home identification number, unless it is accompanied by either the original or a copy of the certificate of title.

(3) In the event that the proof of transfer does not identify the vehicle or manufactured home by vehicle identification number or manufactured home identification number, and no title is available, a designated agent may utilize the department's title database to determine the identity of the vehicle or manufactured home. The designated agent must include a copy of the title record used to verify the identity of the vehicle or manufactured home with the title application documentation.

(4) The person or entity initiating the involuntary transfer of a motor vehicle is required to give notice of the action to the department at least 35 calendar days prior to the date of the involuntary transfer. This notice requirement does not apply to:

(a) Abandoned vehicles (see administrative rule 810-5-75-.64 Unclaimed/Abandoned Vehicles).

(b) A motor vehicle transferred pursuant to a divorce decree.

(c) A motor vehicle transferred pursuant to documents creating a lien or other security interest in the motor vehicle.

(d) Manufactured homes.

(5) A person holding a certificate of title whose interest in the vehicle or manufactured home has been extinguished or transferred other than by voluntary transfer must surrender the certificate to the department upon request of the department or being notified that the certificate of title has been voided by the issuance of a subsequent certificate of title. The delivery of the certificate pursuant to the request of the department does not affect the rights of the person surrendering the certificate; and the action of the department in issuing a new certificate of title is not conclusive upon the rights of an owner or lienholder named in the old certificate.

(6) The requirements of this rule do not apply when the interest of an owner is terminated, and the vehicle or manufactured home is sold under a security agreement by a lienholder recorded on a certificate of title. See rule 810-5-75-.17 entitled Repossessed Motor Vehicle.
Author: Mike Gamble, Lisa Blankenship
Statutory Authority: Code of Ala. 1975, §§32-8-3, 32-8-46, 32-20-3, 32-20-32, 40-2A-7(a)(5).
History: Repealed and New Rule: Filed May 6, 2011; effective June 10, 2011. **Amended:** Filed December 14, 2011; effective January 18, 2012. **Amended:** Published December 31, 2019; effective February 14, 2020.

810-5-75-.15 Application For Replacement Certificate Of Title.

(1) If a certificate of title is lost, stolen, mutilated, indecipherable, or destroyed, the first lienholder or, if none, the owner or legal representative of the owner named in the certificate may apply for a replacement certificate of title. Titled owners and lienholders may request a replacement certificate of title through a designated agent of the department or utilize the department's public title portal and complete an application for replacement title (form MVT 12-1). Note: All designated agents must utilize the title system provided by the department to apply for replacement certificates of title.

(a) The following supporting documents and fee must be submitted to the department for processing:

1. Alabama title- unless title has been lost, stolen, mutilated, or destroyed, as provided under §§32-8-43 and 32-20-29, Code of Ala. 1975.

2. Documentation such as powers of attorney, letters testamentary, letters of administration, letters of guardianship, letters of conservatorship, trust

agreements, court orders, or additional documents required by the department that support the right of someone other than the owner or lienholder to sign the application on behalf of the owner or lienholder.

3. Fee prescribed in §32-8-6, Code of Ala. 1975.

(b) If there is a lienholder of record on the title, an authorized representative of the lienholder must complete the application unless a separate lien release is provided in accordance with rule 810-5-75-.21 entitled Release and Continuation of Lien or Security Interests.

(2) The issuance of a replacement title will not affect the requirement that each owner of a vehicle, other than a licensed dealer, obtain an Alabama title in the owner's name prior to transferring ownership of the vehicle.

(3) The department will not issue a replacement title when the department has evidence that the Alabama title was erroneously issued or fraudulently procured.

(4) Authorized employees of the department may correct information provided on the application when the information provided is in error and does not match department records for the vehicle. All corrections must be proved necessary by department records.

(5) The replacement certificate of title must contain the following legend, "This is a replacement certificate of title and may be subject to the rights of a person under the original certificate." The new certificate of title will be mailed to the first lienholder named on it, or, if none, to the owner. If the new certificate of title is to be mailed to someone other than the owner(s) or lienholder, the application must be signed and dated by the owner(s) or owner's authorized representative.

(6) The department may authorize designated agents, titled owners, or lienholders 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: Lisa Blankenship, Jonathan Lawrence
Statutory Authority: Code of Ala. 1975, §32-8-3, 32-8-43, 32-20-29, 40-2A-7(a)(5).
History: Repealed and New Rule: Filed October 20, 1999; effective November 24, 1999. **Amended:** Filed July 26, 2013; effective August 30, 2013. **Amended:** Published December 31, 2019; effective February 14, 2020. **Amended:** Published July 31, 2020; effective September 14, 2020.

810-5-75-.16 **Title Procedure - Assignment And Transfer Of Lien By Lienholder (Repealed 4/29/10).**

(Repealed)
Author:
Statutory Authority: Code of Ala. 1975, §32-8-3(a)(2), 32-8-1, 32-8-87
History: Repealed: Filed March 25, 2010; effective April 29, 2010.

810-5-75-.17 **Repossessed Motor Vehicle Or Manufactured Home.**

(1) If a motor vehicle or manufactured home that is subject to titling is repossessed by a lienholder, the following procedures must be followed:

(a) For a motor vehicle or manufactured home in Alabama, Form MVT 15-1, Repossessed Motor Vehicle Affidavit must accompany the properly assigned certificate of title.

(b) For a motor vehicle or manufactured home outside of Alabama, an equivalent out-of-state motor vehicle or manufactured home repossession affidavit must accompany the properly assigned certificate of title.

(2) A lienholder that repossesses a motor vehicle or manufactured home without recording their lien on the certificate of title is required to title the vehicle or manufactured home in their name prior to transferring the vehicle or manufactured home. The unrecorded lienholder must provide the following documents to support their application for certificate of title:

(a) Outstanding certificate of origin or certificate of title issued to or assigned to the owner in default.

(b) Copy of security interest agreement.

(c) Form MVT 15-1, Repossessed Motor Vehicle Affidavit.

(3) Pursuant to §32-8-62 or §32-20-42, Code of Ala. 1975, when more than one lien is recorded on the certificate of title, all subsequent liens are subordinate to the first lien. Accordingly, a lien release is not required from a subordinate lienholder recorded on a certificate of title whenever the first lienholder recorded on the certificate of title repossesses the vehicle or manufactured home.
Author: Mike Gamble

Statutory Authority: Code of Ala. 1975, §§32-8-3(b)(3), 32-8-62, 32-20-3(b)(3), 32-20-42,40-2A-7(a)(5).
History: Repealed and New Rule: Filed May 6, 2011; effective June 10, 2011. **Amended:** Published November 29, 2019; effective January 13, 2020.

810-5-75-.18 Title Procedure - Transfer Of Title For Used (1975 And Later Models) Vehicles, Currently Titled In Alabama (Repealed 6/10/11).

(REPEALED)
Author: Mike Gamble
Statutory Authority: Code of Ala. 1975, §§32-8-3(a)(2), 40-2A-7(a)(5).
History: Repealed: Filed May 6, 2011; effective June 10, 2011.

810-5-75-.19 Title Procedure - Repossessed (1975 And Later Models) Vehicle That Has Been Titled In Alabama With Lienholder (Repossessor) Properly Shown On Title (Repealed 6/10/11).

(REPEALED)
Author: Mike Gamble
Statutory Authority: Code of Ala. 1975, §§32-8-3(a)(2), 40-2A-7(a)(5).
History: Repealed: Filed May 6, 2011; effective June 10, 2011.

810-5-75-.20 Title Procedure - Second Or Third Lien Or Security Interest Releases On Title (Repealed 4/29/10).

(Repealed)
Author:
Statutory Authority: Code of Ala. 1975, §32-8-3(a)(2), 32-8-1, 32-8-87
History: Repealed: Filed March 25, 2010; effective April 29, 2010.

810-5-75-.21 Lien Or Security Interest Releases And Continuous Perfection Of Lien Or Security Interests.

(1) Release of Lien or Security Interest. A lienholder recorded on a certificate of title may release the lien or security interest utilizing one of the following procedures:

(a) Completing the area prescribed on the certificate of title to release the lien.

(b) Completing form MVT 5-63 when the certificate of title is unavailable due to being lost, stolen, illegible or mutilated. The MVT 5-63 can then be used to support an application for replacement certificate of title.

(c) Providing a lien release on the lienholder's letterhead. This lien release must accompany the certificate of title or application for replacement certificate of title and must contain the following information:

1. The lien release must identify the vehicle or manufactured home by complete vehicle identification number (VIN) or manufactured home identification number.

2. The lien release must provide the name of the owner(s) with whom the lienholder held a security agreement.

3. The lien release must state clearly that the lien has been released and show the date of release, and

4. The lien release must be signed by an authorized representative of the recorded lienholder.

(d) In the event that a lienholder recorded on a certificate of title is no longer in business and a replacement certificate of title is required, the following alternative method for evidencing the release of a lien or security interest may be used for a motor vehicle, other than a travel trailer, manufactured home, or vehicle that weighs more than 12,000 pounds gross weight:

1. Affidavit from the owner referencing the VIN and attesting to the fact that the lien or security interest is sat isfied and that the lienholder is no longer in business.

2. Unopened envelope, accompanied by certified mail return receipt request, sent to lienholder's last known address, containing a letter requesting a release of lien or security interest.

3. Evidence of satisfaction of the lien or security interest.

(2) Events when the Release of Lien or Security Interest is not Required.

(a) §32-8-64.1, Code of Ala. 1975, provides that any lien or security interest must be considered satisfied and a release is not required after 12 years from the date of the security

agreement as recorded on the certificate of title for a motor vehicle other than a travel trailer, manufactured home, or vehicle that weighs more than 12,000 pounds gross vehicle weight.

(b) §32-8-64.2, Code of Ala. 1975, provides that any lien or security interest must be considered satisfied and a lien release is not required after 4 years from the date of the security agreement as recorded on the certificate of title for a vehicle that is 12 or more model years old, other than a travel trailer, manufactured home, or vehicle that weighs more than 12,000 pounds gross vehicle weight.

(3) Surety Bond Required. If the lien or security interest release cannot be provided for a travel trailer, manufactured home, or vehicle that weighs more than 12,000 pounds gross vehicle weight, a surety bond must be posted in accordance with §32-8-36, Code of Ala.1975, to obtain a certificate of title.

(4) Application for Second Title for Security Interest or Lien.

(a) §32-8-64.2, Code of Ala. 1975, provides for the automatic release of certain security interests and liens unless a second application to record the existence of a continuous security interest or lien is filed prior to the automatic release provision of the security interest or lien.

(a) In order to provide for the continuous perfection of a security interest or lien that would otherwise be satisfied pursuant to Section 32-8-64.2, Code of Ala. 1975, an application for a second title on which the security interest or lien is listed must be submitted to a designated agent prior to the date the security interest or lien is automatically released. The application must be accompanied by the Alabama certificate of title and a notice of continuous lien perfection (form MVT 5-64) to extend the security interest or lien beyond the time period as provided in §32-8-64.2. The lien date on the notice of continuous lien perfection and the application must be the date the notice of continuous lien perfection was executed. Otherwise, the security interest or lien must be perfected as provided for by §32-8-61, Code of Ala. 1975.

Author: Don Clemons
Statutory Authority: Code of Ala. 1975, §32-8-3(b)(2), 32-8-36, 32-8-61, 32-8-64, 32-8-64.1, 32-8-64.2, 32-20-3(b)(2), 32-20-44, 40-2A-7(a)(5).
History: Repeal and **New Rule:** Filed July 26, 2013; effective August 30, 2013. **Amended:** Published July 31, 2020; effective September 14, 2020.

