

1 HB190
2 200736-4
3 By Representative McMillan
4 RFD: Agriculture and Forestry
5 First Read: 19-MAR-19

1 control of the department in violation of a rule adopted by
2 the department.

3 (2) The presence of an unattended motor vehicle on
4 property under control of the department in violation of a
5 rule of the department shall create a prima facie presumption
6 that the registrant of the motor vehicle committed or
7 authorized the parking violation.

8 (c) (1) A person in violation of subsection (b) shall
9 be issued a Uniform Traffic Ticket and Complaint (UTTC) by a
10 special officer appointed by the department for the
11 enforcement of this section as provided in Section 32-5-310,
12 Code of Alabama 1975. Notwithstanding Section 32-5-310, Code
13 of Alabama 1975, or any other provision of law, a special
14 officer of the department is not required to be certified by
15 the Alabama Peace Officers' Standards and Training Commission.
16 A copy of the UTTC shall be left on the motor vehicle and
17 mailed, by regular mail, to the registered owner of the motor
18 vehicle.

19 (2) District courts shall have exclusive
20 jurisdiction of violations of this section.

21 (d) (1) Except as provided in subdivision (2), a fine
22 for a violation under this section shall be fifty dollars
23 (\$50).

24 (2) A fine for a violation of subsection (a) in a
25 handicapped parking space shall be two hundred fifty dollars
26 (\$250).

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

3 (4) Fifty percent of the fines collected under this
4 subsection shall be deposited into the Department of
5 Conservation Administrative Fund to be used by the department.
6 Fifty percent of the fines collected shall be deposited into
7 the Clerks Judicial Administration Fund.

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

11 (f) A UTTC issued pursuant to this section shall be
12 subject to all procedures and provisions of Rule 19 of the
13 Alabama Rules of Judicial Administration, as adopted by the
14 Alabama Supreme Court, unless expressly provided otherwise in
15 this section.

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

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

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

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Agriculture and
Forestry..... 19-MAR-19

Read for the second time and placed
on the calendar with 1 substitute
and..... 14-MAY-19

Read for the third time and passed
as amended..... 21-MAY-19

Yeas 88, Nays 0, Abstains 4

Jeff Woodard
Clerk