

**HB1 ENGROSSED**



1 HB1

2 U9QASDG-2

3 By Representatives Boyd, Forte, Warren, Jackson, Chestnut,  
4 England, Hollis, Gray, McClammy, Lands, Travis, Ensler,  
5 Tillman, Jones, Hassell

6 RFD: Public Safety and Homeland Security

7 First Read: 13-Jan-26

8 PFD: 25-Jun-25



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A BILL

TO BE ENTITLED

## AN ACT

Relating to motor vehicles; to amend Section 32-5A-191,

10 Code of Alabama 1975; to require an ignition interlock device  
11 for the first violation of driving while under the influence.

12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

13                   Section 1. Section 32-5A-191, Code of Alabama 1975, is  
14                   amended to read as follows:

15 "§32-5A-191

16 (a) A person shall not drive or be in actual physical  
17 control of any vehicle while:

18 (1) There is 0.08 percent or more by weight of alcohol  
19 in his or her blood:

20 (2) Under the influence of alcohol;

(3) Under the influence of a controlled substance to a degree which renders him or her incapable of safely driving;

23 (4) Under the combined influence of alcohol and a  
24 controlled substance to a degree which renders him or he  
25 incapable of safely driving; or

26 (5) Under the influence of any substance which impairs  
27 the mental or physical faculties of such person to a degree  
28 which that renders him or her incapable of safely driving.



29                   (b) (1) A person who is under ~~the age of~~ 21 years of age  
30 shall not drive or be in actual physical control of any  
31 vehicle if there is 0.02 percent or more by weight of alcohol  
32 in his or her blood.

33                   (2) The Alabama State Law Enforcement Agency shall  
34 suspend or revoke the ~~driver's~~driver license of any person,  
35 including, but not limited to, a juvenile, child, or youthful  
36 offender, convicted or adjudicated of, or subjected to a  
37 finding of, delinquency based on this subsection.

38                   (3) Notwithstanding the foregoing, upon the first  
39 violation of this subsection by a person whose blood alcohol  
40 level is between 0.02 and 0.08, the person's ~~driver's~~driver  
41 license or driving privilege shall be suspended for a period  
42 of 30 days in lieu of any penalties provided in subsection (e)  
43 ~~of this section~~, and there shall be no disclosure, other than  
44 to courts, law enforcement agencies, the person's attorney of  
45 record, and the person's employer, by any entity or person of  
46 any information, documents, or records relating to the  
47 person's arrest, conviction, or adjudication of or finding of  
48 delinquency based on this subsection.

49                   (4) All persons, except as otherwise provided in this  
50 subsection for a first offense, including, but not limited to,  
51 a juvenile, child, or youthful offender, convicted or  
52 adjudicated of or subjected to a finding of delinquency based  
53 on this subsection shall be fined pursuant to this section,  
54 notwithstanding any other law to the contrary, and the person  
55 shall also be required to attend and complete a DUI or  
56 substance abuse court referral program in accordance with



57 subsection (k).

58 (c) (1) A school bus or day care driver shall not drive  
59 or be in actual physical control of any vehicle while in  
60 performance of his or her duties if there is greater than 0.02  
61 percent by weight of alcohol in his or her blood. A person  
62 convicted pursuant to this subsection shall be subject to the  
63 penalties provided by this section, except that on the first  
64 conviction the Secretary of the Alabama State Law Enforcement  
65 Agency shall suspend the driving privilege or ~~driver's~~driver  
66 license for a period of one year.

67 (2) A person shall not drive or be in actual physical  
68 control of a commercial motor vehicle, as defined in 49 CFR  
69 C.F.R. Part § 383.5 of the Federal Motor Carrier Safety  
70 Regulations as adopted pursuant to Section 32-9A-2, if there  
71 is 0.04 percent or greater by weight of alcohol in his or her  
72 blood. Notwithstanding the other provisions of this section,  
73 the commercial ~~driver's~~driver license or commercial driving  
74 privilege of a person convicted of violating this subdivision  
75 shall be disqualified for the period provided in accordance  
76 with 49 CFR Part C.F.R. § 383.51, as applicable, and the  
77 person's regular ~~driver's~~driver license or privilege to drive  
78 a regular motor vehicle shall be governed by the remainder of  
79 this section if the person is guilty of a violation of another  
80 provision of this section.