810-5-75-.22 **Title Procedure - Third Lien To Be Added (Security Interest Created By Owner). Reference: §§32-8-1 through 32-8-87, Code of Ala. 1975 (Repealed 3/26/10).**

(Repealed)
Author:
Statutory Authority: Code of Ala. 1975, §§32-8-3(a)(2),40-2A-7(a)(5).
History: Repealed: Filed February 26, 2010; effective March 26, 2010.

810-5-75-.23 **Title Procedure - Second Lien To Be Added (Security Interest Created By Owner) (Repealed 4/29/10).**

(Repealed)
Author:
Statutory Authority: Code of Ala. 1975, §32-8-3(a)(2).
History: Repealed: Filed March 25, 2010; effective April 29, 2010.

810-5-75-.24 **Lien(s) To Be Recorded (Security Interest Created By Owner) Assignment And Transfer Of Lien by Lienholder.**

(1) First Lien to be Recorded.

(a) If the lienholder is a designated agent of the department or can quality as a designated agent in accordance with §§32-8-24 or 32-20-22, Code of Ala, 1975, or rules promulgated thereunder, then form MVT 5-1E, Application for Certification of Title, must be completed by the lienholder through the Alabama Title System to record the lien.

(b) If the lienholder is not a designated agent and cannot qualify as a designated agent in accordance with §§32-8-34 or 32-20-22, Code of Ala. 1975, or rules promulgated thereunder, then form MVT 20-1, Application for Certificate of Title of Record or Transfer a Lien, must be completed. Form MVT 20-1 can only be used when the current certificate of title is an Alabama title and there is no change in ownership of the vehicle in conjunction with the recording of the new lien.

(c) Forms MVT 5-1E, and MVT 20-1 must be completed legibly and in their entirety. Form MVT 5-1E must be signed and dated

by the designated agent and owner(s). Form MVT 20-1 must be signed by the lienholder and owner(s).

(2) The lienholder or designated agent must immediately deliver the application, Alabama certificate of title, supporting documents, and fee, as provided for in §§32-8-6 or 32-20-4, Code of Ala. 1975, to the department.

(3) Second Lien to be Recorded.

(a) Whenever a second lien is to be recorded on a title, the procedures set forth in order to record the first lien will apply. NO more than two liens may be recorded on the certificate of title.

(b) Once the application (Forms MVT 5-1E or MVT 20-1) has been signed and dated, it must be delivered to the first lienholder listed on the applications in accordance with §32-8-61, Code of Ala. 1975.

(c) The first lienholder must immediately deliver the application, Alabama certificate of title, any supporting documents, and fee as provided for in §32-8-6, Code of Ala. 1975, to the department.

(4) Assignment and Transfer of First or Second Lien by Lienholder.

(a) In the event the lienholder needs to transfer a lien to another lienholder and there is no transfer of ownership, form MVT 20-1 must be completed regardless of whether the lienholder is a designated agent.

This procedure records the lien interest of the new lienholder and is required to record the lienholder on the Alabama certificate of title. The owner(s) names(s) and original lien date cannot be changed.

(5) The department may authorize designated agents and lienholders to electronically submit title applications and supporting documents in lieu of delivering the original documents to the department.

Author: Mike Gamble, Jonathan Lawrence
Statutory Authority: Code of Ala. 1975, §§32-8-3(b)(2), 32-8-61, 40-2A-7(a)(5).
History: Repealed and New Rule: Filed March 25, 2010; effective April 29, 2010. **Amended:** Filed July 30, 2012; effective September 3, 2012. **Amended:** Published July 31, 2020; effective September 14, 2020.

810-5-75-.25 Title Procedure - First Title For A New (1975 And Later Models) Vehicle (Repealed 6/10/11).

(REPEALED)
Author: Mike Gamble
Statutory Authority: Code of Ala. 1975, §§32-8-3(a)(2), 40-2A-7(a)(5).
History: Repealed: Filed May 6, 2011; effective June 10, 2011.

810-5-75-.26 Title Procedure - Owner Application For An Alabama Certificate Of Title On A Used (1975 And Later Models) Vehicle, Currently Titled In Another State (Repealed 2/26/10).

(Repealed)
Author: Jonathan Lawrence
Statutory Authority: Code of Ala. 1975, §40-2A-7(a)(5), 32-8-3(a)(2).
History: Repealed: Filed January 22, 2010; effective February 26, 2010.

810-5-75-.26.01 Title Procedure - Motor Vehicles Exempt From Titling In Other States (Repealed 12/23/11).

(REPEALED)
Author: Mike Gamble
Statutory Authority: Code of Ala. 1975, §§32-8-1 through 32-8-88.
History: New Rule: Filed May 17, 1995; effective June 21, 1995.
Repealed: Filed November 18, 2011; effective December 23, 2011.

810-5-75-.27 First Title For A Vehicle Reconstructed With A Glider Kit.

(1) A glider kit is a new vehicle without a power train (engine, transmission, drive train, and rear axles). A glider kit comes with a manufacturer's certificate of origin (MCO) and is designed to use a power train (engine, transmission, drive train, and rear axles) from an existing vehicle.

(2) The following documents must accompany the application for certificate of title along with applicable fees provided in §32-8-6, Code of Ala. 1975:

(a) The MCO for a new glider kit properly assigned to owner.

(b) An affidavit that includes the vehicle's vehicle identification number (VIN), year, make, and model stating that the applicant is the recorded owner of the vehicle and that there is no lien on the vehicle from which the power train was removed.

(c) A copy of the certificate of title in the name of the owner for the vehicle from which the power train was removed, if the vehicle was required to be titled in accordance with §32-8-31, Code of Ala. 1975, or copies of the owner's registration receipts for the last two years if the vehicle was not required to be titled in Alabama. In lieu of copies of the registration receipts, the owner may provide official registration records from the state in which the vehicle was registered.

(d) If the power train was obtained from a vehicle that was not owned by the applicant, a bill-of-sale covering the power train must be attached in lieu of the documents provided in this rule. The bill-of-sale must contain the VIN, year, make, and model of the vehicle from which the power train was removed. If the parts of the power train were purchased individually, a bill-of-sale covering each part must be furnished. The bill-of-sale must contain the VIN, if assigned by the manufacturer, of the component part.

(e) An affidavit by the person reconstructing the vehicle stating what was done to reconstruct the vehicle and that said vehicle is now in operable condition.

(3) The application for certificate of title must include the VIN, year, make, and model of the vehicle shown on the MCO issued for the glider kit.

(4) Any vehicle constructed with a glider kit must have the certificate of title branded with the notation "RECONSTRUCTED." Such brand must be carried forward to any subsequent certificate of title issued for the vehicle.

Author: Mike Gamble, Jay Starling
Statutory Authority: Code of Ala. 1975, §§40-2A-7(a)(5), 32-8-3(b)(2), 32-8-35(c), 32-8-39(a)(6).
History: **Amended:** Filed October 23, 2012; effective November 27, 2012. **Amended:** Published July 31, 2020; effective September 14, 2020.

810-5-75-.28 Application For Certificate Of Title To A Rebuilt Vehicle.

(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 and $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, Jonathan Lawrence
Statutory Authority: Code of Ala. 1975, §§32-8-3, 32-8-87, 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 and New Rule:** Published February 26, 2021; effective April 12, 2021.

810-5-75-.29 **Title For A Motor Vehicle Or Manufactured Home Obtained From The United States Government.**

(1) When a motor vehicle or manufactured home is obtained from the United States Government the designated agent must complete the following procedures:

(a) Submit form MVT 5-1E titled Application for Certificate of Title signed by the designated agent and the owner(s).

(b) Submit Standard Form 97, issued by the General Services Administration (GSA),

(c) Submit the fee provided under §32-8-6 or §32-20-4, Code of Ala. 1975.

(d) Inspect the motor vehicle or manufactured home as prescribed by §32-8-35, Code of Ala. 1975.

(2) A licensed dealer who purchases or otherwise acquires a motor vehicle or manufactured home from a government agency that is exempt from the requirement of certificate of title and holds the acquired motor vehicle or manufactured home for sale, may transfer the motor vehicle or manufactured home without obtaining title in the name of the dealership by properly completing a Secure Re-Assignment Supplement Form MVT 8-3.

(3) Every purchaser of a government vehicle, with the exception of licensed dealers, must make application for certificate of title in the purchaser's name.
Author: Winston Hyte, Lisa Blankenship
Statutory Authority: Code of Ala. 1975, §32-8-3, 32-8-6, 32-8-35, 32-8-3, 32-20-4.
History: Filed as Emergency Rule September 21, 1993. Filed October 18, 1993. **Amended:** Filed December 21, 1993, effective January 25, 1994. **Amended:** Published December 31, 2019; effective February 14, 2020.

810-5-75-.30 Title Procedure - First Title For A Rebuilt Vehicle (Repealed 4/12/21).

(REPEALED)
Author: Mike Gamble
Statutory Authority: Code of Ala. 1975, §§32-8-3(a)(2), 32-8-1 thru 32-8-88.
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:** Published February 26, 2021; effective April 12, 2021.

810-5-75-.31 Transfer Of Title For Vehicle Under The Abandoned Vehicle (Repealed 1-18-18).
Author: Don Clemons, Jonathan Lawrence
Statutory Authority: Code of Ala. 1975, §§32-8-3(b)(2), 40-2A-7(a)(5).
History: **Amended:** Filed March 17, 2004; effective April 21, 2004.
Amended: Filed December 27, 2007; effective January 31, 2007.
Amended: Filed January 23, 2015; effective February 27, 2015.
Repealed: Filed December 4, 2018; effective January 18, 2018.

810-5-75-.31.01 Abandoned Motor Vehicle - Requirements For A Report Of Sale (Repealed 1/31/07).

(Repealed)
Author: Winston Hyte
Statutory Authority: Code of Ala. 1975, §§32-8-3(b)(2), 40-2A-7(a)(5).
History: **New Rule:** Filed March 17, 2004; effective April 21, 2004. **Repealed:** Filed December 27, 2007; effective January 31, 2007.

810-5-75-.31.02 Abandoned Motor Vehicle Record Request (Form MVT 32-13) (Repealed 9/14/20).

(REPEALED)
Author: James Starling, Mike Gamble
Statutory Authority: Code of Ala. 1975, §§32-8-3(b)(2), 40-2A-10.
History: **New Rule:** Filed March 17, 2004; effective April 21, 2004. **Amended:** Filed December 27, 2007; effective January 31, 2007. **Amended:** Filed January 6, 2011; effective February 10, 2011. **Amended:** Filed August 27, 2014; effective October 1, 2014.
Repealed: Published July 31, 2020; effective September 14, 2020.

810-5-75-.32 Title Procedure - Transfer Of Title For A Vehicle In Bankruptcy (Repealed 6/10/11).

(REPEALED)
Author: Mike Gamble
Statutory Authority: Code of Ala. 1975, §§32-8-3(a)(2), 40-2A-7(a)(5).
History: **Repealed:** Filed May 6, 2011; effective June 10, 2011.

810-5-75-.33 Title Procedure - Transfer Of Title When A Vehicle Is Repossessed By A Lienholder Whose Lien Has Not Been Recorded (Repealed 6/10/11).

(REPEALED)
Author: Mike Gamble
Statutory Authority: Code of Ala. 1975, §§32-8-3(a)(2), 40-2A-7(a)(5).
History: **Repealed and New Rule:** Filed May 6, 2011; effective June 10, 2011.

810-5-75-.34 Title Obtained Under Surety Bond.

