

SB242 INTRODUCED



1 SB242

2 FKEB2D5-1

3 By Senator Bell

4 RFD: Fiscal Responsibility and Economic Development

5 First Read: 03-Feb-26



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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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31 A BILL

32 TO BE ENTITLED

33 AN ACT

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

46 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

49 "§32-6-49.18

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

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

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



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

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

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

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

74 Section 2. Division 3, commencing with Section
75 32-6-49.60, is added to Article 1A of Chapter 6 of Title 32,
76 Code of Alabama 1975, to read as follows:

77 Division 3

78 §32-6-49.60

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

81 §32-6-49.61

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

84 (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



141 commercial motor carrier.

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

147 §32-6-49.64

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

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

155 (1) Operates a commercial motor vehicle; and

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

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

166 (2) A second or subsequent violation of this section
167 shall be punished by a fine of up to two thousand dollars
168 (\$2,000) for the operator, a fine of up to four thousand



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

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

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

194 (3) Any person in possession of a commercial motor
195 vehicle impounded pursuant to this section shall be subject to
196 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.