

HB166 INTRODUCED



1 HB166
2 FKGMICD-1
3 By Representative Kiel
4 RFD: Public Safety and Homeland Security
5 First Read: 13-Jan-26



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4 SYNOPSIS:

5 Under existing law, every operator of a motor
6 vehicle is required to possess his or her driver
7 license or driving permit and display the license or
8 permit to an arresting officer upon request.

9 Also under existing law, an officer who arrests
10 an individual for driving while intoxicated or while
11 driving with a suspended, canceled, revoked, or denied
12 driver license may impound the vehicle, with
13 exceptions.

14 This bill would further provide for the
15 authority to impound a motor vehicle when an individual
16 unlawfully operates the vehicle without having been
17 issued a driver license, with exceptions.

18 This bill would further provide for the process
19 to redeem an impounded motor vehicle.

20 Under existing law, a person may be issued a
21 state nondriver identification card.

22 This bill would also provide restrictions on the
23 issuance of local government identification cards.

26 A BILL

27 TO BE ENTITLED

28 AN ACT



29
30 Relating to driver licenses; to amend Sections 32-6-9
31 and 32-6-19, Code of Alabama 1975, to further provide for the
32 conditions under which a motor vehicle is subject to
33 impoundment and further provide procedures for the
34 impoundment; to add Section 32-6-19.1 to the Code of Alabama
35 1975, to further provide for the redemption and disposal of an
36 impounded vehicle; and to provide prohibitions against the
37 issuance of local government identification cards.

38 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

39 Section 1. Sections 32-6-9 and 32-6-19, Code of Alabama
40 1975, are amended to read as follows:

41 "§32-6-9

42 (a) Every ~~licensee~~operator of a motor vehicle shall
43 have his or her driver license in his or her immediate
44 possession at all times when driving a motor vehicle and shall
45 display the ~~same, license~~ upon the demand of a judge of any
46 court ~~or~~T a ~~peacelaw enforcement officer~~, or a state trooper.

47 (b) No individual ~~However, no person~~ charged with
48 violating this section shall be convicted if he or she
49 produces in court or the office of the arresting officer a
50 ~~driver's~~ driver license ~~that was theretofore issued to him or~~
51 ~~her and~~ valid at the time of his or her arrest.

52 **(b) (c) (1)** For every ~~person~~individual found in violation
53 of this section or Section 32-6-1, a reasonable effort shall
54 be made as soon as possible, but not later than ~~within~~ 48
55 hours, to determine the citizenship of the ~~person~~individual
56 and if an alien, whether the ~~alien~~individual is lawfully



57 present in the United States by verification with the federal
58 government pursuant to 8 U.S.C. § 1373(c).

59 (2) An officer shall not attempt to independently make
60 a final determination of whether an alien is lawfully present
61 in the United States."

62 "§32-6-19

63 (a) (1) Any ~~person~~individual whose ~~driver's~~ or
64 ~~chauffeur's~~driver license issued in this or another state or
65 whose driving privilege as a nonresident has been cancelled,
66 denied, suspended, or revoked as provided in this article and
67 who ~~drives~~operates any motor vehicle upon the highways of this
68 state while his or her license or privilege is cancelled,
69 denied, suspended, or revoked shall be guilty of a misdemeanor
70 and upon conviction shall be punished by a fine of not less
71 than one hundred dollars (\$100) nor more than five hundred
72 dollars (\$500), and in addition thereto may be imprisoned for
73 not more than 180 days. In addition, the Secretary of the
74 Alabama State Law Enforcement Agency may suspend or revoke the
75 individual's license or driving privilege for an additional
76 period of six months.

77 (2)a. In addition to all fines, fees, costs, and
78 punishments under subdivision (1) and as otherwise prescribed
79 by law, ~~there shall be imposed or assessed~~the court shall
80 impose an additional penalty of fifty dollars (\$50). The
81 penalty under this subdivision shall be distributed as
82 follows:—

83 1. One-third to be placed in the Traffic Safety Trust
84 Fund ~~and the~~.



