

HB134 INTRODUCED



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



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SYNOPSIS:

Under existing law, fines arising from a conviction for operating a motor vehicle without a current license plate are distributed in the same manner as motor vehicle licenses and registration fees.

This bill would provide that one-half of fines arising from a conviction for operating a motor vehicle without a current license plate are distributed to the agency employing the arresting officer and one-half are distributed in the same manner as motor vehicle licenses and registration fees.

Under existing law, if a local law enforcement officer issues a ticket for a special access parking violation or a disability parking violation, half of the fines collected are paid to the agency employing the officer and half of the fines collected are paid to the State Treasury.

This bill would also provide that if a local law enforcement officer issues a ticket for a special access parking violation or a disability parking violation, all of the fines collected are paid to the agency employing the officer.

A BILL



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TO BE ENTITLED
AN ACT

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

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

"§32-6-65

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

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



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

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

73 ~~(2)~~ (3) Notwithstanding ~~subdivision~~ subdivisions (1) or
74 (2), any person on military deployment during any part of his
75 or her designated registration renewal month, except a person
76 with a discharge characterization of dishonorable or other
77 than honorable, who renews his or her motor vehicle
78 registration within 30 calendar days from the date the
79 deployment ends shall not be assessed a late registration
80 penalty or associated interest charges. Evidence of military
81 deployment shall be documented using military deployment
82 orders, a government issued Statement of Service letter, Form
83 DD214 Certificate of Release or Discharge from Active Duty, or
84 a letter from the registrant's unit commander certifying the



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85 date that his or her deployment ended.

86 (c) (1) All penalties assessed ~~by this section~~ pursuant
87 to subdivision (b) (1) and one-half of all penalties assessed
88 pursuant to subdivision (b) (2) shall be distributed in the
89 same manner as motor vehicle licenses and registration fees
90 are distributed as provided in Sections 40-12-269 and
91 40-12-270.

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

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

97 "§32-6-233.1

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



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

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

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

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

131 (c) This section may be enforced by any law enforcement
132 officer who has successfully complied with the minimum
133 standards for police officers as set forth in Section
134 36-21-46, including, but not limited to, municipal law
135 enforcement officers, sheriffs, deputy sheriffs, and Alabama
136 State Troopers. Any law enforcement officer enforcing this
137 section may ask for verification that either the driver or a
138 passenger of the parked vehicle is the lawful holder of a
139 distinctive special long-term access or long-term disability
140 access license plate or placard or temporary disability



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141 placard.

142 (d) Any sign designating a special access parking or
143 disability parking place may contain on the sign or attached
144 to the sign the amount of the fine for a parking violation on
145 the first offense pursuant to subsection (a).

146 (e) (1) If the law enforcement officer who issues the
147 special access parking or disability parking violation is
148 employed by a local law enforcement agency, ~~50-100~~ percent of
149 the fines collected pursuant to this section shall be paid to
150 the municipal or county general fund for the use of the law
151 enforcement agency by whom the arresting officer is employed,
152 ~~with the remainder to be remitted to the State Treasury, to be~~
153 ~~deposited in a separate fund to be distributed 50 percent to~~
154 ~~the Administrative Office of Courts, to be expended for~~
155 ~~support of the trial courts and 50 percent to the Department~~
156 ~~of Mental Health, to be expended for the Individual and Family~~
157 ~~Support Program for persons with developmental disabilities.~~

158 (2) If the law enforcement officer who issues the
159 special access parking or disability access parking violation
160 is employed by a state law enforcement agency, the fines
161 collected pursuant to this section shall be remitted to the
162 State Treasury, to be deposited in a separate fund to be
163 distributed 50 percent to the law enforcement agency by whom
164 the arresting officer is employed, 25 percent to the
165 Administrative Office of Courts, to be expended for support of
166 the trial courts, and 25 percent to the Department of Mental
167 Health, to be expended for the Individual and Family Support
168 Program for ~~persons~~ individuals with developmental



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169 disabilities.

170 (3) All funds deposited to a separate fund in the State
171 Treasury pursuant to this subsection to be expended by the
172 Department of Mental Health, the Administrative Office of
173 Courts, and state law enforcement agencies shall be
174 appropriated by the Legislature, for the purposes stated in
175 this subsection. The expenditure of such sums so appropriated
176 shall be budgeted and allotted pursuant to the Budget
177 Management Act and Article 4 of Chapter 4 of Title 41. No
178 monies deposited to this fund shall revert to the State
179 General Fund at the end of any fiscal year. Prior to the
180 release of any monies to the Individual and Family Support
181 Program, such expenditures shall first be approved by the
182 Commissioner of the Department of Mental Health.

183 (f) This section shall be held in pari materia with all
184 other provisions of law related to illegal special access
185 parking or disability access parking violations and all laws
186 or parts of laws which conflict with this section are
187 repealed.

188 (g) Municipal law enforcement officers, sheriffs,
189 deputy sheriffs, and Alabama State Troopers, ~~are authorized to~~
190 ~~have~~ may cause vehicles illegally parked in accessible parking
191 spaces to be towed.

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



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197 that is directly next to the accessible parking space. "Access
198 aisle" also has the same definition as contained within the
199 2010 Accessible Design Standards within the ADA."

200 Section 2. This act shall become effective on October
201 1, 2025.