

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control \_\_\_\_\_ Department or Agency Alabama Secretary of State  
Rule No. 820-2-3-.05  
Rule Title: Definition of Commercial Carrier  
 New \_\_\_\_\_ Amend \_\_\_\_\_ Repeal \_\_\_\_\_ Adopt by Reference \_\_\_\_\_

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? NO

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? NO

Is there another, less restrictive method of regulation available that could adequately protect the public? NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? NO

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? NO

\*\*\*\*\*

Does the proposed rule have an economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

\*\*\*\*\*

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer *J. H. Merrill*  
Date August 1, 2019

REC'D & FILED  
2019 AUG -1 AM 11:11  
LEGISLATIVE SVC AGENCY  
AUGUST 1, 2019  
(STAMP)

Alabama Secretary of State  
Elections Division

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Secretary of State

RULE NO. & TITLE:

820-2-3-.05 Definition of Commercial Carrier

INTENDED ACTION:

New Rule

SUBSTANCE OF PROPOSED ACTION:

Added a definition of a commercial carrier for the purpose of returning absentee applications and absentee ballots.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

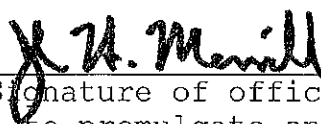
Views may be presented orally or in writing and should be addressed to Hugh Evans, Office of the Secretary of State, P.O. Box 5616, Montgomery, Al 36130; (334) 353-7857.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

October 4, 2019

CONTACT PERSON AT AGENCY:

Hugh Evans, Office of the secretary of State, State Capitol Suite E-201, 600 Dexter Avenue, Montgomery, AL 36130; (334) 353-7857.

  
\_\_\_\_\_  
(Signature of officer authorized to promulgate and adopt rules or his or her deputy)

**New Rule to be Added to 820-2-3**

**820-2-3-.05**      **Definition of Commercial Carrier.** A commercial carrier shall be defined as a business licensed and regulated (pursuant to §37-3-5) in the area(s) in which it operates that advertises to the public and is engaged in the business of trade or traffic and commerce.

**Authors:** Jeff Elrod, Hugh Evans.

**Statutory Authority:** Act 2019-507.

**History: New Rule:** Filed August 1, 2019. Effective November 21, 2019.