81 (3) Any commutation of suspension or revocation time as  
82 it relates to a court order, approval, and installation of an  
83 ignition interlock device shall not apply to commercial  
84 driving privileges or disqualifications.



85 (d) The fact that any person charged with violating  
86 this section is or has been legally entitled to use alcohol or  
87 a controlled substance shall not constitute a defense against  
88 any charge of violating this section.

95                   b. In addition, on a first conviction, the Secretary of  
96                   the Alabama State Law Enforcement Agency shall suspend the  
97                   driving privilege or ~~driver's~~ driver license of the person  
98                   convicted for a period of 90 days, and, following the  
99                   suspension, the driver shall present proof of installation of  
100                  an approved ignition interlock device in the designated motor  
101                  vehicle driven by the offender and obtain an ignition  
102                  interlock restricted driver license. An offender may only  
103                  apply to have his or her regular driver license restored after  
104                  possessing a restricted driver license for 180 days. The  
105                  90-day suspension shall be stayed ~~if the offender elects~~ and  
106                  the person shall be required to have during any period when the  
107                  offender has an approved ignition interlock device installed  
108                  and operating on the designated motor vehicle ~~driven by the~~  
109                  offender for 90 days.

110                   e. The offender shall present proof of installation of  
111                   the approved ignition interlock device to the Alabama State  
112                   Law Enforcement Agency ~~and~~ in order to obtain an ignition



113 interlock restricted driver license. An offender may only  
114 apply to have his or her regular driver license restored after  
115 possessing a restricted driver license for at least 180 days.

116 The remainder of the suspension shall be commuted upon the  
117 successful completion of the ~~elected use, mandated use, or~~  
118 ~~both, of the ignition interlock device.~~

119 (2)a. If, on a first conviction, any person refusing to  
120 provide a blood alcohol concentration or if a child under ~~the~~  
121 ~~age of 14 years of age~~ was a passenger in the vehicle at the  
122 time of the offense or if someone else besides the offender  
123 was injured at the time of the offense, or if the offender is  
124 found to have had at least 0.15 percent or more by weight of  
125 alcohol in his or her blood while operating or being in actual  
126 control of a vehicle, the Secretary of the Alabama State Law  
127 Enforcement Agency shall suspend the driving privilege or  
128 ~~driver's~~driver license of the person convicted for a period  
129 of 90 days and the person shall be required to have an  
130 ignition interlock device installed and operating on the  
131 designated motor vehicle driven by the offender for a period  
132 of one year from the date of issuance of a ~~driver's~~driver  
133 license indicating that the person's driving privileges are  
134 subject to the condition of the installation and use of a  
135 certified ignition interlock device on a motor vehicle.

136 b. After a minimum of 45 days of the license revocation  
137 or suspension pursuant to Section 32-5A-304 or this section,  
138 or both, is completed, upon receipt of a court order from the  
139 convicting court, upon issuance of an ignition interlock  
140 restricted driver license, and upon proof of installation of



141 an operational approved ignition interlock device on the  
142 designated vehicle of the person convicted, the mandated  
143 ignition interlock period of one year provided in this  
144 subsection shall start and the suspension period, revocation  
145 period, or both, as required under this subsection shall be  
146 stayed.

147       c. The remainder of the driver license revocation  
148 period, suspension period, or both, shall be commuted upon the  
149 successful completion of the period of time in which the  
150 ignition interlock device is mandated to be installed and  
151 operational.

152       (f) (1) On a second conviction, a person convicted of  
153 violating this section shall be punished by a fine of not less  
154 than one thousand one hundred dollars (\$1,100) nor more than  
155 five thousand one hundred dollars (\$5,100) and by  
156 imprisonment, which may include hard labor in the county or  
157 municipal jail for not more than one year.

158       (2) The sentence shall include a mandatory sentence,  
159 which is not subject to suspension or probation, of  
160 imprisonment in the county or municipal jail for not less than  
161 five days or community service for not less than 30 days.

