

SB154 ENGROSSED



1 R5QKNY-2
2 By Senators Barfoot, Coleman
3 RFD: Judiciary
4 First Read: 04-Apr-23
5
6 2023 Regular Session



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A BILL
TO BE ENTITLED
AN ACT

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

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) Notwithstanding any other provision of law, a judge may only order an individual's driver license or driving privilege be suspended for failing to appear in court when either of the following occur:

(1) The individual violates his or her written bond to appear or otherwise fails to appear for any pre-adjudication court date or trial date.

(2) The individual failed to appear on two or more occasions when the court appearance is based on a court's post adjudication compliance review of conditions ordered by the court for a traffic violation.

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

(c) The Secretary of the Alabama State Law Enforcement Agency shall adopt rules as necessary to implement and



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29 administer the requirements of this section.

30 (d) This section shall not apply to an individual
31 holding a commercial driver license or a commercial learner
32 license or to an individual operating a commercial vehicle at
33 the time of the traffic violation.

34 (e) Any individual whose driver license or driving
35 privilege is suspended for failure to appear, his or her
36 driver license or driving privilege shall be reinstated upon
37 compliance with the notice to appear.

38 Section 2. (a) A court may not suspend an individual's
39 driver license for failure to pay a fine, fee, or court cost
40 as a result of a traffic violation unless the individual fails
41 to make six or more of the required payments after the court's
42 order requiring the payment of fines, fees, or court costs.

43 (b) It is the intent of the Legislature that, pursuant
44 to Section 150 of the Constitution of Alabama of 2022, the
45 Supreme Court of Alabama shall amend its rules to conform with
46 this section.

47 (c) This section shall not apply to an individual
48 holding a commercial driver license or a commercial learner
49 license or to an individual operating a commercial motor
50 vehicle at the time of the traffic violation.

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



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57 (b) (1) For purposes of subsection (a), the term "final
58 conviction" means a judicial finding of guilt or a plea of
59 guilty.

60 (2) After a final conviction, the court shall forward a
61 record of the conviction to the Alabama State Law Enforcement
62 Agency after the time has elapsed to perfect an appeal.

63 (c) A final conviction is the only time when points may
64 be assessed for an underlying traffic violation.

65 Section 4. Nothing in this act shall alter or limit any
66 provision of the Motor Vehicle Responsibility Act, Chapter 7
67 of Title 32, Code of Alabama 1975, or of the Mandatory
68 Liability Insurance Act, Chapter 7A of Title 32, Code of
69 Alabama 1975, including a court's authority to order and
70 enforce restitution by an individual found to have violated
71 either act.

72 Section 5. This act shall become effective on October
73 1, 2023, following its passage and approval by the Governor,
74 or its otherwise becoming law.

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77 Senate

78 Read for the first time and referred04-Apr-23
79 to the Senate committee on Judiciary
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81 Read for the second time and placed12-Apr-23
82 on the calendar:
83 1 amendment
84
85 Read for the third time and passed25-Apr-23
86 as amended
87 Yeas 32
88 Nays 0
89 Abstains 0
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91

92 Patrick Harris,
93 Secretary.
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