(1) If the department is not satisfied as to the ownership of the vehicle or manufactured home, or that there are no undisclosed security interests in the vehicle or manufactured home, the applicant(s) must complete an Electronic Surety Bond Request Form (form MVT 10-1A) for an Alabama certificate of title under surety bond. Upon approval of the request for a surety bond, the applicant(s) will be provided a Certificate of Title Surety Bond (form MVT 10-1) for a motor vehicle or manufactured home, to be completed by the applicant(s) and the insurance company issuing the surety bond.

(2) The standardized amount of the surety bonds are as follows:

(a) Trailers:

1. Less than five (5) model years old - $25,000

2. Five (5) model years old but less than ten (10) model years old – $10,000

3. Ten (10) or more model years old - $5,000

(b) Passenger vehicles and pickup trucks:

1. Less than five (5) model years old - $50,000

2. Five (5) model years old but less than ten (10) model years old $25,000

3. Ten (10) or more model years old - $10,000

(c) Trucks, buses and recreational vehicles:

1. Less than five (5) model years old - $100,000

2. Five (5) model years old but less than ten (10) model years old – $50,000

3. Ten (10) or more model years old - $25,000

(d) Motorcycles:

1. Less than five (5) model years old - $25,000

2. Five (5) model years old but less than ten (10) model years old – $10,000

3. Ten (10) or more model years old - $5,000

(e) Manufactured homes:

1. Less than (10) model years old - $50,000

2. Ten (10) or more model years old - $25,000

The manufactured home identification number for each section will be printed on the form MVT 10-1). The same certificate of title surety bond number issued by the surety company shall be listed, in the appropriate space, on each form MVT 10-1.

(3) Upon completion of form MVT 10-1, the applicant(s) must complete form MVT 5-1E Application for Certificate of Title through a designated agent. The application must be made within ninety (90) days from the date the surety bond was executed.

(4) The following documents are required to accompany the application for certificate of title:

(a) Form MVT 10-1 must be properly completed by applicant(s) and an insurance company licensed to issue surety bonds in the state.

(b) The certificate of title surety bond must be signed by a representative of the surety company and include a power of attorney, for each representative authorized to sign on behalf of the surety company.

(c) Documents by which applicant(s) claim(s) ownership of the motor vehicle or manufactured home (i.e. bill of sale, registration, etc.).

(5) The certificate of title, when issued, will be printed with the legend "THIS TITLE WAS SECURED UNDER THREE-YEAR SURETY BOND".

(6) When an application for certificate of title is supported by a certificate of title issued under surety bond that is currently in effect in another jurisdiction, the applicant(s) will be required to post a surety bond in Alabama in order to title the motor vehicle or manufactured home.

(7) Once the form MVT 10-1 will be printed, it may not be modified or altered (i.e. strikethroughs, whiteout, etc.).

(8) The surety bond will indemnify any prior owner and lienholder and any subsequent purchaser of the vehicle or person acquiring any security interest in it, and their respective successors in interest, against any expense, loss, or damage, including reasonable attorney's fees, by reason of the issuance of the certificate of title of the vehicle or on account of any defect in or undisclosed security interest upon the right, title and

interest of the applicant in and to the vehicle for a period of three (3) years from the date the bond is executed.

(9) When the owner(s) of a vehicle deemed "salvage", applies for a certificate of title under surety bond, the bond amount must be:

(a) 25% of the bond amount provided in subsection (2) for vehicles less than ten (10) model years old.

(b) 20% of the bond amount provided in subsection (2) for vehicles ten (10) or more model years old.

Author: James Starling, Mike Gamble
Statutory Authority: Code of Ala. 1975, §§40-2A-7(a)(5), 32-8-1 through 32-8-88, 32-20-24.
History: **Amended:** Filed November 23, 1998; effective December 28, 1998. **Amended:** Filed March 28, 2012, effective May 2, 2012. **Amended:** Filed October 30, 2014, effective December 4, 2014. **Amended:** Published July 31, 2020; effective September 14, 2020. **Amended:** Published March 31, 2021; effective May 15, 2021.

810-5-75-.35 **Bill Of Sale - Minimum Requirements. References: Section 40-12-260(b)(2), Code Of Ala. 1975, As Amended (Repealed 1/22/09).**

(Repealed)
Author: Billy Phillips
Statutory Authority: Code of Ala. 1975, §§40-2A-7(a)(5), 40-12-260(b)(2).
History: **Amended:** Filed January 3, 2008; effective February 7, 2008. **Repealed:** Filed December 18, 2008; effective January 22, 2009.

810-5-75-.36 **Responsibilities Of Designated Agents.**

(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, or Chapter 5B of Title 33, 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, vessels, 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, hull identification and vessel number (HIN), or manufactured home identification number agrees with the VIN, HIN, or manufactured home identification number on the application and the document(s) by which the applicant claims ownership of the motor vehicle, vessel, or manufactured home. Licensing officials may utilize form MVT 5-9 to appoint a government official to inspect the vehicle, manufactured home, or vessel when the owner is unable to bring it to the licensing official for inspection.

(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, Lisa Blankenship

Statutory Authority: Code of Ala. 1975, §§40-2A-7(a)(5), Chapter 8 of Title 32, 32-20-3(b), 32-20-4, 32-20-20, Chapter 5B of Title 33, Code of Ala. 1975.

History: **Amended:** Filed November 23, 1998; effective December 28, 1998. **Amended:** Published November 29, 2019; effective January 13, 2020. **Amended:** Published July 31, 2020; effective September 14, 2020. **Amended:** Published February 26, 2021; effective April 12, 2021. **Amended:** Published October 31, 2023; effective December 15, 2023.

810-5-75-.37 Application For Certificate Of Title - Seller's Signature Requirements (Repealed 12/23/11).

(REPEALED)
Author: Mike Gamble
Statutory Authority: Code of Ala. 1975, §32-8-3(a)(2), 32-8-1, 32-8-87
History: Repealed: Filed November 18, 2011; effective December 23, 2011.

810-5-75-.38 Dealer Reassignment Supplement.

(1) Dealer Reassignment Supplement (Form MVT 8-3) must be used by a licensed Alabama dealer upon transfer of ownership on transactions where all reassignment spaces on the certificate of title or manufacturer’s certificate of origin have been completed and no additional spaces are present to re-assign ownership.

(2) The Dealer Reassignment Supplement (Form MVT 8-3) must accompany the title or manufacturer’s certificate of origin that it supplements to be valid. This form will not be acceptable in lieu of any blank assignment spaces on the certificate of title or manufacturer’s certificate of origin. This form will be considered a component part of the original title or manufacturer’s certificate of origin when attached to same. Any alterations to the MVT 8-3 voids all assignments and reassignments on the form and carries the same penalties of law as provided for the assignments and reassignments on the original title or manufacturer’s certificate of origin.
Author: Winston Hyte, Jonathan Lawrence
Statutory Authority: Code of Ala. 1975, §§32-8-45, 40-2A-7(a)(5).
History: Filed April 20, 1992; August 14, 1992. **Amended:** Published July 31, 2020; effective September 14, 2020.

810-5-75-.39 Corrections To Title Documents.

(1) The department will not accept any document that has been altered (i.e. correction fluid, strike throughs). This includes, but is not limited to, applications for title, certificates of title, manufacturer's certificates of origin, assignments of titles and certificates of origin, bills of sale, affidavits and all forms required by the department whether they be Alabama forms or forms from another jurisdiction. The department will require a replacement document be obtained for the altered document.

(2) If an assignment of title contains an error, Form MVT 5-7, Affidavit of Correction to a Document to Support an Application for Certificate of Title, must be completed to correct the assignment.

(3) When the information shown on a certificate of title needs to be corrected, a new certificate of title is required. In order to have the corrected certificate of title issued, the owner must make application for a new certificate of title through a designated agent.
Author: Lisa Blankenship
Statutory Authority: Code of Ala. 1975, §32-8-3, 32-20-3, 40-2A-7(a)(5).
History: Amended: Filed July 26, 2013; effective August 30, 2013. **Amended:** Published December 31, 2019; effective February 14, 2020.

810-5-75-.40 **Requirements For Names And Signatures On Title Applications, Title Assignments, And Motor Vehicle Registrations.**

(1) Application and Assignment of Title - Multiple Owners.

(a) An application for a certificate of title, accompanied by the required supporting documents that reflect two (2) owners, must have the current legal names of both owners shown on the application. Two (2) owners joined by the conjunction "and" or with no conjunction between the names have tenancy in common ownership rights and both owners are required to sign the title application. Two (2) owners joined by the conjunction "or" or "and/or" have joint tenancy ownership rights with rights of survivorship and only one (1) owner is required to sign the title application. No more than two (2) owners may listed on an application for certificate of title.

(b) An assignment of title which reflects two (2) owners joined by the conjunction "and" or with no conjunction between the names have tenancy in common ownership rights, and both owners are required to sign the title assignment. Two (2) owners joined by the conjunction "or" or "and/or" have joint tenancy ownership rights with rights of survivorship and only one (1) owner is required to sign the title assignment.

(2) Application and Assignment of Title - General. The name of the owner(s) to be shown on the application for certificate of title must be the current legal name of the owner(s) of the motor vehicle for which a certificate of title is requested as provided by §§32-8-35 and 32-8-39, Code of Ala. 1975. Variances in the owner's first name, or the inclusion or omission of a title, middle name or initial, suffix or hyphenated name does not affect the legality of the owner's name. Note that the owner's name must be in agreement on all title documents and any variance(s) in the

owner's name between title documents will require that the owner provide an affidavit attesting to the variance(s). If the owner is doing business under a trade name, the trade name may be shown following the current legal name of the owner.

(3)(a) Vehicle Registration Information. The current legal name(s) of the owner(s) or operator(s) shown on the Alabama application for certificate of title and Alabama certificate of title must be identical to the name(s) of the owner(s) or operator(s) shown on the registration for the motor vehicle.

(b) If the current legal name of the owner or operator has changed, and the certificate of title is issued by another state and is being held by a lienholder, and the vehicle is not required to be titled in this state as provided by §32-8-31, Code of Ala. 1975, the owner or operator must provide evidence of the current legal name, which will be shown on the vehicle registration.

(4) **Electronic Signatures**. Except as otherwise provided in this paragraph, in lieu of handprinted names and signatures, an electronic signature is acceptable when authorized by the department pursuant to the procedures established under Rule 810-14-1-.37, excluding signatures required on a physical certificate of title or manufacturer's certificate (statement) of origin. A taxpayer may not submit a document with an electronic signature when a handwritten signature is required with the document by federal or state law. If an electronic signature is provided on an Alabama electronic certificate of title or manufacturer's certificate (statement) of origin which includes a required odometer disclosure statement, the electronic signature must be provided in accordance with the Federal Truth-in-Mileage Act of 1986 (as amended) and the rules of the National Highway Traffic Safety Administration.

Author: Jay Starling, Sherry Helms, Mike Gamble, Jonathan Lawrence

Statutory Authority: Code of Ala. 1975, §§40-2A-7(a)(5), 32-8-3(a)(2), 32-8-31, 32-8-35, 32-8-39.

History: **Amended:** Filed January 28, 2010; effective March 4, 2010. **Amended:** Filed June 27, 2012; effective August 1, 2012. **Amended:** Filed January 23, 2015; effective February 27, 2015. **Amended:** Filed April 5, 2016; effective May 20, 2016. **Amended:** Published July 31, 2020; effective September 14, 2020. **Amended:** Published August 31, 2021; effective October 15, 2021.

810-5-75-.41 **Dealer Required To Title Vehicle - Title Application Submitted To Department And Is Returned To Dealer Because Transfer Of Vehicle Was Not Consummated (Repealed 11/27/12).**

(REPEALED)

Author:
Statutory Authority: Code of Ala. 1975, §32-8-3 (a)(2), 32-8-1, 32-8-87
History: Repealed: Filed October 23, 2012; effective November 27, 2012.