162       (3) In addition, the Secretary of the Alabama State Law  
163 Enforcement Agency shall revoke the driving privileges or  
164 ~~driver's~~driver license of the person convicted for a period  
165 of one year, and the offender shall be required to have an  
166 ignition interlock device installed and operating on the  
167 designated motor vehicle driven by the offender for a period  
168 of two years from the date of issuance of a ~~driver's~~driver



169 license indicating that the person's driving privileges are  
170 subject to the condition of the installation and use of a  
171 certified ignition interlock device on a motor vehicle.

172       (4) After a minimum of 45 days of the license  
173 revocation or suspension pursuant to Section 32-5A-304, this  
174 section, or both, is completed, upon receipt of a court order  
175 from the convicting court, upon issuance of an ignition  
176 interlock restricted driver license, and upon proof of  
177 installation of an operational approved ignition interlock  
178 device on the designated vehicle of the person convicted, the  
179 mandated ignition interlock period of two years approved in  
180 this subsection shall start and the suspension period,  
181 revocation period, or both, as required under this subsection  
182 shall be stayed.

183       (5) The remainder of the driver license revocation  
184 period, suspension period, or both, shall be commuted upon the  
185 successful completion of the period of time in which the  
186 ignition interlock device is mandated to be installed and  
187 operational.

188       (g) (1) On a third conviction, a person convicted of  
189 violating this section shall be punished by a fine of not less  
190 than two thousand one hundred dollars (\$2,100) nor more than  
191 ten thousand one hundred dollars (\$10,100) and by  
192 imprisonment, which may include hard labor, in the county or  
193 municipal jail for not less than 60 days nor more than one  
194 year, to include a minimum of 60 days which shall be served in  
195 the county or municipal jail and cannot be probated or  
196 suspended.



197        (2) In addition, the Secretary of the Alabama State Law  
198    Enforcement Agency shall revoke the driving privilege or  
199    ~~driver's~~driver license of the person convicted for a period  
200    of three years and the offender shall be required to have an  
201    ignition interlock device installed and operating on the  
202    designated motor vehicle driven by the offender for a period  
203    of three years from the date of issuance of a ~~driver's~~driver  
204    license indicating that the person's driving privileges are  
205    subject to the condition of the installation and use of a  
206    certified ignition interlock device on a motor vehicle.

207        (3) After a minimum of 60 days of the license  
208    revocation or suspension pursuant to Section 32-5A-304, this  
209    section, or both, is completed, upon receipt of a court order  
210    from the convicting court, upon issuance of an ignition  
211    interlock restricted driver license, and upon proof of  
212    installation of an operational approved ignition interlock  
213    device on the designated vehicle of the person convicted, the  
214    mandated ignition interlock period of three years provided in  
215    this subsection shall start and the suspension period,  
216    revocation period, or both, as required under this subsection  
217    shall be stayed.

218        (4) The remainder of the driver license revocation  
219    period, suspension period, or both, shall be commuted upon the  
220    successful completion of the period of time in which the  
221    ignition interlock device is mandated to be installed and  
222    operational.

223        (h) (1) On a fourth or subsequent conviction, or if the  
224    person has a previous felony DUI conviction, a person



225       convicted of violating this section shall be guilty of a Class  
226       C felony and punished by a fine of not less than four thousand  
227       one hundred dollars (\$4,100) nor more than ten thousand one  
228       hundred dollars (\$10,100) and by imprisonment of not less than  
229       one year and one day nor more than 10 years.

230            (2) Any term of imprisonment may include hard labor for  
231       the county or state, and where imprisonment does not exceed  
232       three years, confinement may be in the county jail.

233            (3) Where imprisonment does not exceed one year and one  
234       day, confinement shall be in the county jail.

235            (4) The minimum sentence shall include a term of  
236       imprisonment for at least one year and one day; provided,  
237       however, that there shall be a minimum mandatory sentence of  
238       10 days which shall be served in the county jail.

