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Honorable Steven L. Reed
Montgomery County Judge of Probate
Post Office Box 223
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Probate Courts – Motor Vehicle License
and Registration – Renewals – Contracts –
Probate Judges – Legislation

Absent the passage of new legislation, the
probate judge may not use self-service
print-on-demand kiosks for motor vehicle
registration renewals.

Dear Mr. Reed:

This opinion of the Attorney General is issued in response to your
request.

QUESTION

May the Montgomery County Probate Office use
self-service print-on-demand kiosks for motor vehicle
registration renewals if all supplies are purchased from
the Alabama Department of Corrections under sections
32-6-57 and 32-6-64 of the Code of Alabama?

FACTS AND ANALYSIS

Your request states as follows:

The Montgomery County Probate Office has
considered using self-service print-on-demand kiosks
for motor vehicle registration renewals. The kiosks can
be situated throughout the county and have the

potential to greatly reduce taxpayer wait times and human error.

With the kiosks, a taxpayer would enter the taxpayer's information. Once verified, and after entering all other applicable data and submitting payment, the taxpayer would receive a renewal receipt and decal, both of which would be printed at the point of sale.

The vendor would purchase the decal tape from the Alabama Department of Corrections and be given a set of sequential numbers to be used for the decals. The numbers would be the same that would otherwise be used if supplied through traditional means.

License plates are valid for a minimum of five years. ALA. CODE § 32-6-62(a) (Supp. 2013). A "revalidation device" is attached to the plate on payment of the annual license tax. ALA. CODE § 32-6-60 (2010); ALA. CODE § 32-6-63 (2010). That term generally refers to the various terms used throughout the statutes governing the registration of motor vehicles and the issuance of license plates to designate the item issued as evidence of payment of the tax. *E.g.*, ALA. CODE § 32-6-57 (2010) (decals, slogans, stickers, symbols, characters, and other attachments"); ALA. CODE § 32-6-60 (2010) ("tab, disc, or other device"); ALA. CODE § 32-6-63 (2010) ("tabs, stamps, or other devices").

Section 32-6-64 of the Code of Alabama governs the design and supply of license plates and revalidation devices. Section 32-6-64(a)(1) grants regulatory control of the design, "including all emblems, slogans, symbols, or characters appearing on the plates" to the Alabama Department of Revenue ("Revenue"). ALA. CODE § 32-6-64(a)(1) (2010). Section 32-6-64(c)(1) provides that "[t]he Department of Corrections [(\"DOC\")] is directed to **supply all** license plates and revalidation **devices** required under this subdivision." ALA. CODE § 32-6-64(c)(1) (2010) (emphasis added). Section 32-6-57(b) likewise states that all devices "shall be **supplied**" by DOC. ALA. CODE § 32-6-57(b) (2010) (emphasis added).

Words used in a statute must be given their natural, plain, ordinary, and commonly understood meaning, and where plain language is used, a court is bound to interpret that language to mean exactly what it says. *Ex parte Cove Properties, Inc.*, 796 So. 2d 331, 333-34 (Ala. 2000); *Ex parte T.B.*, 698 So. 2d 127, 130 (Ala. 1997); *State Dep't of Transp. v. McLelland*, 639 So. 2d 1370, 1371 (Ala. 1994). The fundamental rule of statutory construction is to ascertain

and give effect to the intent of the Legislature in enacting the statute. *Ex parte Ala. Dep't of Mental Health & Mental Retardation*, 840 So. 2d 863, 867 (Ala. 2002); *Gholston v. State*, 620 So. 2d 719, 721 (Ala. 1993).

Courts look for the legislative intent in the language of the act, and although that language may be explained, one cannot detract from it nor add to it. *Ala. Indus. Bank v. State ex rel. Avinger*, 286 Ala. 59, 62, 237 So. 2d 108, 110 (1970); *May v. Head*, 210 Ala. 112, 113, 96 So. 869, 870 (1923). Where a statutory pronouncement is distinct and unequivocal, there remains no room for judicial construction, and the clearly expressed intent of the Legislature must be given effect. *Ex parte Holladay*, 466 So. 2d 956, 960 (Ala. 1985); *Dumas Bros. Mfg. Co. v. S. Guar. Ins. Co.*, 431 So. 2d 534, 536 (Ala. 1983).

The mandate that DOC supply the revalidation devices is not qualified. Moreover, section 32-6-64(c)(1) plainly states that DOC supply “the devices **required under this subdivision.**” ALA. CODE § 32-6-64(c)(1) (2010) (emphasis added). The statute requires that the devices be printed with the design established by Revenue. Therefore, DOC must supply preprinted decals. Because the probate judge must use decals printed by DOC, absent the passage of new legislation, the probate judge may not use self-service print-on-demand kiosks for motor vehicle registration renewals.

CONCLUSION

Absent the passage of new legislation, the probate judge may not use self-service print-on-demand kiosks for motor vehicle registration renewals.

I hope this opinion answers your question. If this Office can be of further assistance, please contact Ward Beeson of my staff.

Sincerely,

LUTHER STRANGE
Attorney General
By:



BRENDA F. SMITH
Chief, Opinions Division