

1 HB519  
2 185880-5  
3 By Representative Ainsworth  
4 RFD: Transportation, Utilities and Infrastructure  
5 First Read: 18-APR-17



1  
2 ENROLLED, An Act,

3 To provide for the voluntary registration of  
4 all-terrain vehicles and recreational off-highway vehicles  
5 with the Alabama State Law Enforcement Agency; to provide  
6 fees; and to provide for the use of the funds from this act.  
7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8 Section 1. For purposes of this act, the following  
9 terms shall have the following meanings:

10 (1) ALL-TERRAIN VEHICLES (ATV). Every motor vehicle  
11 50 inches or less in width, having a dry weight of 1,200  
12 pounds or less, designed to travel on three or more  
13 non-highway tires, and manufactured for off-road use by a  
14 single operator or by an operator and not more than one  
15 passenger as provided by the manufacturer.

16 (2) OFF-ROAD VEHICLE. Any motorized vehicle not  
17 designed for use on a highway and capable of cross-country  
18 travel on land, snow, ice, marsh, swampland, or other natural  
19 terrain. The term includes any all-terrain vehicle and  
20 recreational off-highway vehicle. The term excludes any golf  
21 cart; any vehicle used for military, fire, emergency, or law  
22 enforcement purposes; any motorboat; any vehicles used  
23 exclusively on airport property; all farm machinery, farm  
24 tractors, and other self-propelled equipment for harvesting  
25 and transportation of forest products, for clearing land for

1 planting, for utility services and maintenance, for earth  
2 moving, construction, or mining; and self-propelled  
3 lawnmowers, snowblowers, and garden or lawn tractors while  
4 such vehicles are being used exclusively for their designed  
5 purposes. The term does not include any motor vehicle for  
6 which a certificate of title is required by Chapter 8 of Title  
7 32, Code of Alabama 1975.

8 (3) RECREATIONAL OFF-HIGHWAY VEHICLE. Any off-road  
9 vehicle 72 inches or less in width, having a dry weight of  
10 2,000 pounds or less, designed and manufactured to travel on  
11 four or more non-highway tires for off-road use by an operator  
12 and the number of passengers as provided by the manufacturer.

13 (4) SECRETARY. The Secretary of the Alabama State  
14 Law Enforcement Agency.

15 Section 2. The owner of an all-terrain vehicle or  
16 recreational off-highway vehicle may register the vehicle with  
17 the Alabama State Law Enforcement Agency.

18 Section 3. (a) An application for registration or  
19 continued registration shall be made to the Secretary of the  
20 Alabama State Law Enforcement Agency or an authorized agent of  
21 the agency in a form prescribed by the secretary. The form  
22 shall state the name and address of every owner of the  
23 vehicle.

24 (b) A person who purchases an all-terrain vehicle or  
25 recreational off-highway vehicle from a retail dealer shall

1 make application for registration to the dealer at the point  
2 of sale. The dealer shall submit the completed registration  
3 application and fees to the secretary at least once each  
4 month. The dealer may deduct a fee of two dollars fifty cents  
5 (\$2.50) for each registration.

6 (c) Upon receipt of the application and the  
7 appropriate fee, the secretary or agent shall issue to the  
8 applicant or provide to the dealer an assigned registration  
9 sticker. Once issued, the registration sticker shall be  
10 affixed to the vehicle in a manner prescribed by the  
11 secretary. A dealer subject to subsection (b) shall provide  
12 the registration materials to the purchaser.

13 (d) Each agent for the registration of boats shall  
14 also be a registered agent for all-terrain vehicle or  
15 recreational off-highway vehicle registration. The secretary  
16 may prescribe the accounting and procedural requirements  
17 necessary to assure efficient handling of registrations and  
18 registration fees. Agents shall strictly comply with the  
19 accounting and procedural requirements.

20 (e) In addition to other fees prescribed by law, an  
21 issuance fee of five dollars (\$5) shall be charged for each  
22 all-terrain vehicle or recreational off-highway vehicle  
23 registration renewal, duplicate or replacement registration  
24 card, replacement decal, or an all-terrain vehicle or  
25 recreational off-highway vehicle registration transfer issued.

1           Section 4. All-terrain vehicles or recreational  
2 off-highway vehicles may be registered for private use that  
3 are used exclusively for private or agricultural use or used  
4 exclusively on private property. Private use registration is  
5 valid for three years from the date of issuance. Private or  
6 agricultural use registrations are not transferable.

7           Section 5. The secretary shall provide to the  
8 registrant a registration card that includes the registration  
9 number, the date of registration, the make and serial number  
10 of the vehicle, the owner's name and address, and additional  
11 information the secretary may require. Information concerning  
12 each registration shall be retained by the secretary. The  
13 registration is not valid unless signed by at least one owner.  
14 Upon a satisfactory showing that the registration card has  
15 been lost or destroyed, the secretary shall issue a  
16 replacement registration card upon payment of a fee of five  
17 dollars (\$5). The fees collected from replacement registration  
18 cards shall be deposited in the off-road vehicle account in  
19 the state treasury.

