

HB134 ENROLLED



1 HB134
2 46AN3I3-3
3 By Representative Ingram
4 RFD: County and Municipal Government
5 First Read: 04-Feb-25



HB134 Enrolled

1 Enrolled, An Act,

2
3 Relating to fines and fees; to amend Sections 32-6-65
4 and 32-6-233.1, Code of Alabama 1975, to further provide for
5 the disbursement of fees and fines arising from driving
6 without a valid license plate, special access parking
7 violations, and disability parking violations; and to provide
8 for the repeal of this act.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10 Section 1. Sections 32-6-65 and 32-6-233.1, Code of
11 Alabama 1975, are amended to read as follows:

12 "§32-6-65

13 (a) There shall be one uniform registration renewal
14 form to be used statewide. ~~Such~~The form shall be designed ~~so~~
15 ~~as~~ to provide for both the transfer of ownership and the
16 registration of the vehicle. All receipts shall be sent to the
17 county agencies charged with handling vehicle registration.
18 Receipts may be provided to the registrant in a tangible
19 format or in an electronic format, as prescribed by the
20 department. The state and the county shall capture the color
21 of the motor vehicle in their permanent records. This
22 subsection shall not give the Department of Revenue authority
23 to centralize vehicle registration. Centralized registration
24 is specifically prohibited and it is the legislative intent
25 that automotive vehicle registration shall remain at the
26 county level.

27 (b) (1) A penalty of fifteen dollars (\$15) shall be
28 assessed by the official charged with issuing motor vehicle



HB134 Enrolled

licenses for the late registration of a motor vehicle. "Late registration of a motor vehicle" shall include: ~~(1)~~ (i) the failure to register the vehicle within 20 calendar days of the date of purchase or acquisition; ~~(2)~~ (ii) the failure to renew the registration in the designated renewal month; and ~~(3)~~ (iii) the failure to register the vehicle in accordance with ~~the provisions of~~ Section 40-12-262(a).

(2) It shall be the duty of all sheriffs, police officers, state troopers, license inspectors, deputy license inspectors, field agents of the Department of Revenue, and other law enforcement officers to arrest any person operating a motor vehicle without the current license plate displaying the proper validation decal. Persons apprehended for operating a motor vehicle without the current license plate, upon conviction by a court of competent jurisdiction, shall be fined not less than twenty-five dollars (\$25).

~~(2)~~ (3) Notwithstanding ~~subdivision~~ subdivisions (1) or (2), any person on military deployment during any part of his or her designated registration renewal month, except a person with a discharge characterization of dishonorable or other than honorable, who renews his or her motor vehicle registration within 30 calendar days from the date the deployment ends shall not be assessed a late registration penalty or associated interest charges. Evidence of military deployment shall be documented using military deployment orders, a government issued Statement of Service letter, Form DD214 Certificate of Release or Discharge from Active Duty, or a letter from the registrant's unit commander certifying the



HB134 Enrolled

date that his or her deployment ended.

(c) (1) All penalties assessed by this section pursuant to subdivision (b) (1) and one-half of all penalties assessed pursuant to subdivision (b) (2) shall be distributed in the same manner as motor vehicle licenses and registration fees are distributed as provided in Sections 40-12-269 and 40-12-270.

(2) One-half of all penalties assessed pursuant to subdivision (b) (2) shall be distributed to the entity employing the arresting officer.

(3) Portions of Section 40-12-10 as they may conflict with this section, are hereby repealed and superseded."

"§32-6-233.1

(a) It shall be unlawful for any person who does not have a distinctive special long-term access or long-term disability access license plate or placard or temporary disability placard as provided in Section 32-6-231, or who is not transporting a passenger who has a distinctive special long-term access or long-term disability access license plate or placard or temporary disability placard as provided in Section 32-6-231, to park a motor vehicle in a parking place designated for individuals with disabilities at any place of public accommodation, any business or legal entity engaged in interstate commerce or which is subject to any federal or state laws requiring access by individuals with disabilities, any amusement facility or resort or any other place to which the general public is invited or solicited, even though located on private property. Upon conviction, notwithstanding



HB134 Enrolled

any other penalty provision which may be authorized or employed, the person shall be fined a minimum of fifty dollars (\$50) for the first offense, a minimum of two hundred dollars (\$200) for the second offense, and a minimum of five hundred dollars (\$500) for the third or any subsequent offense. In addition, for the second or any subsequent offense under this section, the person shall be ordered by the court to perform a minimum of 40 hours of either of the following forms of community service:

(1) Community service for a nonprofit organization that serves individuals with disabilities or serves persons who have a disabling disease.

