

1 HB618
2 95217-2
3 By Representatives Faust, Jackson, McMillan, Shiver, Baker
4 (A), Gordon, Kennedy, Gaston, Barton, Fincher, Ison and Black
5 RFD: Agriculture and Forestry
6 First Read: 04-MAR-08

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8 SYNOPSIS: Under existing law, boat trailers are not
9 included in the definition of motor vehicles for
10 the purpose of the licensing and registration of
11 motor vehicles and are therefore exempt from the
12 payment of any license and registration fees.

13 This bill would provide for the licensing
14 and registration of boat trailers, including any
15 personal watercraft trailers, and would provide for
16 the distribution of the revenue. The bill would
17 provide for the collection and administration of
18 the licensing and registration in the same manner
19 as provided for motor vehicles, including
20 enforcement and penalties.

21 Amendment 621 of the Constitution of Alabama
22 of 1901, now appearing as Section 111.05 of the
23 Official Recompilation of the Constitution of
24 Alabama of 1901, as amended, prohibits a general
25 law whose purpose or effect would be to require a
26 new or increased expenditure of local funds from
27 becoming effective with regard to a local

1 governmental entity without enactment by a 2/3 vote
2 unless: it comes within one of a number of
3 specified exceptions; it is approved by the
4 affected entity; or the Legislature appropriates
5 funds, or provides a local source of revenue, to
6 the entity for the purpose.

7 The purpose or effect of this bill would be
8 to require a new or increased expenditure of local
9 funds within the meaning of the amendment. However,
10 the bill does not require approval of a local
11 governmental entity or enactment by a 2/3 vote to
12 become effective because it comes within one of the
13 specified exceptions contained in the amendment.

14
15 A BILL
16 TO BE ENTITLED
17 AN ACT
18

19 Relating to boat trailers and personal watercraft
20 trailers; to provide for licensing and registration; to
21 provide for fees; to provide for collection, administration,
22 and enforcement, including penalties; to provide for
23 distribution of the revenue; and in connection therewith would
24 have as its purpose or effect the requirement of a new or
25 increased expenditure of local funds within the meaning of
26 Amendment 621 of the Constitution of Alabama of 1901, now

1 appearing as Section 111.05 of the Official Recompilation of
2 the Constitution of Alabama of 1901, as amended.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. (a) There is hereby imposed an annual
5 license tax and registration fee on each boat trailer,
6 including any personal watercraft trailer, in the amount of
7 twenty dollars (\$20).

8 (b) The license tax and registration fee shall be
9 collected by the judge of probate or other license issuing
10 official in each county and shall be collected and otherwise
11 administered and enforced in the same manner as license taxes
12 and registration fees imposed pursuant to Chapter 12 of Title
13 40, Code of Alabama 1975.

14 (c) The Department of Revenue may promulgate
15 reasonable rules to administer this act.

16 Section 2. The revenue collected each month by the
17 judge of probate or other license issuing official from
18 license taxes and registration fees imposed on boat trailers
19 and personal watercraft trailers by this act shall be remitted
20 to the State Treasurer, who shall distribute the revenue as
21 follows:

22 (1) Thirty percent of the amount shall be deposited
23 in the State Treasury to the credit of the Highway Traffic
24 Safety Fund of the Department of Public Safety.

25 (2) Fifty percent of the amount shall be distributed
26 to the Alabama Association of Rescue Squads, Inc., to be
27 distributed on an equal basis to all volunteer rescue squads

1 who are members of the association as provided herein with the
2 association counted as one rescue squad and receiving one
3 share. Funds distributed to the rescue squads shall be used
4 solely for the purchase of rescue equipment and the operation
5 of rescue squads providing rescue services. No funds
6 distributed pursuant to this subdivision shall be used for
7 food or beverages or any entertainment purposes. Any rescue
8 squad formed after the effective date of the act adding this
9 section shall become eligible to receive a distribution after
10 the rescue squad has been a member of the association in good
11 standing for five years and has been actively providing rescue
12 services during the five-year period.

13 (3) Ten percent of the amount shall be deposited in
14 the State Treasury to the credit of the Alabama Peace
15 Officers' Annuity and Benefit Fund.

16 (4) Ten percent to Department of Conservation and
17 Natural Resources for the construction and maintenance of
18 public boatramps.

19 (5) In the event any portion of the amount required
20 to be distributed pursuant to subdivisions (2) and (3) is not
21 distributed for any reason, that portion shall be distributed
22 to the Highway Traffic Safety Fund of the Department of Public
23 Safety and an equal portion shall be transferred from the
24 appropriation each year from the State General Fund to the
25 Department of Public Safety for the purposes provided in
26 subdivisions (2) and (3).

1 Section 3. Although this bill would have as its
2 purpose or effect the requirement of a new or increased
3 expenditure of local funds, the bill is excluded from further
4 requirements and application under Amendment 621, now
5 appearing as Section 111.05 of the Official Recompilation of
6 the Constitution of Alabama of 1901, as amended, because the
7 bill defines a new crime or amends the definition of an
8 existing crime.

9 Section 4. This act shall become effective on
10 January 1, 2009.