810-5-75-.42 Dealer Designated Agent Records.

(1) In accordance with §§32-8-45, 40-12-399, Code of Ala. 1975, every licensed dealer must maintain for five years a record, in a form as prescribed by the department, of every vehicle bought, sold, exchanged, or received for sale or exchange. These records shall be open to inspection by representatives of the department and law enforcement officers during reasonable business hours.

(2) Records must include the following information:

(a) Name and complete address (P. O. Box number not acceptable) of person buying, selling, or exchanging vehicle with dealer.

(b) Name and complete address (P. O. Box number not acceptable) of owner from whom a vehicle was received for sale or exchange.

(c) Complete vehicle description: year, make, model, or series number, vehicle identification number and body type.

(d) Date of transaction.

(e) Statement that the identification number has been obliterated, defaced or changed if such is the fact.

(3) The department may require designated agents or if applicable, their contracted Title Service Providers as defined under §32-8-34, Code of Ala. 1975, to submit title applications and supporting documents electronically. If a title application and supporting documents are submitted electronically, the following requirements will apply:

(a) The word "SURRENDERED" must be stamped or printed in bold type across the front of the certificate of title. The designated agent must maintain title documents as provided in paragraph (1) of this rule.

(b) The original title application and supporting documents must be securely maintained by the designated agent for at least six (6) months from the date of the electronic submission of the documents.

(c) An electronic copy of the title application and supporting documents must be maintained by the designated agent for at least five years from the date of the electronic submission of the documents.

(4) Designated agents or if applicable, their contracted Title Service Providers must secure all physical and electronic title applications and supporting documents to prevent personal information from being released in a manner contrary to the permitted disclosure provisions of the Federal Driver's Privacy Protection Act, 18 U.S.C. §2721. If there is reason to suspect any unauthorized access or disclosure has occurred, related to confidential or sensitive information in their possession, notification to the department, via telephone must be made within twenty-four hours of the incident followed by a written affidavit of the occurrence within five days of the initial reporting.

(5) Designated agents or if applicable, their contracted Title Service Providers must securely dispose of all physical and electronic records that exceed the record retention period as provided in paragraph 3 of this rule to prevent personal information from being released in a manner contrary to the permitted disclosure provisions of the Federal Driver's Privacy Protection Act, 18 U.S.C. §2721.

(6) Designated agents or if applicable, their contracted Title Service Providers must adhere to the following standards required for the secure disposal of confidential or sensitive information:

(a) All paper documents containing confidential or sensitive information that need to be disposed of must be incinerated or shredded using the cross-cut method (.04" x .2" wide or smaller strips). If shredding deviates from the stated specification, the document must be safeguarded until it reaches the condition where it is rendered unreadable through additional means, such as burning or pulping, with 100% accuracy and verification that all documents are destroyed and completely unrecoverable.

(b) All other media must be sanitized or disposed of in accordance with the below standards:

1. Magnetic Tape - Degaussed with a degausser or destroyed by shredding or incinerating.

2. Magnetic Disk (Zip disks, Jazz Disks, and Floppy Disks) - Destroyed by shredding or incinerating.

3. Hard Drives - Degaussed with a degausser, overwritten with a hard drive-wiping program, or destroyed by shredding or incinerating. All computer hard drives MUST be wiped when returning to stock to ensure that the old data is erased.

4. Optical Disks (CDs, DVDs, CDRs, CDRWs, DVDRs, DVDRWs) - Destroyed by shredding or incinerating.

Author: Lisa Blankenship, Jonathan Lawrence, Kevin Long
Statutory Authority: Code of Ala. 1975, §§32-8-3(b)(2), 32-8-45, 40-2A-7(a)(5), 32-8-34, 40-12-399. Federal Driver's Privacy Protection Act, 18 U.S.C. §2721.
History: **Amended:** Filed July 26, 2013, effective August 30, 2013. **Amended:** Published July 31, 2020; effective September 14, 2020. **Amended:** Published November 30, 2021; effective January 14, 2022.

810-5-75-.44 **Assignment/Reassignment Of Salvage Certificate Of Title (Repealed 12/23/11).**

(REPEALED)
Author: Mike Gamble
Statutory Authority: Code of Ala. 1975, §§32-8-1 ,32-8-87.
History: Filed May 21, 1990; August 22, 1990. **Repealed:** Filed November 18, 2011; effective December 23, 2011.

810-5-75-.46 **Assignment Of Certificate Of Title (Repealed 11/14/20).**

(REPEALED)
Author: Charles Patton
Statutory Authority: Code of Ala. 1975, §32-8-3.
History: Filed May 21, 1990; August 22, 1990. **Repealed:** Published September 30, 2020; effective November 14, 2020.

810-5-75-.46.01 **Assignment Of Certificate Of Title - Transferor's Signature Requirements (Repealed 12/23/11).**

(REPEALED)
Author: Mike Gamble
Statutory Authority: Code of Ala. 1975, §§32-8-1,32-8-88.
History: **New Rule:** Filed November 5, 1997; effective December 10, 1997. **Repealed:** Filed November 18, 2011; effective December 23, 2011.

810-5-75-.47 **Application For Certificate Of Title Under The Motor Vehicle Lemon Law (Manufacturer Buyback).**

(1) If a motor vehicle has been returned to the manufacturer under the provisions of the Motor Vehicle Lemon Law as codified

in Chapter 20A of Title 8, Code of Ala. 1975, or a similar statute of another state, whether as the result of a legal action or as the result of an informal dispute settlement proceeding, the manufacturer must:

(a) Make application for certificate of title in their name using the Manufacturer Buy Back Application (MVT 8-20A).

(b) File the application either directly with the department or through a designated agent of the department.

(c) Include the properly assigned certificate of title and the application fee as provided under §32-8-6, Code of Ala. 1975.

(2) No application in the manufacturer's name will be required if an out of state title has already been issued with a lemon law or similar brand.

(3) Pursuant to §8-20A-4, Code of Ala. 1975, the brand "THIS VEHICLE WAS RETURNED TO THE MANUFACTURER BECAUSE IT DID NOT CONFORM TO ITS WARRANTY" must be placed on certificates of title issued in accordance with the lemon law. This brand shall also be placed on a certificate of title when an out of state title with a lemon law or similar brand accompanies an application for certificate of title. This brand shall be continued on all successive certificates of title.

(4) The department may authorize designated agents and titled owners 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: Allyson Ward
Statutory Authority: Code of Ala. 1975, §§8-20A-1, 8-20A-4, 8-20A-6, 32-8-6.
History: Filed July 20, 1990; November 1, 1990. **Amended:** Filed November 5, 1997; effective December 10, 1997. Repealed and **New Rule:** Published February 26, 2021; effective April 12, 2021.

810-5-75-.48 "Junk" "Parts Only" and "Scrap" Motor Vehicles.

(1) Suspension, Revocation, and Non-Issuance of "Junk", "Parts Only", and "Scrap" Motor Vehicle Certificates of Title.

(a) A certificate of title will be suspended or revoked when a motor vehicle has been scrapped, dismantled, or destroyed.

(b) A certificate of title will not be issued for the following:

1. A motor vehicle previously issued a "junk" or "parts only" certificate of title or an equivalent certificate of title from another jurisdiction.

2. A motor vehicle where the frame or the majority of the major component parts, as defined in §32-8-87, Code of Ala. 1975, were obtained from a "junk" vehicle.

3. An out of state motor vehicle with a certificate of title notation of junk, parts car, parts only, or non-rebuildable, or bills-of-sale issued for transfer of the motor vehicle with similar notation.

(2) Motor Vehicles Acquired for Dismantling, Crushing, or Remelting Purposes.

(a) Licensed automotive dismantler and parts recyclers, secondary metals recyclers, or any person who acquires a motor vehicle for the purpose of dismantling or crushing the motor vehicle or recycling it into metallic scrap for remelting must:

1. Obtain the current properly transferred certificate of title, unless otherwise provided for in paragraph 1.

2. Electronically submit a notice of cancellation through the department's SCRAP Portal.

3. Obtain a notice receipt with a unique confirmation number from the department.

(b) If a motor vehicle being dismantled, crushed, or recycled into metallic scrap for remelting purposes is worth one thousand dollars ($1000) or less and is at least 12 model years old, a Notice of Motor Vehicle Acquisition for Purpose of Dismantling or Recycling into Metallic Scrap (form MVT 5-18) may be electronically completed through the SCRAP portal when the owner or authorized agent of the owner has not obtained a title in his or her name. Original signed documents must be maintained for a period of not less than five years.

(3) Out-of-State Recycler's Notice of Junk Vehicle Cancellation.

(a) An automotive dismantler and parts recycler, or secondary metals recycler, located outside of Alabama, who acquires a motor vehicle and the properly assigned Alabama certificate of title for the purpose of dismantling the motor vehicle or recycling it into metallic scrap may, upon proper registration and payment of the fee(s) as specified in paragraph (4) of this rule, may utilize the department's SCRAP portal to provide notice of junk vehicle cancellation to the department.

(b) Any person, as defined in §32-8-2, Code of Ala. 1975, located outside of this state not registered pursuant to paragraph (3)(a) may submit a Notice of Junk, Parts Only, or Scrap Vehicle (Form MVT 5-48) with the properly assigned Alabama certificate of title to provide notice of junk vehicle cancellation to the department.

(4) SCRAP Portal Fees and Transactions.

(a) An automotive dismantler and parts recycler, or secondary metals recyclers is subject to either of the following fees provided under Section 32-8-87:

1. A per electronic transaction fee.

2. An annual fee for all transactions made during the fiscal year. The annual fee is to be paid on a fiscal year basis, beginning October 1 of each fiscal year and is applicable for each location or licensee.

(b) Incomplete SCRAP Portal transactions will be voided within 3 days of the initial filing date.

(c) A motor vehicle previously reported as scrap through the department's SCRAP Portal is not required to be reported again by a party who has subsequently acquired the motor vehicle for the purpose of dismantling the motor vehicle or recycling it into metallic scrap. A copy of the receipt will serve as evidence.

(5) The requirement of obtaining a salvage title in accordance with §32-8-87 Code of Ala. 1975, will not be affected by this rule.

Author: Mike Gamble, Allyson Ward
Statutory Authority: Code of Ala. 1975, §§32-8-2, 32-8-3(b)(3), 32-8-87, 40-2A-7(a)(5).
History: Filed May 21, 1990; August 22, 1990. **Amended:** Filed December 8, 2009; effective January 12, 2010. **Amended:** Filed April 21, 2010, effective May 26, 2010. **Amended:** Filed January 6, 2011; effective February 10, 2011. **Amended:** Filed November 18, 2011; effective December 23, 2011. **Amended:** Filed October 23, 2012; effective November 27, 2012. **Amended:** Published March 31, 2021; effective May 15, 2021.

Ed. Note: Was previously 810-5-1-.235 and moved to 810-5-75-.48 as per certification filed April 21, 2010; effective May 26, 2010.

810-5-75-.49 **Certificate Of Title Required - New Title When Information On Certificate Of Title Is Changes Or When Correction Is Required Reference: Sections 32-8-1 Through 32-8-87, Code Of Ala. 1975, As Amended (Repealed 4/13/20).**

(REPEALED)
Author: Mike Gamble
Statutory Authority: Code of Ala. 1975, §§32-8-3(a)(2), 40-2A-7(a)(5).
History: **Amended:** Filed April 21, 2010, effective May 26, 2010. **Repealed:** Published February 28, 2020; effective April 13, 2020.

