



**House Public Safety and Homeland Security Reported  
Substitute for HB411**

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A BILL  
TO BE ENTITLED  
AN ACT

Relating to civil practice; to establish an affirmative defense relating to the damages incurred while obstructing traffic on a street, highway, bridge, or road under certain conditions; and to further provide for the procedure of such actions.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) In a civil action for damages for personal injury, wrongful death, or property damage, it is an affirmative defense that the action arose from an injury or damage sustained by an individual who willfully obstructed the free, convenient, and normal use of any public street, highway, bridge, or road by doing any of the following:

(1) Impeding, hindering, stifling, or restraining traffic or passage on the street, highway, bridge, or road.

(2) Standing on or remaining in the street, highway, bridge, or road.

(3) Endangering the safe movement of vehicles or pedestrians traveling on the street, highway, bridge, or road.

(b) In a civil action in which a defendant raises an affirmative defense under this section, the court, on motion



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29 by the defendant, shall stay the action during the pendency of  
30 any criminal action the factual basis of which forms the  
31 factual basis for the defense.

32 (c) Nothing in this act is intended to apply to  
33 individuals or entities that are lawfully working in a manner  
34 that may obstruct the flow of traffic, including emergency  
35 responders, surveyors, engineers, contractors, or others  
36 persons that have a legal or contractual right or obligation  
37 to modify, obstruct, or direct a change in the flow of traffic  
38 or access to a roadway.

39 Section 2. This act shall become effective on October  
40 1, 2025.