239            (5) The remainder of the sentence may be suspended or  
240       probated, but only if, as a condition of probation, the  
241       defendant enrolls and successfully completes a state certified  
242       chemical dependency program recommended by the court referral  
243       officer and approved by the sentencing court.

244            (6) Where probation is granted, the sentencing court  
245       may, in its discretion, and where monitoring equipment is  
246       available, place the defendant on house arrest under  
247       electronic surveillance during the probationary term.

248            (7) In addition to the other penalties authorized, the  
249       Secretary of the Alabama State Law Enforcement Agency shall  
250       revoke the driving privilege or ~~driver's~~driver license of the  
251       person convicted for a period of five years and the offender  
252       shall be required to have an ignition interlock device



253       installed and operating on the designated motor vehicle driven  
254       by the offender for a period of four years from the date of  
255       issuance of a ~~driver's~~driver license indicating that the  
256       person's driving privileges are subject to the condition of  
257       the installation and use of a certified ignition interlock  
258       device on a motor vehicle.

259           (8) After a minimum of one year of the license  
260       revocation or suspension pursuant to Section 32-5A-304, this  
261       section, or both, is completed, upon receipt of a court order  
262       from the convicting court, upon issuance of an ignition  
263       interlock restricted driver license, and upon proof of  
264       installation of an operational approved ignition interlock  
265       device on the designated vehicle of the person convicted, the  
266       mandated ignition interlock period of four years provided in  
267       this subsection shall start and the suspension period,  
268       revocation period, or both, as required under this subsection  
269       shall be stayed.

270           (9) The remainder of the driver license revocation  
271       period, suspension period, or both, shall be commuted upon the  
272       successful completion of the period of time in which the  
273       ignition interlock device is mandated to be installed and  
274       operational.

275           (10)a. The Alabama habitual felony offender law shall  
276       not apply to a conviction of a felony pursuant to this  
277       subsection, and a conviction of a felony pursuant to this  
278       subsection shall not be a felony conviction for purposes of  
279       the enhancement of punishment pursuant to Alabama's habitual  
280       felony offender law.



281       **b.** However, prior misdemeanor or felony convictions for  
282 driving under the influence may be considered as part of the  
283 sentencing calculations or determinations under the Alabama  
284 Sentencing Guidelines or rules ~~promulgated~~adopted by the  
285 Alabama Sentencing Commission.

286       **(i) (1)** When any person convicted of violating this  
287 section is found to have had at least 0.15 percent or more by  
288 weight of alcohol in his or her blood while operating or being  
289 in actual physical control of a vehicle, he or she shall be  
290 sentenced to at least double the minimum punishment that the  
291 person would have received if he or she had ~~had~~ less than 0.15  
292 percent by weight of alcohol in his or her blood.

293       **(2)** This subsection does not apply to the duration of  
294 time an ignition interlock device is required by this section.

295       **(3)** If the adjudicated offense is a misdemeanor, the  
296 minimum punishment shall be imprisonment for one year, all of  
297 which may be suspended except as otherwise provided for in  
298 subsections (f) and (g).

299       **(j) (1)** When any person over ~~the age of~~ 21 years of age  
300 is convicted of violating this section and it is found that a  
301 child under ~~the age of~~ 14 years of age was a passenger in the  
302 vehicle at the time of the offense, the person shall be  
303 sentenced to at least double the minimum punishment that the  
304 person would have received if the child had not been a  
305 passenger in the motor vehicle.

306       **(2)** This subsection does not apply to the duration of  
307 time an ignition interlock device is required by this section.

308       **(k) (1) a.** In addition to the penalties provided ~~herein in~~



309       this section, any person convicted of violating this section  
310       shall be referred to the court referral officer for evaluation  
311       and referral to appropriate community resources.

312           b. The defendant shall, at a minimum, be required to  
313       complete a DUI or substance abuse court referral program  
314       approved by the Administrative Office of Courts and operated  
315       in accordance with provisions of the Mandatory Treatment Act  
316       of 1990, ~~Sections 12-23-1 to 12-23-19, inclusive~~Chapter 23 of  
317       Title 12.

