

SB242 INTRODUCED



1 SB242
2 FKEB2D5-1
3 By Senator Bell
4 RFD: Fiscal Responsibility and Economic Development
5 First Read: 03-Feb-26



4 SYNOPSIS:

5 Under existing law, an individual operating a
6 commercial motor vehicle must meet certain requirements
7 to validly operate upon the roads of the state. These
8 requirements include the possession of a valid
9 commercial driver license and the passage of certain
10 testing.

11 This bill would codify into state law federal
12 highway safety and transportation regulations that
13 require individuals who have obtained a commercial
14 driver license from a foreign government to show valid
15 proof of entry documentation to operate within the
16 state.

17 This bill would codify into state law federal
18 highway safety and transportation regulations that
19 require individuals operating commercial vehicles to
20 have proficiency in the English language and would
21 provide for penalties and impoundment procedures
22 associated with a violation.

23 This bill would create the offense of presenting
24 a false foreign commercial driver license and provide
25 for penalties.

26 This bill would also create the offense of
27 operating a commercial motor vehicle without proper
28 documentation and provide for penalties.



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A BILL

TO BE ENTITLED

AN ACT

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

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

"§32-6-49.18

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

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

a. ~~a~~ A valid commercial driver license or commercial ~~driver license instruction~~ learner permit issued by any state ~~or provinces or territories of Canada,~~ territory, or



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possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico in accordance with the minimum federal standards for the issuance of commercial motor vehicle driver licenses~~;~~ or

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

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

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

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

Division 3

§32-6-49.60

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

§32-6-49.61

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

(1) COMMERCIAL DRIVER LICENSE (CDL). A license issued



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85 to an individual in accordance with the requirements of this
86 article, which authorizes the individual to drive a class of
87 commercial motor vehicle.

88 (2) COMMERCIAL LEARNER PERMIT (CLP). A permit issued to
89 an individual by a state or other jurisdiction of domicile, in
90 accordance with the standards contained in 49 C.F.R. Part 383,
91 which, when carried with a valid driver license issued by the
92 same state or jurisdiction, authorizes the individual to
93 operate a class of a commercial motor vehicle when accompanied
94 by a holder of a valid CDL for purposes of behind-the-wheel
95 training.

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

98 (4) FOREIGN GOVERNMENT. Any jurisdiction other than a
99 state, territory, province, or possession of the United
100 States.

101 (5) PUBLIC RECORD. a. All official books, papers,
102 exhibits, or records of any type required by law to be created
103 by or received and retained in a governmental office or
104 agency, affording notice or information to the public or
105 constituting a memorial of an act or transaction of a public
106 office or public servant.

107 b. A license, certificate, permit, seal, title, letter
108 of patent, or similar document issued by a state, territory,
109 or possession of the United States, the District of Columbia,
110 or the Commonwealth of Puerto Rico or a foreign government
111 engaged in a reciprocal treaty or memorandum of understanding
112 with the United States.



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113 §32-6-49.62

114 (a) An individual commits the offense of presenting a
115 false foreign commercial driver license if the individual
116 knowingly:

117 (1) Makes, presents, or uses a public record with
118 knowledge of the falsity of the public record and with the
119 intent that the public record be taken as a genuine public
120 record; and

121 (2) Represents that a false public record made,
122 presented, or used under subdivision (1) is a valid commercial
123 driver license or commercial learner permit issued by a
124 foreign government.

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

126 §32-6-49.63

127 (a) An individual commits the offense of operating a
128 commercial motor vehicle without proper documentation if the
129 individual knowingly:

130 (1) Holds a valid commercial driver license issued by a
131 foreign government; and

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

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

138 a. The impounding of the commercial motor vehicle.

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

140 c. A two thousand dollar (\$2,000) fine for the



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commercial motor carrier.

(2) A violation of this section is a Class A misdemeanor if the individual establishes by a preponderance of the evidence that at the time the offense was committed, the individual had been issued the additional entry documents required under 8 C.F.R. § 214.2(b)(4).

§32-6-49.64

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

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

(1) Operates a commercial motor vehicle; and

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

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

(2) A second or subsequent violation of this section shall be punished by a fine of up to two thousand dollars (\$2,000) for the operator, a fine of up to four thousand



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dollars (\$4,000) for the commercial motor carrier, and the impoundment of the commercial motor vehicle.

(d)(1) The law enforcement officer making the impoundment shall direct an approved towing service to tow the commercial motor vehicle to the garage of the towing service, storage lot, or other place of safety and maintain custody and control of the commercial motor vehicle until the registered owner or authorized agent of the registered owner claims the commercial motor vehicle by paying all reasonable and customary towing and storage fees for the services of the towing company. The commercial motor vehicle shall then be released to the registered owner or an agent of the owner.

(2) Any towing service or towing company removing the commercial motor vehicle at the direction of the law enforcement officer in accordance with this section shall have a lien on the commercial motor vehicle for all reasonable and customary fees relating to the towing and storage of the commercial motor vehicle. This lien shall be subject and subordinate to all prior security interests and other liens affecting the commercial motor 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.

(3) Any person in possession of a commercial motor vehicle impounded pursuant to this section shall be subject to the provisions of Chapter 13 of Title 32, relating to the



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197 impoundment and sale of abandoned vehicles; Section 32-8-84,
198 relating to the procedures for unclaimed vehicles; and Section
199 41-27-61, relating to the procedures for freight retrieval of
200 impounded commercial vehicles.

201 Section 3. This act shall become effective on October
202 1, 2026.