

SB242 ENROLLED



1 SB242
2 XDIRRE7-2
3 By Senator Bell
4 RFD: Fiscal Responsibility and Economic Development
5 First Read: 03-Feb-26



SB242 Enrolled

1 Enrolled, An Act,

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4 Relating to commercial driver licenses; to amend
5 Section 32-6-49.18, Code of Alabama 1975, to require certain
6 commercial driver license holders to possess a United States
7 work authorization to operate a commercial motor vehicle
8 within the state; to require an operator of a commercial motor
9 vehicle to have proficiency in the English language; to
10 provide for certain impoundment procedures; to create the
11 offense of presenting a false foreign commercial driver
12 license; to create the offense of operating a commercial motor
13 vehicle without proper documentation; and to provide for
14 penalties.

15 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

16 Section 1. Section 32-6-49.18, Code of Alabama 1975, is
17 amended to read as follows:

18 "§32-6-49.18

19 (a) Notwithstanding any law to the contrary, ~~a~~ an
20 ~~person~~ individual may drive a commercial motor vehicle in this
21 state if the individual meets the following requirements:

22 (1) ~~the person~~ The individual has:

23 a. ~~a~~ A valid commercial driver license or commercial
24 driver license instruction learner permit issued by any state
25 or provinces or territories of Canada, territory, or
26 possession of the United States, the District of Columbia, or
27 the Commonwealth of Puerto Rico in accordance with the minimum
28 federal standards for the issuance of commercial motor vehicle



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29 driver licenses, ~~—~~; or

30 b. Both a commercial driver license or commercial
31 learner permit issued by Canada, Mexico, or any other
32 jurisdiction under a waiver or exemption recognized by the
33 Federal Motor Carrier Safety Administration and the additional
34 entry documents required under 8 C.F.R. § 214.2(b)(4).

35 (2)if the The license is not suspended, revoked, or
36 canceled; and ~~if the~~ person individual is not disqualified from
37 driving a commercial motor vehicle, or subject to an out of
38 service order.

39 (b) The ~~department must~~ Alabama State Law Enforcement
40 Agency shall give all out of state convictions full faith and
41 credit and treat them for sanctioning purposes under this
42 article as if they occurred in this state."

43 Section 2. Division 3, commencing with Section
44 32-6-49.60, is added to Article 1A of Chapter 6 of Title 32,
45 Code of Alabama 1975, to read as follows:

46 Division 3

47 §32-6-49.60

48 This division shall be known and may cited as the
49 Highway Safety and Fairness Act.

50 §32-6-49.61

51 For the purposes of this division, the following terms
52 have the following meanings:

53 (1) COMMERCIAL DRIVER LICENSE (CDL). A license issued
54 to an individual in accordance with the requirements of this
55 article, which authorizes the individual to drive a class of
56 commercial motor vehicle.



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57 (2) COMMERCIAL LEARNER PERMIT (CLP). A permit issued to
58 an individual by a state or other jurisdiction of domicile, in
59 accordance with the standards contained in 49 C.F.R. Part 383,
60 which, when carried with a valid driver license issued by the
61 same state or jurisdiction, authorizes the individual to
62 operate a class of a commercial motor vehicle when accompanied
63 by a holder of a valid CDL for purposes of behind-the-wheel
64 training.

65 (3) COMMERCIAL MOTOR VEHICLE. The term as defined under
66 Section 32-6-49.3.

67 (4) FOREIGN GOVERNMENT. Any jurisdiction other than a
68 state, territory, province, or possession of the United
69 States.

70 (5) PUBLIC DOCUMENT. a. All official books, papers,
71 exhibits, or records of any type required by law to be created
72 by or received and retained in a governmental office or
73 agency, affording notice or information to the public or
74 constituting a memorial of an act or transaction of a public
75 office or public servant.

76 b. A license, certificate, permit, seal, title, letter
77 of patent, or similar document issued by a state, territory,
78 or possession of the United States, the District of Columbia,
79 or the Commonwealth of Puerto Rico or a foreign government
80 engaged in a reciprocal treaty or memorandum of understanding
81 with the United States.