318           c. The Alabama State Law Enforcement Agency shall not  
319       reissue a ~~driver's~~driver license to a person convicted under  
320       this section without receiving proof that the defendant has  
321       successfully completed the required program.

322           (2)a. Upon conviction, the court shall notify the  
323       Alabama State Law Enforcement Agency if the person convicted  
324       is required to install and maintain an approved ignition  
325       interlock device.

326           b. The agency shall suspend or revoke a person's  
327       driving privileges until completion of the mandatory  
328       suspension or revocation period required by this section, and  
329       clearance of all other suspensions, revocations,  
330       cancellations, or denials, and proof of installation of an  
331       approved ignition interlock device is presented to the agency.

332           c. The agency shall not reissue a ~~driver's~~driver  
333       license to a person who has been ordered by a court or is  
334       required by law to have the ignition interlock device  
335       installed until proof is presented that the person is eligible  
336       for reinstatement of driving privileges.



337           d. Upon presentation of proof and compliance with all  
338   ignition interlock requirements, the agency shall issue a  
339   ~~driver's~~driver license with a restriction indicating that the  
340   licensee may operate a motor vehicle only with the certified  
341   ignition interlock device installed and properly operating.

342           e. If the licensee fails to maintain the approved  
343   ignition interlock device as required or is otherwise not in  
344   compliance with any order of the court, the court shall notify  
345   the agency of the noncompliance and the agency shall suspend  
346   the person's driving privileges until the agency receives  
347   notification from the court that the licensee is in  
348   compliance.

349           f. The requirement that the licensee use the ignition  
350   interlock device may be removed only when the court of  
351   conviction confirms to the agency that the licensee is no  
352   longer subject to the ignition interlock device requirement.

353           (1) Neither reckless driving nor any other traffic  
354   infraction is a lesser included offense under a charge of  
355   driving under the influence of alcohol or of a controlled  
356   substance.

357           (m) (1) Except for fines collected for violations of  
358   this section charged pursuant to a municipal ordinance, fines  
359   collected for violations of this section shall be deposited to  
360   the State General Fund; however, ~~beginning October 1, 1995,~~ of  
361   any amount collected over two hundred fifty dollars (\$250) for  
362   a first conviction, over five hundred dollars (\$500) for a  
363   second conviction within 10 years, over one thousand dollars  
364   (\$1,000) for a third conviction within 10 years, and over two



365 thousand dollars (\$2,000) for a fourth or subsequent  
366 conviction within 10 years, the first one hundred dollars  
367 (\$100) of that additional amount shall be deposited to the  
368 Alabama Chemical Testing Training and Equipment Trust Fund,  
369 after three percent of the one hundred dollars (\$100) is  
370 deducted for administrative costs, ~~and beginning October 1,~~  
371 ~~1997, and thereafter,~~ the second one hundred dollars (\$100) of  
372 that additional amount shall be deposited in the Alabama Head  
373 and Spinal Cord Injury Trust Fund after deducting five percent  
374 of the one hundred dollars (\$100) for administrative costs and  
375 the remainder of the funds shall be deposited to the State  
376 General Fund.

377 (2) a. Fines collected for violations of this section  
378 charged pursuant to a municipal ordinance where the total fine  
379 is paid at one time shall be deposited as follows: The first  
380 three hundred fifty dollars (\$350) collected for a first  
381 conviction, the first six hundred dollars (\$600) collected for  
382 a second conviction within 10 years, the first one thousand  
383 one hundred dollars (\$1,100) collected for a third conviction,  
384 and the first two thousand one hundred dollars (\$2,100)  
385 collected for a fourth or subsequent conviction shall be  
386 deposited to the State Treasury with the first one hundred  
387 dollars (\$100) collected for each conviction credited to the  
388 Alabama Chemical Testing Training and Equipment Trust Fund and  
389 the second one hundred dollars (\$100) to the Alabama Head and  
390 Spinal Cord Injury Trust Fund after deducting five percent of  
391 the one hundred dollars (\$100) for administrative costs and  
392 depositing this amount in the general fund of the



393 municipality, and the balance credited to the State General  
394 Fund.