(2) Any other community service that may sensitize the persons to the needs and obstacles faced daily by individuals with disabilities.

(b) Any authorized municipal, county, or state law enforcement officer may go on private property to enforce this section.

(c) This section may be enforced by any law enforcement officer who has successfully complied with the minimum standards for police officers as set forth in Section 36-21-46, including, but not limited to, municipal law enforcement officers, sheriffs, deputy sheriffs, and Alabama State Troopers. Any law enforcement officer enforcing this section may ask for verification that either the driver or a passenger of the parked vehicle is the lawful holder of a distinctive special long-term access or long-term disability access license plate or placard or temporary disability



HB134 Enrolled

113 placard.

114 (d) Any sign designating a special access parking or
115 disability parking place may contain on the sign or attached
116 to the sign the amount of the fine for a parking violation on
117 the first offense pursuant to subsection (a).

118 (e) (1) If the law enforcement officer who issues the
119 special access parking or disability parking violation is
120 employed by a local law enforcement agency, ~~50-100~~ percent of
121 the fines collected pursuant to this section shall be paid to
122 the municipal or county general fund for the use of the law
123 enforcement agency by whom the arresting officer is employed,
124 ~~with the remainder to be remitted to the State Treasury, to be~~
125 ~~deposited in a separate fund to be distributed 50 percent to~~
126 ~~the Administrative Office of Courts, to be expended for~~
127 ~~support of the trial courts and 50 percent to the Department~~
128 ~~of Mental Health, to be expended for the Individual and Family~~
129 ~~Support Program for persons with developmental disabilities.~~

130 (2) If the law enforcement officer who issues the
131 special access parking or disability access parking violation
132 is employed by a state law enforcement agency, the fines
133 collected pursuant to this section shall be remitted to the
134 State Treasury, to be deposited in a separate fund to be
135 distributed 50 percent to the law enforcement agency by whom
136 the arresting officer is employed, 25 percent to the
137 Administrative Office of Courts, to be expended for support of
138 the trial courts, and 25 percent to the Department of Mental
139 Health, to be expended for the Individual and Family Support
140 Program for ~~persons~~ individuals with developmental



HB134 Enrolled

141 disabilities.

142 (3) All funds deposited to a separate fund in the State
143 Treasury pursuant to this subsection to be expended by the
144 Department of Mental Health, the Administrative Office of
145 Courts, and state law enforcement agencies shall be
146 appropriated by the Legislature, for the purposes stated in
147 this subsection. The expenditure of such sums so appropriated
148 shall be budgeted and allotted pursuant to the Budget
149 Management Act and Article 4 of Chapter 4 of Title 41. No
150 monies deposited to this fund shall revert to the State
151 General Fund at the end of any fiscal year. Prior to the
152 release of any monies to the Individual and Family Support
153 Program, such expenditures shall first be approved by the
154 Commissioner of the Department of Mental Health.

155 (f) This section shall be held in pari materia with all
156 other provisions of law related to illegal special access
157 parking or disability access parking violations and all laws
158 or parts of laws which conflict with this section are
159 repealed.

160 (g) Municipal law enforcement officers, sheriffs,
161 deputy sheriffs, and Alabama State Troopers, ~~are authorized to~~
162 ~~have~~ may cause vehicles illegally parked in accessible parking
163 spaces to be towed.

164 (h) Municipal law enforcement officers, sheriffs,
165 deputy sheriffs, and Alabama State Troopers ~~are authorized to~~
166 ~~ticket~~ may issue violations for vehicles parked on access
167 aisles. "Access aisles" are defined as the hash-marked or
168 cross-striped space that is ~~5~~ five feet or ~~8~~ eight feet wide



HB134 Enrolled

169 that is directly next to the accessible parking space. "Access
170 aisle" also has the same definition as contained within the
171 2010 Accessible Design Standards within the ADA."

172 Section 2. This act shall be repealed 3 years after
173 October 1, 2025.

174 Section 3. This act shall become effective on October
175 1, 2025.



HB134 Enrolled

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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and
was passed by the House 18-Feb-25.

John Treadwell
Clerk

Senate

06-May-25

Passed