82 §32-6-49.62

83 (a) An individual commits the offense of presenting a
84 false foreign commercial driver license if the individual



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85 knowingly:

86 (1) Makes, presents, or uses a public document with
87 knowledge of the falsity of the public document and with the
88 intent that the public document be taken as a genuine public
89 document; and

90 (2) Represents that a false public document made,
91 presented, or used under subdivision (1) is a valid commercial
92 driver license or commercial learner permit issued by a
93 foreign government.

94 (b) A violation of this section is a Class D felony.

95 §32-6-49.63

96 (a) An individual commits the offense of operating a
97 commercial motor vehicle without proper documentation if the
98 individual knowingly:

99 (1) Holds a valid commercial driver license issued by a
100 foreign government; and

101 (2) Does not have the additional entry documents
102 required under 8 C.F.R. § 214.2(b)(4) in his or her immediate
103 possession while operating a commercial motor vehicle.

104 (b)(1) Except as provided in subdivision (2), a
105 violation of this section is a Class D felony and subject to
106 any of the following:

107 a. The impounding of the commercial motor vehicle.

108 b. A one thousand dollar (\$1,000) fine for the driver.

109 c. A two thousand dollar (\$2,000) fine for the
110 commercial motor carrier.

111 (2) A violation of this section is a Class A
112 misdemeanor if the individual establishes by a preponderance



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113 of the evidence that at the time the offense was committed,
114 the individual had been issued the additional entry documents
115 required under 8 C.F.R. § 214.2(b)(4).

116 §32-6-49.64

117 (a) An operator of a commercial motor vehicle shall be
118 able to read and speak the English language sufficiently to
119 meet the English language proficiency requirements under 49
120 C.F.R. § 391.11.

121 (b) An individual commits the offense of operating a
122 commercial motor vehicle without sufficient English language
123 proficiency if the individual:

124 (1) Operates a commercial motor vehicle; and

125 (2) Fails to demonstrate proficiency in the English
126 language as required under subsection (a).

127 (c)(1) For a first violation of this section, a person
128 who violates this section is guilty of a traffic violation,
129 which shall be punished by a fine of up to one thousand
130 dollars (\$1,000) for the operator, a fine of up to two
131 thousand dollars (\$2,000) for the commercial motor carrier,
132 and the impoundment of the commercial motor vehicle if it is
133 determined that the operator or the commercial motor vehicle
134 poses a threat to public safety.

135 (2) A second or subsequent violation of this section
136 shall be punished by a fine of up to two thousand dollars
137 (\$2,000) for the operator, a fine of up to four thousand
138 dollars (\$4,000) for the commercial motor carrier, and the
139 impoundment of the commercial motor vehicle.

140 (d)(1) The law enforcement officer making the



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141 impoundment shall direct an approved towing service to tow the
142 commercial motor vehicle to the garage of the towing service,
143 storage lot, or other place of safety and maintain custody and
144 control of the commercial motor vehicle until the registered
145 owner or authorized agent of the registered owner claims the
146 commercial motor vehicle by paying all reasonable and
147 customary towing and storage fees for the services of the
148 towing company. The commercial motor vehicle shall then be
149 released to the registered owner or an agent of the owner.

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

163 (3) Any person in possession of a commercial motor
164 vehicle impounded pursuant to this section shall be subject to
165 the provisions of Chapter 13 of Title 32, relating to the
166 impoundment and sale of abandoned vehicles; Section 32-8-84,
167 relating to the procedures for unclaimed vehicles; and Section
168 41-27-61, relating to the procedures for freight retrieval of



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169 impounded commercial vehicles.

170 Section 3. This act shall become effective on October

171 1, 2026.



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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB242

Senate 17-Feb-26

I hereby certify that the within Act originated in and passed the Senate.

Patrick Harris,
Secretary.

House of Representatives
Amended and passed: 05-Mar-26

Senate concurred in House amendment 05-Mar-26

By: Senator Bell