Ed. Note: Was previously 810-5-2-.01 and moved to 810-5-75-.49 as per certification filed April 21, 2010; effective May 26, 2010.

810-5-75-.50 **Certificate Of Title Required - Continuance Of Recorded Legends, Reference: Sections 32-8-1 Through 32-8-87, Code Of Ala. 1975, As Amended (Repealed 11/14/20).**

(REPEALED)
Author: Mike Gamble
Statutory Authority: Code of Ala. 1975, §32-8-3(b)(2).
History: Adopted July 6, 1984; Filed July 19, 1984. **Amended:** Filed April 21, 2010, effective May 26, 2010. **Repealed:** Published September 30, 2020; effective November 14, 2020.

Ed. Note: Was previously 810-5-2-.02 and moved to 810-5-75-.50 as per certification filed April 21, 2010; effective May 26, 2010.

810-5-75-.51 **Returned Title Request Form (Form MVT 5-27) (Repealed 11/14/20).**

(REPEALED)
Author: Mike Gamble
Statutory Authority: Code of Ala. 1975, §§32-8-3(b)(2), 40-2A-7(a)(5).
History: **New Rule:** Filed October 20, 1999; effective November 24, 1999. **Amended:** Filed April 21, 2010, effective May 26, 2010. **Repealed:** Published September 30, 2020; effective November 14, 2020.

Ed. Note: Was previously 810-5-2-.03 and moved to 810-5-75-.51 as per certification filed April 21, 2010; effective May 26, 2010.

810-5-75-.52 Designated Agent Appointments.

(1) The following entities, if legally authorized to do business in Alabama, may apply to become designated agents of the department:

(a) Financial Institutions.

(b) Pawnshops licensed to enter into pawn transactions on motor vehicles.

(c) Insurance companies.

(d) Towing Companies.

(e) Manufactured Home Dealers as defined in §32-20-2(1), Code of Ala. 1975.

(f) Motor Vehicle Dealers as defined in §32-8-2, Code of Ala. 1975.

(g) Vessel Dealers as defined in §33-5B-2, Code of Ala. 1975.

(2) The Department may appoint third parties (e.g. law firms) as its designated agents under §32-20-22, Code of Ala. 1975, to complete and submit title applications for manufactured homes.

(3) The applicant must provide the department a good and sufficient surety bond, executed by the applicant as principal by a corporate surety company qualified to do business in the state as surety, in a sum provided in §40-12-398, Code of Ala. 1975. The bond shall be conditioned upon the faithful performance of its duties as a designated agent under Chapter 8 or Chapter 20 of Title 32, Code of Ala. 1975. The bond shall be payable to the commissioner and must be in favor of any person who recovers any judgment for any loss as a result of any violation of the conditions of the bond.

(4) Designated agents that qualify under both §32-8-34 and §32-20-22 may have only one department assigned designated agent number. A revocation of designated agent status under §32-8-34 or §32-20-22 shall serve as a revocation under both.

(5) An entity located outside of Alabama, except third parties as authorized under §32-20-22, is prohibited from being appointed as a designated agent of the department. Designated agents of the department located outside of Alabama that were qualified prior to January 1, 2004, may continue to operate as a designated agent of

the department until their designated agent status is cancelled or revoked.
Author: James Starling, Lisa Blankenship
Statutory Authority: Code of Ala. 1975, §§40-2A-7(a)(5), Chapter 8 of Title 32, 32-20-22, Chapter 5B of Title 33, 40-12-398, and Rule 810-5-75-.65.
History: Amended: Filed May 18, 2004, effective June 22, 2004. **Amended:** Filed April 21, 2010; effective May 26, 2010. **Amended:** Filed January 6, 2011; effective February 10, 2011. **Amended:** Filed January 10, 2013; effective February 14, 2013. **Repealed and New Rule:** Filed October 27, 2014, effective December 1, 2014. **Amended:** Published November 29, 2019; effective January 13, 2020. **Amended:** Published August 31, 2021; effective October 15, 2021. **Amended:** Published October 31, 2023; effective December 15, 2023.

Ed. Note: Was previously 810-5-4-.01 and moved to 810-5-75-.52 as per certification filed April 21, 2010; effective May 26, 2010.

810-5-75-.52.01 Title Service Provider.

(1) A title service provider, as defined in §32-8-2, Code of Ala. 1975, may be authorized to act as an agent on behalf of a designated agent upon satisfaction and compliance with the provisions of this rule.

(a) Application. The title service provider must complete Form MVT 4-6 Application for Title Service Provider.

(b) Memorandum of Agreement. The title service provider must execute a Memorandum of Agreement for Title Service Providers with the department to process title applications.

(c) Surety Bond. A title service provider must provide the department a good and sufficient surety bond, executed by the applicant as principal by a corporate surety company qualified to do business in the state as surety, in a sum provided in §40-12-398, Code of Ala. 1975. The bond shall be conditioned upon the faithful performance of its duties as a title service provider under Chapter 8 of Title 32, Code of Ala. 1975. The bond shall be payable to the commissioner and must be in favor of any person who recovers any judgement for any loss as a result of any violation of the conditions of the bond. Bond form MVT 4-3 shall be provided by the department.

(d) Power of Attorney. Title service providers must have a signed Power of Attorney (MVT 5-13) on file with the department for each designated agent that grants the title servicer provider the authority to act on their behalf pursuant to Chapter 8 of Title 32, Code of Ala. 1975.

(e) Required Classes. The title service provider must complete the department's designated agent classes.

(f) Submission of Title Applications. The title service provider shall submit all title applications on behalf of a designated agent through the department's online title system. The title service provider may only submit title applications on behalf of a designated agent or financial institution for which it has a current power of attorney.

(2) An authorized title service provider may act as an agent on behalf of a lienholder who appears on a certificate of title provided, however, that the services performed on behalf of the lienholder may not exceed those that the lienholder could perform on its own.

(3) The department may deny the application or revoke the authority of a title service provider if the title service provider fails to faithfully perform the duties under Chapter 8 of Title 32, Code of Ala. 1975, or rules promulgated thereunder, or has been convicted of any felony as provided for in §32-8-3, Code of Ala. 1975.
Author: James Starling
Statutory Authority: Code of Ala. 1975, §§Chapter 8 of Title 32, 32-8-2, 32-8-3, 32-8-34, 40-2A-7(a)(5), 40-12-398.
History: **New Rule:** Published November 29, 2019; effective January 13, 2020.

810-5-75-.53 Application For Certificate Of Title Leased Vehicles.

(1) A leasing company that leases a motor vehicle based in Alabama and required to be titled in this state, must make application to the department for a certificate of title. This includes lease/ purchase agreements. The lessor must always be named as owner. The lessor's address must be provided in the space for owner's mailing address and the certificate of title will be mailed to the lessor at that address provided, unless there is a lienholder disclosed on the application. The lessor must also provide the lessee's name and resident address in the space designated for Alabama Operator (lessee).

(2) When a security interest is perfected on a leased vehicle, the certificate of title will be mailed to the first lienholder.

(3) Designated agents must complete an application for Certificate of Title as prescribed in Administrative Rule 810-5-75-.36 titled Responsibilities Of Designated Agents. Application must be properly completed and signed by the designated agent and owner (lessor) or attorney-in-fact of owner (lessor).
Author: Mike Gamble, Jonathan Lawrence

Statutory Authority: Code of Ala. 1975, §§32-8-1 through 32-8-88, 40-2A-7(a)(5).
History: Amended: Filed November 5, 1997; effective December 10, 1997. **Amended:** Filed April 21, 2010; effective May 26, 2010. **Amended:** Published February 28, 2020; effective April 13, 2020.

Ed. Note: Was previously 810-5-5-.07 and moved to 810-5-75-.53 as per certification filed April 21, 2010; effective May 26, 2010.

810-5-75-.54 Application For Certificate Of Title For A Stolen Unrecovered Vehicle.

(1) When a settlement has occurred between an insurance company and the insured for a vehicle that has been reported as stolen in this state, the insurance company may make application for certificate of title in their name by completing form MVT 40-1e and submitting the following documents:

(a) Outstanding properly assigned certificate of title.

(b) Any other documents used to support the application or transfer of title.

(c) Fee required in §32-8-6, Code of Ala. 1975. (d) Lien release (if applicable).

(2) Upon receipt of a properly completed MVT 40-1e, the department will issue an electronic certificate of title in the name of the insurance company indicating that the vehicle is reported as stolen and unrecovered.

(3) Upon recovery of the vehicle, the insurance company must electronically update the title record utilizing the Alabama title system. The insurance company must include, in the disclosure, whether the recovered vehicle was a total loss requiring that a salvage certificate of title be issued in the name of the insurance company. The insurance company must also disclose whether the salvage title is being obtained due in part to water damage to the vehicle and whether the vehicle is designated as "parts only." In addition, the insurance company will provide, if applicable, an updated mailing address where the certificate of title will be mailed.

(4) Upon receipt of the disclosure from the insurance company, the department shall issue a certificate of title in paper form, unless otherwise issued electronically, in the name of the insurance company.
Author: Mike Gamble
Statutory Authority: Code of Ala. 1975, §§32-8-1 – 32-8-88; 40-2A-7(a)(5).

History: Amended: Filed April 21, 2010, effective May 26, 2010. **Repealed:** Published December 31, 2019; effective February 14, 2020. **New Rule:** Published November 30, 2020; effective January 14, 2021.

Ed. Note: Was previously 810-5-5-.10 and moved to 810-5-75-.54 as per certification filed April 21, 2010; effective May 26, 2010.

810-5-75-.55 Motor Vehicle Inspection Requirements For Certificates Of Title And Continuation Of Brands.

(1) First Certificate of Title. In accordance with §32-8-35, Code of Ala. 1975, a physical inspection of a motor vehicle and verification of the vehicle identification number (VIN) and the descriptive data shown on the certificate of title application is required only for first certificates of title, including certificates of title for the following:

(a) New Vehicles - Application for first title.

(b) Out-of-State Vehicles - Brought into Alabama requiring registration and titling in this State and surrendering of out-of-state title.

(c) Other Vehicles - Not currently titled in Alabama and subject to registration and titling in this State.

(2) Licensing officials may appoint a government official or a law enforcement officer as a deputy for the purpose of inspecting a motor vehicle. The government official, or law enforcement officer, must verify the VIN, make, year, model, and color of the vehicle by completing and signing Vehicle Inspection Form MVT 5-9.

(3) Transfer of Certificate of Title. Where a currently valid Alabama certificate of title to a motor vehicle is assigned to a new owner, the designated agent processing an application for title for the new owner is not required to physically verify the VIN and description of the vehicle. In such a case, the signature of the designated agent on the application is his certification that the VIN and description shown on the new application are identical to the VIN and description on the Alabama certificate of title assigned to the new owner and that he has positively identified the new owner and witnessed his signature on the application for the new title.

(4) The application for first Alabama certificate of title and application for certificate of title involving a transfer must be processed by a designated agent of the department or an authorized title service provider of the designated agent.

(5) Continuation of Brands. Any and all brands which appear on certificates of title issued by other jurisdictions to disclose a pertinent fact about a vehicle or its ownership and surrendered to this state may be continued on certificates of title issued in this state.
Author: Mike Gamble, Jonathan Lawrence
Statutory Authority: Code of Ala. 1975, §§32-6-56, 32-8-3, 32-8-5, 32-8-32, 40-2A-7(a)(5); 49 CFR Part 565.
History: Amended: Filed April 21, 2010; effective May 26, 2010. **Amended:** Published September 30, 2020; effective November 14, 2020.

