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3 HOUSE AGRICULTURE & FORESTRY COMMITTEE SUBSTITUTE FOR HB190
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8 SYNOPSIS: Under existing law, violators of certain
9 traffic laws are issued a Uniform Traffic Ticket
10 and Complaint (UTTC).

11 This bill would provide that a person who
12 parks on property under the control of the
13 Department of Conservation and Natural Resources in
14 violation of rules adopted by the department would
15 be issued a UTTC by a special officer of the
16 department.
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18 A BILL
19 TO BE ENTITLED
20 AN ACT
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22 Relating to traffic offenses; to provide for the
23 issuance of a Uniform Traffic Ticket and Complaint by the
24 Department of Conservation and Natural Resources for parking
25 violations on property under the control of the department; to
26 specify fine amounts; and to provide rulemaking authority for
27 the department.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

2 Section 1. (a) For the purposes of this section, the
3 following terms shall have the following meanings:

4 (1) DEPARTMENT. The Department of Conservation and
5 Natural Resources.

6 (2) PROPERTY UNDER THE CONTROL OF THE DEPARTMENT.
7 Property, and any roads or streets on the property, including
8 but not limited to, state parks property; boating access
9 areas, including associated parking lots; wildlife management
10 areas; public fish lake property; any property controlled,
11 owned, leased, or managed by the department or any of its
12 divisions or the Forever Wild Land Trust.

13 (b) (1) A person may not park, cause to be parked, or
14 permit a motor vehicle to be parked on any property under the
15 control of the department in violation of a rule adopted by
16 the department.

17 (2) The presence of an unattended motor vehicle on
18 property under control of the department in violation of a
19 rule of the department shall create a prima facie presumption
20 that the registrant of the motor vehicle committed or
21 authorized the parking violation.

22 (c) (1) A person in violation of subsection (b) shall
23 be issued a Uniform Traffic Ticket and Complaint (UTTC) by a
24 special officer appointed by the department for the
25 enforcement of this section as provided in Section 32-5-310,
26 Code of Alabama 1975. Notwithstanding Section 32-5-310, Code
27 of Alabama 1975, or any other provision of law, a special

1 officer of the department is not required to be certified by
2 the Alabama Peace Officers' Standards and Training Commission.
3 A copy of the UTTC shall be left on the motor vehicle and
4 mailed, by regular mail, to the registered owner of the motor
5 vehicle.

6 (2) District courts shall have exclusive
7 jurisdiction of violations of this section.

8 (d) (1) Except as provided in subdivision (2), a fine
9 for a violation under this section shall be fifty dollars
10 (\$50).

11 (2) A fine for a violation of subsection (a) in a
12 handicapped parking space shall be two hundred fifty dollars
13 (\$250).

14 (3) No court costs shall be assessed for a violation
15 under this section.

16 (4) Fifty percent of the fines collected under this
17 subsection shall be deposited into the Department of
18 Conservation Administrative Fund to be used by the department.
19 Fifty percent of the fines collected shall be deposited into
20 the Clerks Judicial Administration Fund.

21 (e) A motor vehicle parked on property controlled by
22 the department in violation of this section may be removed as
23 provided in Section 32-13-2, Code of Alabama 1975.

24 (f) A UTTC issued pursuant to this section shall be
25 subject to all procedures and provisions of Rule 19 of the
26 Alabama Rules of Judicial Administration, as adopted by the

1 Alabama Supreme Court, unless expressly provided otherwise in
2 this section.

3 (g) The court may suspend the driver's license of a
4 person who fails to pay a fine pursuant to this section as
5 provided in Rule 26.11 of the Alabama Rules of Criminal
6 Procedure.

7 (h) The department shall adopt rules for the
8 implementation and administration of this section.

9 Section 2. This act shall become effective on the
10 first day of the third month following its passage and
11 approval by the Governor, or its otherwise becoming law.