

HB166 INTRODUCED



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



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.

24
25
26 A BILL
27 TO BE ENTITLED
28 AN ACT



HB166 INTRODUCED

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

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

"§32-6-9

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

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

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



HB166 INTRODUCED

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

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

"§32-6-19

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

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

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



HB166 INTRODUCED

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

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

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

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

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

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

(2) The motor vehicle is operated by an individual



HB166 INTRODUCED

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

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

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



HB166 INTRODUCED

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

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

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

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

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

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

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



HB166 INTRODUCED

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

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

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

§32-6-19.1

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

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



HB166 INTRODUCED

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

a. A valid driver license.

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

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

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

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

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

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

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

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



HB166 INTRODUCED

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.