Ed. Note: Was previously 810-5-5-.13 and moved to 810-5-75-.55 as per certification filed April 21, 2010; effective May 26, 2010.

810-5-75-.56 Issuance And Records – Abbreviations used In Data Entry. Reference: Sections 32-8-1 Through 32-8-87, Code Of Ala. 1975, As Amended (Repealed 11/14/20).

(REPEALED)
Author: Mike Gamble
Statutory Authority: Code of Ala. 1975, §§32-8-3(a)(2), 40-2A-7(a)(5).
History: Amended: Filed April 21, 2010; effective May 26, 2010. **Repealed:** Published September 30, 2020; effective November 14, 2020.

Ed. Note: Was previously 810-5-6-.01 and moved to 810-5-75-.56 as per certification filed April 21, 2010; effective May 26, 2010.

810-5-75-.57 Application For Salvage Certificate of Title And Insurance Non-Total Loss Assignment Of Certificate Of Title.

(1) When a motor vehicle subject to titling is considered a total loss as defined in §32-8-87, Code of Ala. 1975, it will be the responsibility of the owner or any person acquiring ownership (individual, company, or insurance company) to complete form MVT 41-1 (Application for Salvage Certificate of Title), and deliver it to the department for processing. Note: Pursuant to §32-8-87, Code of Ala. 1975, the salvage or total loss must occur in Alabama for an Alabama salvage certificate of title to be issued. If the salvage or total loss occurs in another state or other jurisdiction then the salvage laws of that state of other jurisdiction will apply to the issuance of a salvage certificate of title.

(a) The individual completing form MVT 41-1 must verify the Vehicle Identification Number (VIN) and other vehicle information using information obtained from the outstanding certificate of title and the vehicle being reported as salvage. If a discrepancy in the VIN is found, the owner in whose name the title is currently issued must obtain a corrected certificate of title prior to the submission of the MVT 41-1.

(b) When the owner (individual or company) making application for a salvage certificate of title is either uninsured or self-insured, the MVT 41-1 must be completed and signed by the applicant. The applicant must disclose whether the vehicle is "Junk" or to be "Sold For Parts Only" on the MVT 41-1. A vehicle which is disclosed as "Junk" or to be "Sold For Parts Only" cannot be rebuilt and no subsequent certificate of title will be issued for the vehicle after the salvage certificate of title is issued with a "Parts Only - Non Rebuildable" legend. The owner shall also disclose the city and state where the total loss occurred and whether the vehicle was declared a total loss due, in part, to water damage.

(c) When an insurance company has declared the vehicle to be a total loss, and paid compensation to the owner, the MVT 41-1 must be completed and signed by an authorized representative of the insurance company. The authorized representative must disclose whether the vehicle is "Junk" or to be "Sold For Parts Only" on the MVT 41-1. A vehicle which is disclosed as "Junk" or to be "Sold For Parts Only" cannot be rebuilt and no subsequent certificate of title will be issued for the vehicle after the salvage certificate of title is issued with a "Parts Only - Non- Rebuildable" legend. The owner shall also disclose the city and state where the total loss occurred and whether the vehicle was declared a total loss due, in part, to water damage. The authorized representative must also disclose whether the insurance company is making application for a salvage certificate of title, or the owner is retaining the salvage on the vehicle on the MVT 41-1.

(d) When a monetary settlement is paid on a damaged vehicle and the damage to the vehicle is greater than or equal to 75 percent of the fair retail value of the vehicle prior to the damage, the vehicle shall be considered to be a total loss. For the purpose of determining the fair retail value of a total loss vehicle, at time of loss, information shall be obtained from a current edition, including automated data base, of a nationally recognized compilation of retail values, such as, but not limited to the National Automobile Dealers Association's Used Car Guide, Southeastern Edition and National Market Reports, Inc., provided the publication or automated data base presents a fair and representative retail value of the vehicle within the state of Alabama.

(2) The supporting documents which must accompany the MVT 41-1 are as follows:

(a) Outstanding certificate of title, properly assigned if necessary.

(b) Any other documents used to support the application or transfer of title.

(c) Fee as required in Section 32-8-6, Code of Ala. 1975.

(d) Lien release (if applicable).

(3) Upon receipt of a properly completed MVT 41-1 and the supporting documents as specified in Section 2, the department will issue a salvage certificate of title. The salvage certificate of title will reflect the legend "Parts Only – Non-Rebuildable" if such disclosure was made on the MVT 41-1. The salvage certificate of title will reflect the legend "Flood Vehicle" if such disclosure was made on the MVT 41-1.

(4) Once the "Flood Vehicle" legend is issued, on a salvage certificate of title or any other certificate of title, the legend will be reflected on all subsequent certificates of title regardless of whether the vehicle is subsequently rebuilt in this or any other state.

(5) Insurance companies who acquire ownership of non-total loss vehicles shall acquire a properly assigned certificate of title from the owner (insured) to the insurance company, and shall complete the "Affidavit of Acquisition and Disposition of a Non-Total Loss Vehicle by Insurance Company" (MVT Form 41-5), and shall complete the "first reassignment of title by a licensed dealer" to their transferee.

NOTE: Automotive dismantlers and scrap metal processors acquiring a total loss vehicle for the purpose of recycling into metallic scrap for remelting purposes are not required to obtain a salvage certificate of title and must utilize the department's SCRAP portal to report the vehicle as "junk".
Author: Mike Gamble
Statutory Authority: Code of Ala. 1975, §§32-8-1 through 32-8-88.
History: Repealed and Replaced: Filed November 5, 1997; effective December 10, 1997. **Amended:** Filed July 26, 2006; effective August 30, 2006. **Amended:** Filed April 21, 2010; effective May 26, 2010.
Amended: Filed January 6, 2011; effective February 10, 2011.
Amended: Filed November 18, 2011; effective December 23, 2011.
Amended: Published November 30, 2020; effective January 14, 2021.

Ed. Note: Was previously 810-5-17-.01 and moved to 810-5-75-.57 as per certification filed April 21, 2010; effective May 26, 2010.

810-5-75-.58 Titling Of Multistate Vehicles.

When titling a vehicle built in two (2) or more stages, where two(2) or more manufacturer's statements of origin are furnished for the chassis and the body, all manufacturer's statements of origin must be submitted and the title will be issued reflecting the vehicle identification number of the chassis, and the make, model, and year of the body. The security interest will be perfected on both the chassis and the body.
Author: Mike Gamble
Statutory Authority: Code of Ala. 1975, §§32-8-3(a)(2), 40-2A-7(a)(5).
History: Amended: Filed April 21, 2010; effective May 26, 2010.
Amended: Published July 31, 2020; effective September 14, 2020.

Ed. Note: Was previously 810-5-19-.04 and moved to 810-5-75-.58 as per certification filed April 21, 2010; effective May 26, 2010.

810-5-75-.59 Application For Assigned Vehicle Identification Numbers (VIN).

(1) Application and Supporting Documentation. Along with submitting the fee provided under §32-8-6, Code of Ala. 1975, applicants with motor vehicles assembled with kits, motor vehicles assembled with parts (not including trailers), and trailers required to be titled in Alabama mandatorily obligated to fill out an Application for Alabama Assigned VIN (Form MVT 26-3) must provide the following supporting documents:

(a) Motor Vehicles Assembled with Kits.

1. Certified manufacturer's certificate of origin properly assigned to the applicant.

2. Bill-of-sale (BOS) listing the VIN for the major component parts as defined in paragraph (2) of this rule. However, if the major component part was manufactured without a VIN being affixed by the manufacturer, the BOS must describe the part rather than identifying it by VIN.

(b) Motor Vehicles Assembled with Parts (Not Including Trailers).

1. Outstanding certificate of title for the chassis or frame if the vehicle was required to be titled in Alabama or copy of the most recent registration receipt in the applicant’s name if the vehicle was not required to be titled in Alabama. If the chassis or frame was obtained

from a vehicle not titled or registered in the applicant's name, then a BOS must be provided. This BOS must contain the VIN of the vehicle from which the chassis or frame was obtained.

2. BOS listing the VIN for any major component parts, as defined in paragraph (2) of this rule, purchased individually containing the identifying number (serial number) and trade name of the component part. However, if the major component part was manufactured without a VIN being affixed by the manufacturer, the BOS must describe the part rather than identifying it by VIN.

NOTE: The VIN to be shown on the form MVT 26-3 must be the VIN of the motor vehicle from which the chassis or frame was removed.

(c) Trailers Required to be Titled in Alabama.

1. BOS listing the VIN for the major component parts as defined in paragraph (2) of this rule. However, if the major component part was manufactured without a VIN being affixed by the manufacturer, the BOS must describe the part rather than identifying it by VIN.

(2) Major Component Parts. The term "major component" as used in this rule means 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) Issuance of VIN Plate or Decal and Certificate of Title. Upon receipt of a properly completed form MVT 26-3 and the required supporting documents, the department will issue a VIN plate or decal that will have an Alabama assigned VIN thereon. The department will contact the applicant to physically inspect the assembled motor vehicle and, if everything is in order, attach the VIN plate or decal to the assembled motor vehicle. The department and the applicant will then complete forms MVT 26-4 and MVT 5-1E to be used with all other required supporting documentation to issue an Alabama Certificate of Title with the legend "ASSEMBLED".

(4) Missing, Removed, or Altered VIN Plate or Decal. Form MVT 26-3 must be completed when the original VIN plate or decal is missing, removed, or altered from a vehicle required to be titled in Alabama. When completing the form MVT 26-3, the applicant must provide the following supporting documents:

(a) Copy of the certificate of title or MSO.

(b) Copy of the incident/recovery report if the vehicle is stolen/recovered.

(c) Upon receipt of a properly completed form MVT 26-3 and the required supporting documents, the department will issue a VIN plate or decal with the original VIN thereon. The department will contact the applicant to physically inspect the motor vehicle and, if everything is in order, attach the VIN plate or decal to the motor vehicle. The department and the

applicant will then complete form MVT 26-4 certifying the department has attached the VIN.

Author: Lisa Blankenship, Jonathan Lawrence
Statutory Authority: Code of Ala. 1975, §§32-8-1 thru 32-8-88, 40-2A-7(a)(5).
History: **Amended:** Filed April 21, 2010; effective May 26, 2010. **Repealed and New Rule:** Published February 26, 2021; effective April 12, 2021. **Amended:** Published August 31, 2021; effective October 15, 2021.

Ed. Note: Was previously 810-5-26-.01 and moved to 810-5-75-.59 as per certification filed April 21, 2010; effective May 26, 2010.

810-5-75-.60 Revocation Of Authority To Act As Designated Agent Or Title Service Provider.

(1) The department may revoke the authority of a designated agent or title service provider if the designated agent or title service provider fails to faithfully perform the duties under Chapter 8 or Chapter 20 of Title 32 of the Code of Ala. 1975, or has been convicted of any felony provisions of Chapter 20 of Title 32, or Title 40 of the Code of Ala. 1975. A written notice shall be provided by the department to the designated agent or title service provider detailing the area or areas of alleged non-compliance. A response must be submitted to the department within ten (10) calendar days from the date of the notice either refuting the alleged non-compliance, or detailing the action taken to correct the area or areas of non-compliance.

(2) Failure to satisfactorily respond will result in the issuance of a revocation notice advising that access to the title system is immediately suspended and that the authority to act as a designated agent or title service provider will be revoked.

(3) The revocation notice will include notice of the right to appeal the department's intended action pursuant to §40-2A-8, Code of Ala. 1975.