395 b. Any amounts collected over these amounts shall be  
396 deposited as otherwise provided by law.

397 (3)a. Fines collected for violations of this section  
398 charged pursuant to a municipal ordinance, where the fine is  
399 paid on a partial or installment basis, shall be deposited as  
400 follows: The first two hundred dollars (\$200) of the fine  
401 collected for any conviction shall be deposited to the State  
402 Treasury with the first one hundred dollars (\$100) collected  
403 for any conviction credited to the Alabama Chemical Testing  
404 Training and Equipment Trust Fund and the second one hundred  
405 dollars (\$100) for any conviction credited to the Alabama Head  
406 and Spinal Cord Injury Trust Fund after deducting five percent  
407 of the one hundred dollars (\$100) for administrative costs and  
408 depositing this amount in the general fund of the  
409 municipality.

410 b. The second three hundred dollars (\$300) of the fine  
411 collected for a first conviction, the second eight hundred  
412 dollars (\$800) collected for a second conviction, the second  
413 one thousand eight hundred dollars (\$1,800) collected for a  
414 third conviction, and the second three thousand eight hundred  
415 dollars (\$3,800) collected for a fourth conviction shall be  
416 divided with 50 percent of the funds collected to be deposited  
417 to the State Treasury to be credited to the State General Fund  
418 and 50 percent deposited as otherwise provided by law for  
419 municipal ordinance violations.

420 c. Any amounts collected over these amounts shall be



421 deposited as otherwise provided by law for municipal ordinance  
422 violations.

423 (4) Notwithstanding any provision of law to the  
424 contrary, 90 percent of any fine assessed and collected for  
425 any DUI offense charged by municipal ordinance violation in  
426 district or circuit court shall be computed only on the amount  
427 assessed over the minimum fine authorized, and upon collection  
428 shall be distributed to the municipal general fund with the  
429 remaining 10 percent distributed to the State General Fund.

430 (5) a. In addition to fines imposed pursuant to this  
431 subsection, a mandatory fee of one hundred dollars (\$100)  
432 shall be collected from any individual who successfully  
433 completes any pretrial diversion or deferral program in any  
434 municipal, district, or circuit court where the individual was  
435 charged with a violation of this section or a corresponding  
436 municipal ordinance.

437 b. The one hundred dollars (\$100) shall be deposited  
438 into the Alabama Chemical Testing Training and Equipment Fund.

439 (6) a. In addition to the fines and fees imposed  
440 pursuant to this subsection, a mandatory fee of one hundred  
441 dollars (\$100) shall be collected from any individual who  
442 successfully completes any pretrial diversion or deferral  
443 program in any municipal, district, or circuit court where the  
444 individual was charged with a violation of this section or a  
445 corresponding municipal ordinance.

446 b. The one hundred dollars (\$100) shall be deposited  
447 into the Alabama Head and Spinal Cord Injury Trust Fund.

448 (n) (1) A person who has been arrested for violating



449 this section shall not be released from jail under bond or  
450 otherwise, until there is less than the same percent by weight  
451 of alcohol in his or her blood as specified in subsection  
452 subdivision (a) (1) or, in the case of a person who is under  
453 ~~the age of 21 years of age~~, subsection (b) ~~hereof~~.

454 (2) a. A judge may require an offender to install and  
455 use a certified ignition interlock device as a condition of  
456 bond. In that instance, the Secretary of the Alabama State Law  
457 Enforcement Agency shall issue the offender a restricted  
458 driver's license indicating the person's driving privileges  
459 are subject to the condition of the installation and use of a  
460 certified ignition interlock device on a motor vehicle.

461 b. Any ~~driver's~~ driver license suspension or revocation  
462 period pursuant to Section 32-5A-304 shall be stayed during  
463 the period the offender is under the bond condition.

464 c. The period of time the offender has the ignition  
465 interlock device installed as a condition of bond shall not be  
466 credited to any requirement to have an ignition interlock  
467 device upon conviction.

