

1 SB162
2 181889-1
3 By Senator Sanders
4 RFD: Judiciary
5 First Read: 09-FEB-17

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8 SYNOPSIS: Under existing law, an individual's driver's
9 license may be suspended for failure to pay traffic
10 fines, fees, or costs associated with the traffic
11 violation and conviction.

12 This bill would require courts to allow a
13 defendant convicted of a traffic violation and who
14 is unable to pay a fine, fee, penalty, or court cost
15 within 30 days of sentencing to make payments
16 through a reasonable deferred payment or
17 installment agreement, or to perform community
18 service as a means of satisfying the debt.

19 This bill would also prohibit the suspension
20 or revocation of an individual's driver's license
21 based solely on the grounds of a failure to appear
22 in connection with a traffic violation or for
23 inability to pay traffic fines, fees, or costs; and
24 would require reinstatement of licenses that have
25 previously been suspended for these reasons.

26
27 A BILL

1 TO BE ENTITLED

2 AN ACT

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4 Relating to traffic fines and fees; to require
5 courts to allow a defendant convicted of a traffic violation
6 and who is unable to pay the fine, fee, penalty, or court cost
7 associated with the traffic violation conviction within 30
8 days of sentencing, to make payments of a reduced amounts
9 through a deferred payment or installment agreement, or to
10 perform community service as a means of satisfying the debt;
11 to prohibit the suspension or revocation of the driver's
12 license of a defendant solely on the grounds of a failure to
13 appear in connection with a traffic violation or for inability
14 to pay a traffic fine, fee, penalty, or court cost; and to
15 require the reinstatement of any license that has been
16 previously suspended for these reasons.

17 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

18 Section 1. (a) When a defendant convicted of a
19 traffic violation is sentenced and required to pay a fine,
20 fee, penalty, or court cost associated with that conviction,
21 and the defendant is unable to pay that fine, fee, penalty, or
22 court cost, a court shall allow the defendant to pay the fine,
23 fee, penalty, or court cost through reasonable deferred
24 payments or installments, or perform community service as a
25 means of payment. The court may authorize the clerk to
26 establish and approve the conditions of all deferred payment

1 or installment agreements and community service agreements
2 pursuant to guidelines established by the court.

3 (b) As a condition of the deferred, installment, or
4 performance of community service agreement, a defendant who
5 enters into an agreement with the court for that reason, shall
6 promptly inform the court of any change of mailing address
7 during the term of the agreement. A court may assess a one
8 time fee not to exceed ten dollars (\$10) to cover the costs of
9 management of the defendant's fine, fee, penalty, or court
10 cost associated with the traffic violation conviction is paid
11 in full.

12 Section 2. (a) A defendant's driver's license shall
13 not be suspended or revoked based solely on the grounds of a
14 failure to appear in connection with the violation or for
15 inability to pay traffic fines, fees, penalties, or court
16 costs associated with the conviction.

17 (b) In cases in which a defendant's driver's license
18 was suspended for failing to appear or because of an inability
19 to pay a fine, fee, penalty, or court cost associated with a
20 conviction for a traffic violation, the defendant's driver's
21 license shall be reinstated immediately and a letter shall be
22 sent to the defendant notifying him or her of the
23 reinstatement.

24 Section 3. This act shall become effective on the
25 first day of the third month following its passage and
26 approval by the Governor, or its otherwise becoming law.