

1 HJR31
2 208737-1
3 By Representative Pringle
4 RFD: Rules
5 First Read: 04-FEB-21

EXPRESSING OPPOSITION TO A FEDERAL REQUIREMENT THAT THE STATE PASS A LAW REQUIRING REVOCATION OR SUSPENSION OF AN INDIVIDUAL'S DRIVER'S LICENSE.

WHEREAS, 23 U.S.C. § 159 requires states to enact legislation mandating the revocation or suspension of an individual's driver's license for at least six months upon conviction of any drug-related offense; and

WHEREAS, 23 U.S.C. § 159 requires withholding eight percent of certain federal aid from states that fail to enact this legislation; and

WHEREAS, the federal government should not dictate policy or legislation of this kind for the state; and

WHEREAS, for Alabama to be exempt from this federal requirement, the Governor must submit to the United States Secretary of Transportation a written certification that she is opposed to the enactment or enforcement of a law related to the suspension or revocation of an individual's driver's license for any drug-related offense and submit a written certification that the Alabama Legislature has adopted a

1 resolution expressing opposition to the federal requirement;
2 and

3 WHEREAS, the State of Alabama should enforce its own
4 driver's license law, and it is the intent of the Legislature
5 that Alabama amend its law requiring the suspension or
6 revocation of a driver's license for certain drug-related
7 convictions if the violation did not involve a motor vehicle
8 to remove this requirement; now therefore,

9 BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH
10 HOUSES THEREOF CONCURRING, That this body declares its
11 opposition to the enactment or enforcement of a federal law
12 mandating, in all circumstances, the revocation or suspension
13 of an individual's driver's license upon conviction of any
14 drug-related offense.

15 BE IT FURTHER RESOLVED, That the Legislature
16 declares the state's determination to enforce its own law on
17 the subject, which provides that an individual convicted of
18 certain drug-related offenses will not have his or her
19 driver's license revoked or suspended if the violation did not
20 involve a motor vehicle.

21 BE IT FURTHER RESOLVED, That the Governor is
22 strongly urged to submit a written certification to the United
23 States Secretary of Transportation stating her opposition to
24 the enforcement of § 23 U.S.C. § 159.

25 BE IT FURTHER RESOLVED, That a copy of this
26 resolution be delivered to the Governor so that the strong
27 sentiments of this body may be known and that the Governor

1 submit a copy of the resolution to the United States Secretary
2 of Transportation.