(4) Upon revocation, the designated agent will be required to immediately deliver to the department monies collected and due the department, title applications, and title documents used to support an application for certificate of title processed by the designated agent The department may call upon any law enforcement agency of the state to seize any aforementioned items that the agent has not voluntarily returned as provided in §§32-8-10 and 32-20-8, Code of Ala. 1975.

(5) In the event that the designated agent is a licensed motor vehicle dealer and that license is revoked, the licensee’s designated agent status will also be immediately revoked.

(6) An individual listed as a principal officer of a previously revoked designated agent or title service provider, or an employee or representative of a previously revoked designated agent or title service provider whose actions contributed to the revocation may not become a designated agent using a different company name or entity status. If the department determines that a principal officer, employee, or representative of a previous designated agent or title service provider, whose designated agent status was revoked for failing to faithfully perform its duties, has made application to be appointed as a designated agent or title service provider of the department under a different company name, or entity status, the department shall have grounds to deny the company's application.
Author: Mike Gamble, Jonathan Lawrence, Lisa Blankenship
Statutory Authority: Code of Ala. 1975, §§32-8-3, 32-20-3, 32-20-8, 40-2A-7(a)(5), 40-2A-8; Chapter 8 and Chapter 20 of Title 32.
History: **New Rule:** Filed November 5, 1997; effective December 10, 1997. **Amended:** Filed May 18, 2004; effective June 22, 2004. **Amended:** Filed May 1, 2009; effective June 5, 2009. **Amended:** Filed December 17, 2009; effective January 21, 2010. **Amended:** Filed April 21, 2010; effective May 26, 2010. **Amended:** Published February 28, 2020; effective April 13, 2020. **Amended:** Published September 30, 2020; effective November 14, 2020.

Ed. Note: Was previously 810-5-26-.02 and moved to 810-5-75-.60 as per certification filed April 21, 2010; effective May 26, 2010.

810-5-75-.61 Remittance Of Fees By Designated Agents.

(1) Any fee required under Chapters 8 and 20 of Title 32, Code of Ala. 1975, must be submitted to the department by a designated agent by Automated Clearing House ACH debit transaction or credit card payment.

Note: The designated agent is responsible for any affiliated credit card convenience fees charged when utilizing a credit card.

(2) The department will maintain a record of all dishonored payments received from a designated agent. The department may require a designated agent that has had a dishonored payment of fees to submit certified funds in payment of fees. The department may revoke the license of a designated agent that has had a dishonored payment. The department may make a claim against a designated agent’s surety bond for any fees due the department that have not been paid by the designated agent.
Author: Mike Gamble, Jonathan Lawrence
Statutory Authority: Code of Ala. 1975, §§40-2A-7(a)(5), Title 32 Chapters 8 and 20. Code of Ala. 1975, §§32-8-1 through 32-8-88.

History: Repealed and New Rule: Filed October 20, 1999; effective November 24, 1999. **Amended:** Filed May 18, 2004; effective June 22, 2004. **Amended:** Filed April 21, 2010; effective May 26, 2010. **Repealed and Replaced:** Filed November 5, 1997; effective December 10, 1997. **Amended:** Filed July 26, 2006; effective August 30, 2006. **Amended:** Filed April 21, 2010; effective May 26, 2010. **Amended:** Filed January 11, 2011; effective February 15, 2011. **Amended:** Published July 31, 2020; effective September 14, 2020.

Ed. Note: Was previously 810-5-31-.01 and moved to 810-5-75-.61 as per certification filed April 21, 2010; effective May 26, 2010.

810-5-75-.62 Salvage - Determining Fair Retail Values For Total Loss Vehicles (Repealed 9/14/20).

(REPEALED)
Author: Mike Gamble
Statutory Authority: Code of Ala. 1975, §§32-8-1 thru 32-8-88, as amended.
History: Amended: Filed October 18, 1996; effective November 22, 1996. **Amended:** Filed May 3, 2000; effective June 7, 2000. **Amended:** Filed January 24, 2002; effective February 28, 2002. **Amended:** Filed April 21, 2010; effective May 26, 2010. **Repealed:** Published July 31, 2020; effective September 14, 2020.

Ed. Note: Was previously 810-5-41-.05 and moved to 810-5-75-.62 as per certification filed April 21, 2010; effective May 26, 2010.

810-5-75-.63 Transactions Requiring A Secure Power Of Attorney.

(1) The Federal Truth-in-Mileage Act of 1986 mandates that the power of attorney, utilized to transfer a motor vehicle, be available by a secure printing process or other secure process. 81 FR 16107 - Odometer Disclosure Requirements issued by the National Highway Traffic Safety Administration (NHTSA) regarding such secure power of attorney, allows for the use of a multiple page secure power of attorney form where each page is considered to be an original when the copies are printed on secure paper. When a secure power of attorney form (Form MVT 8-4) is utilized, all signatures and printed names (both the transferor and transferee) must be original on all parts of the secure power of attorney.

(2) Disclosure of Odometer Certifications. Form MVT 8-4 (Secure Power of Attorney Form) must be used in Alabama to disclose odometer certification when:

(a) Transferring a motor vehicle and the certificate of title is held by a duly recorded lienholder.

(b) Obtaining a replacement certificate of title when the original certificate of title is lost.

(c) Disclosing the motor vehicle's odometer reading in the assignment of title by the titled owner.

(d) Completing the assignment of title to the transferee by the transferor.

Note: The odometer disclosure in the title assignment must be exactly as stated in the odometer disclosure made in the power of attorney.

(3) Sale or Total Loss of a Motor Vehicle. Upon the sale of a motor vehicle by a dealer, or upon the declaration of a total loss by an insurance company where Form MVT 8-4 has been utilized, the dealer or insurance company must follow the procedures as outlined herein for the following types of transactions:

(a) If a motor vehicle is sold at retail to an Alabama resident the following documents must be submitted to the department along with the appropriate fee(s):

1. Form MVT 8-4 with original signatures.

2. The certificate of title application in the new owner's name.

3. The outstanding certificate of title.

(b) If a motor vehicle is sold at retail to a nonresident of Alabama or at wholesale to another dealer, the selling Alabama dealer must submit the following to the department:

1. Form MVT 8-4 with original signatures.

2. A copy of the certificate of title (front and back).

Note: If the dealer is a designated agent of the department, the dealer shall, on behalf of the department, maintain a copy of Form MVT 8-4 (containing all original signatures) and a copy of the certificate of title (front and back) for a period of not less than five (5) years. The original Form MVT 8-4 and certificate of title must be given to the owner and/or lienholder, if required, for titling in the owner's resident state or to the acquiring dealer if the vehicle is sold at wholesale.

(c) If a motor vehicle is declared to be a total loss by an insurance company and the original certificate of title is lost or the insurance company satisfies the lienholder holding the certificate of title as a result of a total loss settlement, the insurance company may obtain a secure power of

attorney from the titled owner whereby the insurance company will be the purchaser and will utilize the secure power of attorney to complete assignment by the registered owner. The original secure power of attorney must be submitted along with an application for a salvage certificate of title in the insurance company's name and the outstanding title to the department with the appropriate fee.

Author: Jonathan Lawrence
Statutory Authority: Code of Ala. 1975, §§40-2A-7(a)(5), 40-2A-10, 32-8-3(a)(2); Federal Truth-in-Mileage Act of 1986.
History: **New Rule:** Filed April 22, 2010; effective May 27, 2010. **New Rule:** Filed April 22, 2010; effective May 27, 2010. **Amended:** Filed June 29, 2012; effective August 3, 2012. **Repealed and New Rule:** Published September 30, 2020; effective November 14, 2020.

810-5-75-.64 Unclaimed/Abandoned Vehicles.

(1) A person or in possession of an unclaimed motor vehicle must electronically report the unclaimed vehicle through a portal provided by the department within five (5) calendar days from the date the motor vehicle first was considered unclaimed. The term person includes every individual, firm, partnership, association, estate, trust, or corporation, and the receiver, assignee, agent, administrator, or other representative of any of them. The following is considered an unclaimed motor vehicle:

(a) A motor vehicle left unattended on a public road or highway for more than 48 hours.

(b) A motor vehicle, not left on private property for repairs, that has remained on private or other public property for a period of more than 48 hours without the consent of the owner or lessee of the property.

(c) A motor vehicle, left on private property for repairs, that has not been reclaimed within 48 hours from the latter of either the date the repairs were completed or the agreed upon redemption date.

(2) Upon receiving the report of an unclaimed motor vehicle, the department will place a sixty (60) day hold on the Alabama title record, in order to protect the reporting entity’s interest in the motor vehicle. The hold will not allow an application for an Alabama title to be processed unless the vehicle is sold as abandoned or the reporting person has notified the department through the portal that the vehicle has been redeemed by the recorded owner or lienholder of record.

(3) Within five (5) calendar days from the date the motor vehicle was reported as unclaimed through the department’s portal, the person in possession of the motor vehicle shall use the National

Motor Vehicle Title Information System (NMVTIS) to determine the state in which the motor vehicle is titled and/or registered in order to submit a records request to the state of record.

(4) If the motor vehicle is titled and/or registered in Alabama, the person in possession of the motor vehicle must request an abandoned motor vehicle record through the department's Records Request Portal and electronically pay the required fees as provided under §32-8-6, Code of Ala. 1975, and receive a Motor Vehicle Record Request Response statement (MVT 32-13R). If the motor vehicle is titled or registered in another state, the person in possession of the motor vehicle shall obtain the equivalent certified motor vehicle record from the state of record.

(5) Within five (5) calendar days of receiving the certified record from the state of record, the reporting person must report the owner and lienholder of record through the department's portal, and the person in possession of the motor vehicle must send a notice of possession to the owner and lienholder of record via certified mail return receipt (i.e. domestic return receipt, electronic delivery confirmation receipt, electronic return receipt, etc.) or equivalent documentation evidencing that all parties (owners and lienholders) listed on the certified motor vehicle record were notified, or notification was attempted.

(6) §32-13-3, Code of Ala. 1975, provides the person in possession of the motor vehicle must maintain records of each motor vehicle sold for a period of three (3) years from the date of sale, and is subject to verification by the department. These records must include:

(a) Copies of the notices sent to the previous motor vehicle owner and lienholder of record, along with evidence that the notices were sent by certified mail.

(b) Any associated National Motor Vehicle Title Information System (NMVTIS) records and owner and lienholder records received from any state pursuant to §32-8-84, Code of Ala. 1975.

(7) Motor vehicle reports of unclaimed motor vehicle records will be available to the public through the department's portal as provided under §32-8-84, Code of Ala. 1975, and will be maintained for a period of five (5) years from the date the report is filed with the department.

(8) A motor vehicle, as defined in §32-8-2, Code of Ala.1975, that has been unclaimed for not less than 30 calendar days from the date the notice was sent to the owner and lienholder of record, or if no owner or lienholder of record could be determined, has been unclaimed for not less than 30 calendar days will be considered an "abandoned motor vehicle." The term "abandoned motor vehicle" also

includes any attached aftermarket equipment installed on the motor vehicle that replaced factory installed equipment.

(9) Public auction of an abandoned motor vehicle.

(a) At least thirty-five (35) calendar days prior to the sale of the abandoned motor vehicle, the reporting person must provide a notice of public auction through the department's portal.

(b) Within five (5) calendar days of the receipt of the notice of public auction, the department will send a notice of termination to the current owner(s) and lienholder(s) of record with notice of the sale and appeal rights.

(c) The auction must be publicized once a week for two consecutive weeks in a publication of local circulation in the county where the sale is to occur. In counties in which no newspaper is published, notice must be posted in a conspicuous place at the courthouse. The first publication or posting, as the case may be, must be at least 30 calendar days before the date of sale.