20           Section 6. (a) An application for transfer of  
21 ownership may be made to the secretary within 30 days of the  
22 date of transfer.

23           (b) An application for transfer shall be executed by  
24 the registered owner and the purchaser using a bill of sale  
25 that includes the vehicle serial number.

1           Section 7. (a) The fee for a three-year registration  
2 of an all-terrain vehicle or recreational off-highway vehicle  
3 under this section, other than those registered by a dealer or  
4 manufacturer, is as follows:

5                   (1) For public use, forty-five dollars (\$45).

6                   (2) For private use, fifteen dollars (\$15).

7                   (3) For a duplicate or transfer, five dollars (\$5).

8           (b) In addition to the fees provided above, an  
9 issuance fee of two dollars fifty cents (\$2.50) shall be  
10 charged for the issuance of registration by an agent of the  
11 agency pursuant to this act. The fee shall be retained by the  
12 agent for the use of the office of the agent.

13           (c) Every owner of an all-terrain vehicle or  
14 recreational off-highway vehicle may renew registration in a  
15 manner prescribed by the secretary upon payment of the renewal  
16 registration fees.

17           Section 8. Upon application, a registration sticker  
18 shall be issued without the payment of a fee for an  
19 all-terrain vehicle or recreational off-highway vehicle owned  
20 by the state or a political subdivision of the state.

21           Section 9. No political subdivision of this state  
22 shall require licensing or registration of all-terrain  
23 vehicles or recreational off-highway vehicles covered by this  
24 act.

1           Section 10. A person applying for initial  
2 registration in this state of an all-terrain vehicle or  
3 recreational off-highway vehicle shall provide a purchaser's  
4 certificate showing a complete description of the vehicle  
5 including serial number or other identifying numbers and the  
6 seller's name and address.

7           Section 11. The secretary may issue a refund of a  
8 registration, not including any issuance fees paid, if either  
9 of the following apply:

10           (1) The vehicle was registered incorrectly.

11           (2) The vehicle was registered by the dealer and by  
12 the customer.

13           Section 12. (a) Fees from the registration of  
14 all-terrain vehicles and recreational off-highway vehicles  
15 shall be deposited in the state treasury and credited to the  
16 off-road vehicle account.

17           (b) Subject to appropriation by the Legislature,  
18 money in the account may only be used for the following  
19 purposes:

20           (1) Education and training on all-terrain vehicle  
21 and recreational off-highway vehicle safety.

22           (2) Administration, enforcement, and implementation  
23 of this act.

24           (3) Acquisition, maintenance, and development of  
25 off-road vehicle trails and use areas.

1                   (4) Grant-in-aid programs to counties and  
2 municipalities to construct and maintain off-road vehicle  
3 trails and use areas.

4                   Section 13. The secretary may adopt rules necessary  
5 to administer this act.

6                   Section 14. In the event the Division of Marine  
7 Police of the Alabama State Law Enforcement Agency is  
8 transferred to any other agency, the administration of this  
9 act shall be transferred to that agency.

10                  Section 15. This act shall be operative January 1,  
11 2018.

12                  Section 16. This act shall become effective  
13 immediately following its passage and approval by the  
14 Governor, or its otherwise becoming law.

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*Mac McCutchen*

Speaker of the House of Representatives

*Dale Mah*

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in  
and was passed by the House 04-MAY-17, as amended.

Jeff Woodard  
Clerk

Senate

17-MAY-17

Passed

**APPROVED**

*May 24, 2017*

**TIME**

*4:00 PM*

*Kay Ivey*

**GOVERNOR**

Alabama Secretary Of State

Act Num....: 2017-395  
Bill Num....: H-519

Recv'd @5/26/17 03:27pmSLF

Sworath  
SORS

HOUSE ACTION

I HEREBY CERTIFY THAT THE RESOLUTION AS REQUIRED IN SECTION C OF ACT NO. 81-889 WAS ADOPTED AND IS ATTACHED TO THE BILL, H.B. 519  
YEAS 91 NAYS 0  
JEFF WOODARD, Clerk

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, H.B. \_\_\_\_\_ AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.  
JEFF WOODARD, Clerk

CONFERENCE COMMITTEE  
House Conferees \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SENATE ACTION

DATE: 5-4 2017  
RD 1 RFD GA

This Bill was referred to the Standing Committee of the Senate on GA  
and was acted upon by such Committee in session and is by order of the Committee returned therefrom with a favorable report w/amend(s) 0 w/sub 0 by a vote of  
years 8 nays 0 abstain 0  
this 8th day of May 2017  
Jimmy D. Blalock chairperson

DATE: 5-9 2017  
RF FAY RD 2 CAL

DATE: \_\_\_\_\_ 20\_\_  
RE-REFERRED  RE-COMMITTED   
Committee \_\_\_\_\_

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill,  
HB 519  
YEAS 22 NAYS 3  
PATRICK HARRIS,  
Secretary

GA