



State of Alabama Department of Revenue

(www.revenue.alabama.gov)
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August 12, 2011

NOTICE

To All License Inspectors, County Probate Judges, County License Commissioners, and Other Licensing Officials

The following is a summary of some of the Acts passed during the 2011 Regular Session which may impact matters administered by you.

Per Act 2011-535, commonly referred to as the Immigration Act, proof of citizenship must be provided for all businesses owned by individuals or general partnerships, prior to the issuance of a license. ***Failure of persons issuing the licenses to comply with the provisions of this Act regarding obtaining proof of citizenship or lawfully present alien status may result in a Class C felony. Note: Once verified, the applicant does not have to present verification again of U. S. citizenship. Corporations, LLCs and LLPs are not required to submit this documentation.*** The applicant must prove U. S. citizenship by submitting a copy of a driver's license, birth certificate or one of the documents shown below:

1. Driver's license or nondriver identification card issued by the Alabama Department of Public Safety. A driver's license or nondriver identification card issued by another jurisdiction will only be acceptable if there is language printed on the license or identification card, by the issuing jurisdiction that indicates that the person has provided satisfactory proof of United States citizenship. (The driver's license or nondriver identification card must be valid which means unexpired.)
2. U.S. birth certificate.
3. Valid or expired passport identifying the applicant and the applicant's passport number.
4. Naturalization documents or the number of the certificate of naturalization (number must be verified with the U.S. Bureau of Citizenship and Immigration Services by the county election officer or the Secretary of State).
5. Proof issued by the federal government pursuant to the Immigration and Nationality Act of 1952.
6. Bureau of Indian Affairs card number, tribal treaty card number or tribal enrollment number.
7. Consular report of birth abroad of a citizen of the U.S.
8. Certificate of citizenship issued by the U.S. Citizenship and Immigration Services.
9. Certification of report of birth issued by the U.S. Department of State.
10. American Indian card, with KIC classification, issued by the U. S. Department of Homeland Security.
11. Final adoption decree showing the applicant's name and U.S. birthplace.
12. Official U.S. military record of service showing the applicant's place of birth in the U.S.
13. An extract from a U.S. hospital record of birth created at the time of the applicant's birth indicating the applicant's place of birth in the U.S.

If the applicant is lawfully present in the United States, one of the documents shown below must be presented for verification each year. In the event that an alien cannot present any of the documents listed below, an alien's lawful presence in the United States shall be verified via the Systematic Alien

Verification for Entitlements (SAVE) or by verification through the Department of Homeland Security pursuant to 8 U.S.C. §1373(c).

1. A valid, unexpired Alabama driver's license.
2. A valid, unexpired Alabama nondriver identification card.
3. A valid tribal enrollment card or other form of tribal identification bearing a photograph or other biometric identifier.
4. Any valid United States federal or state government issued identification document bearing a photograph or other biometric identifier, if issued by an entity that requires proof of lawful presence in the U. S. before issuance.
5. A foreign passport with an unexpired U. S. Visa and a corresponding stamp or notation by the U. S. Department of Homeland Security indicating the bearer's admission to the U. S.
6. A foreign passport issued by a visa waiver country with the corresponding entry stamp and unexpired duration of stay annotation or an I-94 W form by the U. S. Department of Homeland Security indicating the bearer's admission to the U. S.

Note: You must maintain a copy of the driver's license or other document including the verification through SAVE or Homeland Security which was used to substantiate citizenship or lawful presence in this country. You must be able to search and retrieve the document to prove that you verified citizenship or lawful presence. *Once verified, citizenship status is no longer required to be verified again; however, lawfully present aliens must present verification each year upon renewal of the license.*

Act 2011-205 requires tags on mini-trucks. If a company is selling these items, the provisions of Act 539 and Section 40-12-51 would apply.

Act 2011-554 amends Section 40-12-264, *Code of Alabama 1975*, and limits the number of dealer plates available to automobile dealers. In addition, this Act prohibits the renewal of the Act 539 regulatory, the Section 51 automobile dealers, Section 62 motorcycle dealers and Section 169 trailer dealers licenses when there is an outstanding liability for penalties assessed by the Alabama Department of Revenue Motor Vehicle Division. As a reminder, the dealer is required to obtain the Act 539 regulatory license prior to issuance of the Section 51 license.

Act 2011-633 amends Section 40-12-412, *Code of Alabama 1975*, to require that persons applying for an automotive dismantler and parts recycler license provide to the Alabama Department of Revenue the applicant's unique registration number provided by the Administrator of the National Motor Vehicle Title Information System known as the NMVTIS ID Number. Additional information regarding the NMVTIS ID number can be found at the following site: http://bja.ncjrs.gov/nmvtis/nmvtis_who_report.aspx. This Act also amends Section 40-12-116, *Code of Alabama 1975*, to require that persons OTHER THAN licensed junk dealers, automotive dismantlers and parts recyclers and secondary metal recyclers pay an annual license fee to the county of \$200 per piece of car crushing equipment.

Note: Copies of the aforementioned Acts may be downloaded from the Secretary of State's website at <http://www.sos.state.al.us/> by going to the Government Records Section.

If you have questions regarding this Notice, please contact us at the below address or telephone number.

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Sales, Use & Business Tax Division
Severance & License Section
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