

1 SB3  
2 197706-2  
3 By Senator Holley  
4 RFD: Transportation and Energy  
5 First Read: 06-MAR-19

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4 ENGROSSED

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7 A BILL  
8 TO BE ENTITLED  
9 AN ACT

10  
11 Relating to motor vehicles; to prohibit the use of  
12 nonconforming low-speed vehicles on the public highways of the  
13 state, with exceptions; and in connection therewith would have  
14 as its purpose or effect the requirement of a new or increased  
15 expenditure of local funds within the meaning of Amendment 621  
16 of the Constitution of Alabama of 1901, now appearing as  
17 Section 111.05 of the Official Recompilation of the  
18 Constitution of Alabama of 1901, as amended.

19 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

20 Section 1. (a) As used in this section, the term  
21 nonconforming low-speed vehicle means a four-wheeled motor  
22 vehicle with a top speed not greater than 25 miles per hour,  
23 which has a gross vehicle weight rating of less than 3,000  
24 pounds and which does not comply with 49 CFR Section 571.500.

25 (b) Except as provided in subsection (c) or (d), a  
26 person may not operate a nonconforming low-speed vehicle on  
27 any public highway of this state.

1 (c) This section does not apply to a Class 2  
2 municipality, as provided in Chapter 73 of Title 11, Code of  
3 Alabama 1975, or Baldwin County, as provided in Amendment 921  
4 of the Constitution of Alabama of 1901, now appearing as  
5 Section 15.70, Baldwin County Local Amendments, Official  
6 Recompilation of the Constitution of Alabama of 1901, as  
7 amended.

8 (d) A county or municipality, by resolution or  
9 ordinance, may authorize the operation of nonconforming  
10 low-speed vehicles on the public highways of the county or  
11 municipality, so long as the resolution or ordinance provides  
12 for all of the following minimum standards:

13 (1) The nonconforming low-speed vehicle may not be  
14 operated on a public highway with a speed limit greater than  
15 25 miles per hour, except a nonconforming low-speed vehicle  
16 may be permitted to cross a public highway.

17 (2) The driver of a vehicle must have a valid  
18 driver's license.

19 (3) The vehicle may only be operated between sunrise  
20 and sunset, unless the vehicle is equipped with headlights,  
21 brake lights, turn signals, and a windshield.

22 (e) A person who violates subsection (b) is guilty  
23 of a traffic violation, punishable by a fine of twenty-five  
24 dollars (\$25).

25 Section 2. Any provision of this section to the  
26 contrary notwithstanding, this section shall not apply to the

1 operation of any farm tractor and/or agricultural implement,  
2 agricultural equipment, or agricultural product.

3 Section 3. This act shall not apply to mini-trucks  
4 registered pursuant to Section 32-6-59, Code of Alabama 1975.

5 Section 4. Conforming and nonconforming low-speed  
6 vehicles that are owned by a public institution of higher  
7 education are exempt from the requirements of this act and are  
8 not required to be registered when operated on property owned  
9 by such institutions. This act shall not be interpreted to  
10 supersede or affect any existing local legislation relating to  
11 low-speed vehicles.

12 Section 5. Although this bill would have as its  
13 purpose or effect the requirement of a new or increased  
14 expenditure of local funds, the bill is excluded from further  
15 requirements and application under Amendment 621, now  
16 appearing as Section 111.05 of the Official Recompilation of  
17 the Constitution of Alabama of 1901, as amended, because the  
18 bill defines a new crime or amends the definition of an  
19 existing crime.

20 Section 6. This act shall become effective on the  
21 first day of the third month following its passage and  
22 approval by the Governor, or its otherwise becoming law.

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Senate

Read for the first time and referred to the Senate  
committee on Transportation and Energy..... 06-MAR-19

Read for the second time and placed on the calen-  
dar 1 amendment..... 07-MAR-19

Read for the third time and passed as amended .... 08-MAR-19

Yeas 30  
Nays 0

Patrick Harris,  
Secretary.