(d) At least thirty-five (35) calendar days after the notice of public auction is provided to the department, the abandoned motor vehicle may be sold on the date, time, and location of the auction provided in the notice. The department's portal must be used to create an Abandoned Motor Vehicle Bill of Sale (MVT 32-13B).

(10) Effective January 1, 2020, §32-13-3, Code of Ala. 1975, provides if the seller of an abandoned motor vehicles is not a bonded agent pursuant to §§32-8-34, 40-12-398, or 40-12-414, Code of Ala. 1975, then the purchaser must post a bond pursuant to §32-8-36, Code of Ala. 1975, in order to obtain title to the motor vehicle.

(11) Should the current certificate of title to a motor vehicle sold as abandoned, have a "salvage" brand, the subsequent title, must also carry this brand. The purchaser of a "salvage" abandoned motor vehicle shall not be permitted to register the motor vehicle, or to operate it upon the highways of Alabama until such time as the motor vehicle is restored by a licensed rebuilder and inspected by the department as required by §32-8-87, Code of Ala. 1975, and a "rebuilt" Alabama certificate of title is issued. Pursuant to §32-8-87, Code of Ala. 1975, a motor vehicle for which a certificate of title has been issued by any state with the notation of junk, parts car, parts only, nonrebuildable, or when a certificate of destruction or bill of sale has been issued for transfer of the vehicle with similar language shall be considered to be a junk vehicle and shall not be titled in this state.

(12) If the motor vehicle is returned to the owner or lienholder, the entity who reported the motor vehicle as "unclaimed" must report the redemption of the motor vehicle through the department's portal within five (5) calendar days of the return of the motor vehicle.

(13) The department's portal will provide a message to the reporting person if the unclaimed motor vehicle is reported stolen. The department will suspend the issuance of an MVT 32-13B until the department learns of the motor vehicle recovery or that the report of its theft or conversion was erroneous.

(14) A person may only utilize the department's portal when a motor vehicle is deemed to be unclaimed/abandoned. The portal may not be utilized to circumvent the requirement that the seller of a motor vehicle, other than an abandoned motor vehicle, provide the buyer with a properly assigned certificate of title.

(15) Every purchaser of an abandoned motor vehicle shall title the vehicle in their name, including a purchaser who may be a licensed motor vehicle dealer. In accordance with §32-13-3, Code of Ala. 1975, licensed automotive dismantler and parts recyclers or secondary metals recyclers may utilize the MVT 32-13B in lieu of surrendering the certificate of title for the purpose of reporting a motor vehicle being dismantled or recycled into metallic scrap for remelting purposes.

(16) §32-13-6, Code of Ala. 1975, provides if there is any net sale balance on the MVT 32-13B greater than $0, the seller must remit the net sale balance to the licensing official in the county where the sale occurred for deposit into the county general fund, except any Class 2 municipality that owns and operates an impound facility and sells the motor vehicles at public auction. In such case the proceeds from the sale must be retained by the municipality and deposited into the general fund of the municipality; provided, that the costs must in no event exceed the customary charges for like services in the community where the sale is made. A copy of the MVT 32-13B must also accompany the remittance of the net sale balance. The seller must obtain a receipt for deposit of these funds from the county license plate issuing official and, within ten (10) days, provide the buyer with a copy of the receipt. A copy of the receipt must accompany the MVT 32-13B when the buyer makes application for certificate of title.

(17) Failure to report a motor vehicle as unclaimed or failure to notify the owner and lienholder of record, if any, will result in the forfeiture of all claims and liens for the motor vehicle's garaging, parking, and storage prior to the time the motor vehicle is reported as unclaimed in accordance with §32-8-84, Code of Ala. 1975.

(18) Anyone who makes a false statement regarding the sale of an abandoned motor vehicle or, anyone, who aids, abets, induces, procures, or causes the commission of an act in violation of §32-13-10, Code of Ala. 1975, commits a Class C felony.

(19) Any contest regarding the sale of an abandoned motor vehicle may be appealed by filing a notice of appeal in the circuit court in the county where the sale is scheduled to occur or has occurred in accordance with §32-13-4, Code of Ala. 1975. Once the notice of the appeal is provided to the department, an administrative stop shall be placed on the title record until such time as the circuit court makes a determination regarding title to the motor vehicle or the appeal is dismissed.
Author: Danny McLendon, Michael Gamble, Tammy Fuller, Jonathan Lawrence
Statutory Authority: Code of Ala. 1975, §§32-8-3, 32-8-84, 32-13-3, 40-2A-7(a)(5).
History: **New Rule:** Filed October 18, 1996; effective November 22, 1996. **Amended:** Filed April 21, 2010; effective May 26, 2010. **Amended:** Filed July 30, 2012; effective September 3, 2012. **Amended:** Filed November 29, 2017, effective January 13, 2018. **Amended:** Published September 30, 2020; effective November 14, 2020.

Ed. Note: Was previously 810-5-50-.32 and moved to 810-5-75-.64 as per certification filed April 21, 2010; effective May 26, 2010.

810-5-75-.65 Appointment, Revocation, And Denial Of Authority To Act As A Manufactured Home Designated Agent Of The Department (Repealed 10/15/21).

(REPEALED)
Author: Don Clemons
Statutory Authority: Code of Ala. 1975, §§40-2A-7(a)(5), 32-20-3(b)(2), as amended.
History: **New Rule:** Filed August 27, 2010; effective October 1, 2010. **Repealed:** Published August 31, 2021; effective October 15, 2021.

810-5-75-.66 Cancellation Of Manufactured Home Certificate Of Origin Or Certificate Of Title.

(1) The certificate of origin or certificate of title for a manufactured home designated 2000-year model and newer that is permanently affixed to a parcel of real property may be cancelled if the ownership of the manufactured home and real property is identical. The term "permanently affixed" means that the tongue, axles and wheels have been removed from the manufactured home and

it has been installed in accordance with the Installation Rules and Regulations of the Alabama Manufactured Housing Commission as found in chapters 535-X-12 and 535-X-13. Either the original retail purchaser or lienholder as recorded on the certificate of origin, or the titled owner or owner's lienholder as recorded on the certificate of title or listed on a completed surety bond may apply for cancellation of a certificate of origin or certificate of title. The request for cancellation must be made through a designated agent appointed by the department. The department, upon approval of the cancellation request, will issue a certificate of cancellation of the certificate of origin or cancellation of the certificate of title to the manufactured home in accordance with the following procedures:

(a) Cancellation of Certificate of Origin/Title. The original retail purchaser or lienholder for the original retail purchaser, or titled owner or owner's lienholder as recorded on the certificate of origin/title must apply for a cancellation of certificate of origin/title through a designated agent of the department.

1. The designated agent will use the Alabama Title System (ALTS) to prepare Form MVT 5-39E "Notice of Cancellation of a Certificate of Origin or Alabama Certificate of Title for a Manufactured Home Classified as Real Property".

2. ALTS will assign a unique document control number (DCN) and creation date to each completed MVT 5-39E. The MVT 5-39E will be valid for 90 days from its creation to be used in conjunction with the Form MVT 5-1E "Application for Cancellation of Certificate of Origin/ Title".

3. All parties who have ownership in both the manufactured home and the realty to which the manufactured home has become permanently affixed must sign the MVT 5-39E attesting to the fact that the manufactured home has been permanently affixed and recorded as real property.

Note: No more than two owners can be recorded on a certificate of cancellation.

4. The MVT 5-39E must be signed by the judge of probate (or his/her designee) in the county where the manufactured home is located attesting to the fact that the manufactured home has been recorded as being permanently affixed and recorded as real property in that county. A designated agent will use ALTS to complete an MVT 5-1E "Application for Cancellation of Certificate of Origin/Title", for each manufactured home identification

number listed on the MVT 5-39E, based on information listed on the MVT 5-39E.

5. The designated agent must assemble the cancellation package (MVT 5-1E, MVT 5-39E, certificate of origin/title for each separate unit, lien release, etc.), and submit it to the department. The title application and fees as required by §32-20-4, Code of Ala. 1975, must be sent electronically through ALTS utilizing either an Automated Clearing House (ACH) transaction or credit card payment.

6. The department will examine the documents received and, if approved, issue a Certificate of Cancellation For A Certificate of Origin/Title For A Manufactured Home Classified As Real Property, in the name of the first retail purchaser or the titled owner.

(b) Certification of Cancellation by Posting a Surety Bond.

1. When the current owner or owner's lienholder is not properly recorded on a certificate of title or when a manufacturer certificate of origin is not available, such parties must post a bond by applying through a designated agent. In addition, if the department is not satisfied as to the ownership of the manufactured home or that there are no undisclosed security interests in it, as a condition of issuing a certificate of cancellation, the department may require the applicant to file with the department a surety bond executed by a person/company authorized to conduct a surety business in this state, or in lieu of, a deposit of cash with the department in the amount of the required bond. The bond is conditioned to indemnify any prior owner and lienholder and any subsequent purchaser of the manufactured home or person acquiring any security interest in it.

2. A single bond is required for each manufactured home.

3. The bond must be in an amount equal to fifty thousand dollars ($50,000.00) for manufactured homes less than ten (10) model years old and twenty-five thousand dollars ($25,000.00) for all manufactured homes ten (10) model years old and older, or in lieu of, a deposit of cash in the amount of the required bond will be accepted.

4. The department's surety bond portal will assign the partially completed MVT 10-1A application a unique document control number (DCN) and creation date. The MVT 10-1A will be valid for 90 days from date of creation.

Note: A maximum of four (4) manufactured home identification numbers can be entered on the MVT 10-1A

application, if the manufactured home contains more than one unit.

5. After department approval of MVT 10-1A, the MVT 10-1 must be completed and executed by a surety company licensed and duly authorized to do business in Alabama. The completed MVT 10-1 must be submitted with the MVT 5-1E.

6. Chapter 20 of Title 32, Code of Ala. 1975, does not provide for the issuance of a replacement certificate of cancellation. In the event that a certificate of cancellation is lost, stolen, mutilated, destroyed, or becomes illegible, a replacement certificate of cancellation cannot be issued. However, records of the cancellation may be obtained from the department.

7. The department may authorize designated agents to electronically submit title applications and supporting documents in lieu of delivering the original documents to the department.

Author: Don Clemons, Jay Starling
Statutory Authority: Code of Ala. 1975, §§40-2A-7(a)(5), 32-20-3(b), 32-20-21; and Alabama Manufactured Housing Commission Rules Chapters 535-X-12 and 535-X-13.
History: **New Rule:** Filed June 27, 2012; effective August 1, 2012. **Amended:** Published July 31, 2020; effective September 14, 2020.

810-5-75-.67 Title Procedure – Manufactured Home Exemption From Titling And Cancellation (Repealed 4/13/20).

(REPEALED)
Author: Mike Gamble
Statutory Authority: Code of Ala. 1975, §§32-20-3 (b)(2), 40-2A-7(a)(5).
History: **New Rule:** Filed January 11, 2011; effective February 15, 2011. **Repealed:** Published February 28, 2020; effective April 13, 2020.

810-5-75-.68 Title Procedure – Exemptions From Titling (Repealed 9/14/20).

(REPEALED)
Author: Don Clemmons, Mike Gamble
Statutory Authority: Code of Ala. 1975, §§40-2A-7(a)(5), 32-8-3(b)(2), 32-20-3(b)(2), 32-8-31(13).
History: **New Rule:** Filed November 18, 2011, effective December 23, 2011. **Amended:** Filed October 23, 2012; effective November 27,

2012. **Amended:** Filed July 26, 2013; effective August 30, 2013. **Repealed:** Published July 31, 2020; effective September 14, 2020.