468 (o) Upon verification that a defendant arrested  
469 pursuant to this section is currently on probation from  
470 another court of this state as a result of a conviction for  
471 any criminal offense, the prosecutor shall provide written or  
472 oral notification of the defendant's subsequent arrest and  
473 pending prosecution to the court in which the prior conviction  
474 occurred.

475 (p) (1) Except as provided in subdivision (2), a prior  
476 conviction for driving under the influence from this state, a



477 municipality within this state, or another state or territory  
478 or a municipality of another state or territory shall be  
479 considered by a court for imposing a sentence pursuant to this  
480 section if the prior conviction occurred within 10 years of  
481 the date of the current offense.

482 (2) If the person has a previous felony DUI conviction,  
483 then all of the person's subsequent DUI convictions shall be  
484 treated as felonies regardless of the date of the previous  
485 felony DUI conviction.

486 (q) Any person convicted of driving under the influence  
487 of alcohol, or a controlled substance, or both, or any  
488 substance which impairs the mental or physical faculties in  
489 violation of this section, a municipal ordinance adopting this  
490 section, or a similar law from another state or territory or a  
491 municipality of another state or territory more than once in a  
492 10-year period shall have his or her motor vehicle  
493 registration for all vehicles owned by the repeat offender  
494 suspended by the Alabama Department of Revenue for the  
495 duration of the offender's ~~driver's~~driver license suspension  
496 period, unless such action would impose an undue hardship to  
497 any individual, not including the repeat offender, who is  
498 completely dependent on the motor vehicle for the necessities  
499 of life, including any family member of the repeat offender  
500 and any co-owner of the vehicle or, in the case of a repeat  
501 offender, if the repeat offender has a functioning ignition  
502 interlock device installed on the designated vehicle for the  
503 duration of the offender's ~~driver's~~driver license suspension  
504 period.



505 (r) (1) Any person ordered by the court to have an  
506 ignition interlock device installed on a designated vehicle,  
507 and any person who elects to have the ignition interlock  
508 device installed on a designated vehicle for the purpose of  
509 reducing a period of suspension or revocation of his or her  
510 driver's driver license, shall pay to the court, following his  
511 or her conviction, two hundred dollars (\$200), which may be  
512 paid in installments and which shall be divided as follows:

513                   a. Seventeen percent to the Alabama Interlock Indigent  
514                   Fund.

515                   b. For cases in the district or circuit court, 30  
516 percent to the State Judicial Administration Fund administered  
517 by the Administrative Office of Courts and for cases in the  
518 municipal court, 30 percent to the municipal judicial  
519 administration fund of the municipality where the municipal  
520 court is located to be used for the operation of the municipal  
521 court.

522                   c. Thirty percent to the Highway Traffic Safety Fund  
523                   administered by the Alabama State Law Enforcement Agency.

524                   d. Twenty-three percent to the District Attorney's  
525                   Solicitor Fund.



533 defendant is subject to Section 32-5A-191.4(i)(4).

534 (s) The defendant shall designate the vehicle to be  
535 used by identifying the vehicle by the vehicle identification  
536 number to the court. The defendant, at his or her own expense,  
537 may designate additional motor vehicles on which an ignition  
538 interlock device may be installed for the use of the  
539 defendant.

540 (t) (1) Any person who is required to comply with the  
541 ignition interlock provisions of this section as a condition  
542 of restoration or reinstatement of his or her ~~driver's~~driver  
543 license, shall only operate the designated vehicle equipped  
544 with a functioning ignition interlock device for the period of  
545 time consistent with the offense for which he or she was  
546 convicted as provided for in this section.

547 (2) The duration of the time an ignition interlock  
548 device is required by this section shall be one year if the  
549 offender refused the prescribed chemical test for  
550 intoxication.

551 (u) (1) a. The Alabama State Law Enforcement Agency may  
552 set a fee of not more than one hundred fifty dollars (\$150)  
553 for the issuance of a ~~driver's~~driver license indicating that  
554 the person's driving privileges are subject to the condition  
555 of the installation and use of a certified ignition interlock  
556 device on a motor vehicle.

557 b. Fifteen percent of the fee shall be distributed to  
558 the general fund of the county where the person was convicted  
559 to be utilized for law enforcement purposes.