85 2. One-third to the Peace Officers' Standards
86 and Training Fund. ~~Also, at the discretion of the Director of~~
87 ~~Public Safety, the person's license may be revoked for an~~
88 ~~additional revocation period of six months.~~

89 3. One-third to the law enforcement agency issuing the
90 citation.

91 ~~(2)b.~~ The additional penalty of fifty dollars (\$50)
92 shall be assessed in all criminal and quasi-criminal
93 proceedings in municipal, district, and circuit courts,
94 including, but not limited to, final bond forfeitures,
95 municipal ordinances violations, proceedings wherein in which
96 the defendant is adjudged guilty or pleads guilty, and in all
97 juvenile delinquency and youthful offender adjudications.

98 ~~(3)c.~~ If the fifty dollar (\$50) penalty required by
99 this subdivision ~~(1)~~ is not imposed by the court, the clerk of
100 the court shall automatically assess it upon conviction or
101 adjudication.

102 (b) Notwithstanding any provision of law, ~~any person~~
103 ~~who operates~~ a motor vehicle is deemed a nuisance and may be
104 ordered to be impounded by a law enforcement officer if the
105 motor vehicle is driven upon the highways of this state and
106 any of the following conditions exist:

107 (1) The motor vehicle is operated by an individual
108 ~~whose while his or her driver's~~ driver license or driving
109 privilege is revoked for any reason under the laws of this
110 state or similar laws of any other state or territory, ~~or~~
111 ~~while.~~

112 (2) The motor vehicle is operated by an individual



113 whose his or her driver's driver license or driving privilege
114 is suspended as a consequence of a DUI-related offense,
115 including, but not limited to, being adjudicated a delinquent
116 child or a youthful offender based on a DUI-related offense, ~~or while~~
117 ~~or while.~~

118 (3) The motor vehicle is operated by an individual
119 whose his or her driver's driver license or driving privilege
120 is suspended as a result of failure to comply with the implied
121 consent law of this state or laws of another state, or who has
122 been adjudicated a delinquent child or a youthful offender
123 based on an offense that if the person had been an adult would
124 have been a conviction of driving under the influence of a
125 controlled substance or alcohol or failure to comply with the
126 implied consent law, ~~shall be immediately removed from the~~
127 ~~vehicle.~~

128 (4)a. Except as provided in paragraph b., the motor
129 vehicle is operated by an individual who is unable to produce
130 a valid driver license on demand of the law enforcement
131 officer, unless the officer is reasonably able, by other
132 means, to verify that the operator is properly licensed as
133 provided in Section 32-6-9. Prior to impounding the motor
134 vehicle, the law enforcement officer shall make a reasonable
135 attempt to verify the license status of the operator if the
136 operator claims to be licensed, but is unable to produce the
137 license on demand of the law enforcement officer. A notation
138 of the officer's attempt to verify that the operator is
139 properly licensed shall be noted on the incident offense
140 report. If the officer orders the vehicle to be impounded, the



141 operator and occupants of the vehicle shall be transported to
142 a place of safety by the impounding officer, and a report
143 shall be made with a full inventory of the items in the
144 vehicle.

145 b. A law enforcement officer shall not impound a motor
146 vehicle pursuant to this subsection if the driver license of
147 the operator expired within the preceding 180 calendar days
148 and, but for the expiration, the operator would have otherwise
149 been properly licensed and authorized to operate the motor
150 vehicle.

151 (c) The vehicle, regardless of ownership or possessory
152 interest of the operator or person present in the vehicle,
153 except when the~~A~~ law enforcement officer shall not impound a
154 vehicle under any of the following circumstances:

155 (1) The owner of the vehicle or another family member
156 of the owner is present in the vehicle~~and presents, possesses~~
157 a valid driver's~~driver~~ license, shall be impounded by any duly
158 sworn law enforcement officer~~and is otherwise able to lawfully~~
159 operate the motor vehicle.

