

1 SB117
2 217706-2
3 By Senator Barfoot
4 RFD: Judiciary
5 First Read: 18-JAN-22

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4 ENGROSSED

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7 A BILL
8 TO BE ENTITLED
9 AN ACT

10
11 Relating to driver license suspensions; to provide
12 for the suspension of an individual's driver license or
13 driving privilege in certain circumstances.

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

15 Section 1. (a) Notwithstanding any other provision
16 of law, a judge may only order an individual's driver license
17 or driving privilege be suspended for failing to appear in
18 court when the individual failed to appear on two or more
19 occasions and when the court appearance is based on a court's
20 post adjudication compliance review of conditions ordered by
21 the court for a traffic violation.

22 (b) The Alabama State Law Enforcement Agency shall
23 suspend an individual's driver license or driving privilege
24 upon receipt of the court order suspending the license.

25 (c) The Secretary of the Alabama State Law
26 Enforcement Agency shall adopt rules as necessary to implement
27 and administer the requirements of this section.

1 (d) This section shall not apply to an individual
2 holding a commercial driver license or a commercial learner
3 license, or to an individual operating a commercial vehicle at
4 the time of the traffic violation.

5 Section 2. (a) A court may not suspend an
6 individual's driver license for failure to pay a fine, fee, or
7 court cost as a result of a traffic violation unless the
8 individual fails to make half or more of the required payments
9 within one year of the court's order, or fails to make any
10 additional payments one year after the court's order.

11 (b) It is the intent of the Legislature that,
12 pursuant to Amendment 328 of the Constitution of Alabama of
13 1901, now appearing as Section 150 of the Official
14 Recompilation of the Constitution of Alabama of 1901, as
15 amended, the Supreme Court of Alabama shall amend its rules to
16 conform with this section.

17 (c) This section shall not apply to an individual
18 holding a commercial driver license or a commercial learner
19 license, or to an individual operating a commercial motor
20 vehicle at the time of the traffic violation.

21 Section 3. (a) Notwithstanding any other provision
22 of law, for the purposes of ensuring that habitually reckless
23 or negligent drivers do not remain on the road, the Alabama
24 State Law Enforcement Agency shall add points to an
25 individual's driver license for any traffic violation for
26 which the individual has received a final conviction.

1 (b) For purposes of subsection (a), the term "final
2 conviction" means any of the following:

3 (1) A judicial finding of guilt or a plea of guilty.

4 (2) When an individual fails to appear in court to
5 dispute a traffic violation.

6 (c) If the final conviction is based on a judicial
7 finding of guilt or a plea of guilty, the court shall forward
8 a record of the conviction to the Alabama State Law
9 Enforcement Agency after the time has elapsed to perfect an
10 appeal. If the final conviction is based on an individual's
11 failure to appear in court, the court shall forward a record
12 of the conviction to the Alabama State Law Enforcement Agency
13 within five days of the final conviction.

14 (d) A final conviction is the only time when points
15 may be assessed for an underlying traffic violation.

16 Section 4. Nothing in this act shall alter or limit
17 any provision of the Motor Vehicle Responsibility Act, Chapter
18 7 of Title 32, Code of Alabama 1975, or of the Mandatory
19 Liability Insurance Act, Chapter 7A of Title 32, Code of
20 Alabama 1975, including a court's authority to order and
21 enforce restitution by an individual found to have violated
22 either act.

23 Section 5. This act shall become effective on
24 October 1, 2022, following its passage and approval by the
25 Governor, or its otherwise becoming law.

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Senate

Read for the first time and referred to the Senate
committee on Judiciary..... 18-JAN-22

Read for the second time and placed on the calen-
dar 1 amendment..... 02-FEB-22

Read for the third time and passed as amended 24-FEB-22

Yeas 30
Nays 0

Patrick Harris,
Secretary.