560 c. Eighty-five percent shall be distributed to the



561 State General Fund.

562       d. In addition, at the end of the time the person's  
563 driving privileges are subject to the above conditions, the  
564 agency shall set a fee of not more than seventy-five dollars  
565 (\$75) to reissue a regular ~~driver's~~driver license.

566       e. The fee shall be deposited as provided in Sections  
567 32-6-5, 32-6-6, and 32-6-6.1.

568       (2) The defendant shall provide proof of installation  
569 of an approved ignition interlock device to the Alabama State  
570 Law Enforcement Agency as a condition of the issuance of a  
571 restricted ~~driver's~~driver license.

572       (3) Any ignition interlock driving violation committed  
573 by the offender during the mandated ignition interlock period  
574 shall extend the duration of ignition interlock use for six  
575 months. Ignition interlock driving violations include any of  
576 the following:

577       a. A breath sample at or above a minimum blood alcohol  
578 concentration level of 0.02 recorded four or more times during  
579 the monthly reporting period unless a subsequent test  
580 performed within 10 minutes registers a breath alcohol  
581 concentration lower than 0.02.

582       b. Any tampering, circumvention, or bypassing of the  
583 ignition interlock device, or attempt thereof.

584       c. Failure to comply with the servicing or calibration  
585 requirements of the ignition interlock device every 30 days.

586       (v) Nothing in this section and Section 32-5A-191.4  
587 shall require an employer to install an ignition interlock  
588 device in a vehicle owned or operated by the employer for use



589 by an employee required to use the device as a condition of  
590 driving pursuant to this section and Section 32-5A-191.4.

591 (w) The provisions in this section and Section  
592 32-5A-191.4 relating to ignition interlock devices shall not  
593 apply to persons who commit violations of this section while  
594 under 19 years of age and who are adjudicated in juvenile  
595 court, unless specifically ordered otherwise by the court.

596 (x) (1) The amendatory language in Act 2014-222 to this  
597 section, authorizing the Alabama State Law Enforcement Agency  
598 to stay a ~~driver's~~driver license suspension or revocation  
599 upon compliance with the ignition interlock requirement shall  
600 apply retroactively if any of the following occurs:

601 a. The offender files an appeal with the court of  
602 jurisdiction requesting all prior suspensions or revocation,  
603 or both, be stayed upon compliance with the ignition interlock  
604 requirement.

605 b. The offender wins appeal with the court of  
606 jurisdiction relating to this section.

607 c. The court of jurisdiction notifies the Alabama State  
608 Law Enforcement Agency that the offender is eligible to have  
609 the ~~driver's~~driver license stayed.

610 d. The Alabama State Law Enforcement Agency issues an  
611 ignition interlock restricted ~~driver's~~driver license.

612 e. The offender remains in compliance of ignition  
613 interlock requirements.

614 (2) The remainder of the driver license revocation,  
615 suspension, or both, shall be commuted upon the successful  
616 completion of the period of time in which the ignition



617 interlock device is mandated to be installed and operational.

618 (y) Pursuant to Section 15-22-54, the maximum probation  
619 period for persons convicted under this section shall be  
620 extended until all ignition interlock requirements have been  
621 completed by the offender.

622 (z) Notwithstanding the ignition interlock requirements  
623 of this section, no person may be required to install an  
624 ignition interlock device if there is not a certified ignition  
625 interlock provider available within a 50 mile radius of his or  
626 her place of residence—~~or~~, place of business, or place of  
627 employment."

628 Section 2. This act shall become effective on October  
629 1, 2026.

## HB1 Engrossed



630  
631  
632

House of Representatives

633 Read for the first time and referred ..... 13-Jan-26  
634 to the House of Representatives  
635 committee on Public Safety and  
636 Homeland Security  
637  
638 Read for the second time and placed ..... 21-Jan-26  
639 on the calendar:  
640 0 amendments  
641  
642 Read for the third time and passed ..... 03-Feb-26  
643 as amended  
644 Yeas 100  
645 Nays 0  
646 Abstains 4  
647  
648  
649 John Treadwell  
650 Clerk  
651