160 (2) If there~~There~~ is an emergency or medical necessity
161 jeopardizing life or limb,~~the law enforcement officer may~~
162 ~~elect not to impound the vehicle.~~

163 (3) The operator is a health care provider or first
164 responder who is responding to an obligation to provide
165 treatment for a medical emergency.

166 ~~(c)~~ (d) (1) The law enforcement officer making the
167 impoundment shall direct an approved towing service to tow the
168 vehicle to the garage of the towing service, storage lot, or



169 other place of safety and maintain custody and control of the
170 vehicle ~~until the registered owner or authorized agent of the~~
171 ~~registered owner claims the vehicle by paying all reasonable~~
172 ~~and customary towing and storage fees for the services of the~~
173 ~~towing company. The vehicle shall then be released to the~~
174 ~~registered owner or an agent of the owner subject to the~~
175 procedures of Section 32-6-19.1.

176 (2) Any towing service or towing company removing the
177 vehicle at the direction of the law enforcement officer in
178 accordance with this section shall have a lien on the motor
179 vehicle for all reasonable and customary fees relating to the
180 towing and storage of the motor vehicle. This lien shall be
181 subject and subordinate to all prior security interests and
182 other liens affecting the vehicle whether evidenced on the
183 certificate of title or otherwise. ~~Notice of any sale or other~~
184 ~~proceedings relative to this lien shall be given to the~~
185 ~~holders of all prior security interest or other liens by~~
186 ~~official service of process at least 15 days prior to any sale~~
187 ~~or other proceedings."~~

188 Section 2. Section 32-6-19.1 is added to Division 1 of
189 Article 1 of Chapter 6 of Title 32 of the Code of Alabama
190 1975, to read as follows:

191 §32-6-19.1

192 (a) Except as provided in subsection (b), a motor
193 vehicle impounded pursuant to Section 32-6-19 may be redeemed
194 and released from impoundment upon the occurrence of all of
195 the following:

196 (1) The registered owner, or the owner's representative

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197 as demonstrated by written notarized authorization, appears in
198 person before the law enforcement agency causing the
199 impoundment and presents all of the following for verification
200 and copy by the agency:

201 a. A valid driver license.

202 b. Evidence of mandatory motor vehicle insurance as
203 required by Chapter 7A.

204 c. A copy of the certificate of title, bill of sale, or
205 tag receipt of the vehicle.

206 (2) The individual, as described in subdivision (1),
207 redeeming the motor vehicle pays all reasonable and customary
208 towing and storage fees for the motor vehicle and all
209 administrative costs associated with the impounding of the
210 vehicle.

211 (b) A motor vehicle impounded pursuant to Section
212 32-6-19 may be redeemed and released from impoundment to any
213 lienholder, or the lienholder's representative, upon the
214 occurrence of all of the following:

215 (1) Presentation of a copy of the certificate of title
216 or other evidence documenting a valid lien on the impounded
217 motor vehicle.

218 (2) Payment of all reasonable and customary towing and
219 storage fees for the motor vehicle.

220 (3) Payment of all administrative costs associated with
221 the impounding of the vehicle.

222 (c) Any vehicle that is impounded pursuant to Section
223 32-6-19 and not redeemed pursuant to this section within 60
224 days of the date of impoundment shall be deemed an abandoned

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225 motor vehicle and shall be sold or otherwise disposed of
226 pursuant to Chapter 13.

227 Section 3. A county or municipality may not provide
228 funds to any individual or entity for the purpose of providing
229 monetary or other assistance for the procurement of a driver
230 license or nondriver identification card, as provided under
231 Chapter 6 of Title 32 of the Code of Alabama 1975, and may not
232 issue to an individual any local government identification
233 card, unless the individual provides the same degree of proof
234 of identification required of applicants for driver licenses.

235 Section 4. This act shall become effective on October
236 1, 2026.