

1 HB504
2 218876-2
3 By Representatives Pettus, Robertson and Bedsole
4 RFD: Public Safety and Homeland Security
5 First Read: 17-MAR-22

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2 ENROLLED, An Act,

3 Relating to motor vehicles and traffic; to amend
4 Section 32-10-1, Code of Alabama 1975, to further provide for
5 the removal of disabled vehicles from a roadway; to authorize
6 a law enforcement officer to provide for the removal of a
7 disabled vehicle; and to provide immunity to law enforcement
8 officers engaged in the removal of a disabled vehicle under
9 certain conditions.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

11 Section 1. Section 32-10-1, Code of Alabama 1975, is
12 amended to read as follows:

13 "§32-10-1.

14 "(a) The driver of any motor vehicle involved in an
15 accident resulting in injury to or the death of any person, or
16 in damage to any vehicle driven or attended by any person,
17 shall immediately stop the vehicle at the accident scene or as
18 close thereto and shall return to or remain at or as close to
19 the scene of the accident until he or she has fulfilled the
20 requirements of Section 32-10-2. Every such stop shall be made
21 without obstructing traffic more than is necessary.

22 "(b) If the accident does not involve any apparent
23 injury or the death of a person and the driver is not
24 impaired, the driver may immediately move the vehicle from the
25 roadway to the shoulder, emergency lane, median, or other

1 location close to the accident site if the vehicle is drivable
2 and can be safely moved from the roadway and shall return to
3 or remain at or as close to the scene of the accident as
4 safely possible.

5 "(c) Employees of the Alabama Department of
6 Transportation or ~~the Alabama State Law Enforcement Agency~~ any
7 state or local law enforcement officer may move a vehicle,
8 require a vehicle to be moved by the driver or with the
9 assistance of a towing or recovery vehicle, or assist in the
10 moving of a vehicle from a roadway under the jurisdiction of
11 the Department of Transportation if the vehicle is disabled as
12 a result of an accident, the disabled vehicle creates a
13 traffic hazard or is obstructing traffic. A vehicle involved
14 in an accident with injury to or death of any person may not
15 be moved until directed by a law enforcement officer.

16 "(d) This section does not relieve a driver from
17 complying with any other duties imposed in this chapter.

18 "(e) Employees of the Department of Transportation
19 and ~~the Alabama State Law Enforcement Agency~~ any state and
20 local law enforcement officer exercising authority under this
21 section shall not be liable for damages caused by moving a
22 vehicle pursuant to this section.

23 "(f) Section 36-1-12 shall apply to employees of the
24 Department of Transportation and the ~~Alabama State Law~~
25 ~~Enforcement Agency~~ any state and local law enforcement officer

1 relating to any claim resulting from the exercise of authority
2 under this section.

3 "(g) The director shall revoke the driver license
4 of a person convicted under this section."

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

