

**SB341 ENROLLED**



1 SB341  
2 CXNSLQQ-2  
3 By Senator Carnley  
4 RFD: Transportation and Energy  
5 First Read: 05-Mar-26



## SB341 Enrolled

1 Enrolled, An Act,

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3 Relating to public safety; to establish the Alabama  
4 Work Zone Safety Act as a pilot program to authorize the  
5 procurement, installation, and operation of a photographic  
6 speed enforcement system in a segment of interstate highway  
7 declared to be a work zone; to require reports to the  
8 Legislature studying the effectiveness of the pilot program;  
9 to establish a process for the issuance of civil traffic  
10 citations for violations and the enforcement and appeal of  
11 such citations; to establish affirmative defenses to a  
12 violation; to repeal these provisions on September 30, 2028;  
13 and to create the ALEA Work Zone Safety Fund and the  
14 Transportation Work Zone Safety Fund and provide for certain  
15 civil penalties to be deposited into the fund.

16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

17 Section 1. Sections 1 through 19 of this act shall be  
18 known and may be cited as the Alabama Work Zone Safety Act.

19 Section 2. The Legislature finds and declares the  
20 following:

21 (1) Highway construction and maintenance creates a high  
22 risk environment for highway workers who must work alongside  
23 motor vehicles traveling at high rates of speed.

24 (2) Numerous highway workers have been struck and  
25 killed in work zones due to motor vehicles traveling at high  
26 rates of speed through the work zones.

27 (3) Speed enforcement management within a work zone is  
28 one of the most effective measures to improve safety in the



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29 work zone.

30 (4) Speed enforcement is highly labor intensive and can  
31 even be hazardous to law enforcement officers given the  
32 physical constraints of many work zones.

33 (5) Photographic speed enforcement systems allow law  
34 enforcement to successfully manage speed enforcement in a work  
35 zone in a safe and cost-effective manner.

36 (6) The adoption and implementation of a photographic  
37 speed enforcement system for work zones is necessary to reduce  
38 severe crashes, reduce speeding, and improve safe traffic flow  
39 in work zones in a state where the patrol resources alone are  
40 not capable of consistent enforcement of traffic laws at a  
41 level necessary to protect human life.

42 (7) The severe lack of safety of highway workers in  
43 work zones is an emergency that necessitates the immediate  
44 adoption of a photographic speed enforcement system consistent  
45 with the terms of this act.

46 Section 3. (a) The Alabama Work Zone Safety Act is  
47 enacted as a pilot program and shall continue through the  
48 completion of all work done in the work zone designated by the  
49 Department of Transportation, unless continued by act of the  
50 Legislature.

51 (b) The Department of Transportation and the Alabama  
52 State Law Enforcement Agency (ALEA) shall collaborate to  
53 implement the pilot program for one work zone conducted on the  
54 interstate and shall finalize a plan for the implementation of  
55 the pilot program by October 1, 2026. The plan shall  
56 contemplate a gradual rollout of the program and the promotion



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57 of driver awareness of the pending use of the program in work  
58 zones. The plan shall ensure that the full scale  
59 implementation and enforcement of the program shall not occur  
60 sooner than November 16, 2026, to ensure that the  
61 implementation of the program is phased in. To satisfy this  
62 deadline, the department and ALEA may make necessary emergency  
63 procurements pursuant to Sections 39-2-2 and 41-16-53, Code of  
64 Alabama 1975, and may adopt emergency rules pursuant to  
65 Section 41-22-5, Code of Alabama 1975, to govern the use of  
66 devices in work zones; ensure adequate notice for drivers, and  
67 signage rules, clear protocol for installation and placement  
68 of enforcement tools; provide for the use of speed detection  
69 to aid traffic law enforcement; and maintain statistical data  
70 to measure the effectiveness of tools on driver behavior.

71 (c) Not later than March 1, 2027, the Department of  
72 Transportation and the Alabama State Law Enforcement Agency  
73 shall prepare an interim report to the Legislature summarizing  
74 the implementation of this pilot program and shall provide  
75 data measuring the effectiveness of the pilot program on  
76 creating safer work zones.

77 Section 4. As used in Sections 1 through 19 of this  
78 act, the following terms have the following meanings:

79 (1) ALEA. The Alabama State Law Enforcement Agency.

80 (2) AUTHORITY. The Alabama Toll Road, Bridge, and  
81 Tunnel Authority.

82 (3) AUTOMATED PHOTOGRAPHIC SPEED ENFORCEMENT SYSTEM. A  
83 photographic speed enforcement system that is capable of  
84 automatically recording digital images and speed of motor



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85 vehicles.

86 (4) CIVIL TRAFFIC CITATION. A non-criminal citation  
87 created pursuant to this act, the penalty for which is a civil  
88 fine, and the enforceability of which is accomplished through  
89 civil action.

90 (5) DEPARTMENT. The Alabama Department of  
91 Transportation.

92 (6) OWNER. The owner of a motor vehicle as shown on the  
93 motor vehicle registration records of the Alabama Department  
94 of Revenue or the analogous department or agency of another  
95 state or country, except as follows:

96 a. The term does not include a motor vehicle rental or  
97 leasing company when a motor vehicle registered by the company  
98 is rented or leased to another person under a rental or lease  
99 agreement with the company, in which event "owner" means the  
100 person to whom the vehicle is rented or leased.

101 b. The term does not include any motor vehicle  
102 displaying a plate that indicates the motor vehicle is being  
103 operated by an individual other than the owner of the motor  
104 vehicle, including a dealer license plate, fleet plate, U.S.  
105 military plate, utility plate, government plate, federal  
106 plate, or commercial motor vehicle plate, in which event  
107 "owner" means the person to whom the vehicle is assigned for  
108 use.

109 (7) SPEEDING VIOLATION. Any violation of a motor  
110 vehicle at a speed that exceeds 10 miles per hour over the  
111 posted speed limit.

112 (8) WORK ZONE. A segment of a state, U.S., or



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113 interstate highway designated by the department or the  
114 authority where construction, maintenance, inspection,  
115 surveying, or utility work is actively occurring and where  
116 workers are present, and where official work zone signage is  
117 posted.

118 Section 5. (a) The department and authority may install  
119 automated photographic speed enforcement systems to monitor  
120 motor vehicle activity in a work zone.

121 (b) The automated photographic speed enforcement system  
122 shall be: (i) a photographic, radar, lidar, laser, or other  
123 device; (ii) designed to automatically detect the speed of  
124 moving motor vehicles; (iii) designed to automatically record  
125 digital imaging of a motor vehicle and an image of the rear  
126 license plate of a motor vehicle engaged in a speeding  
127 violation; and (iv) designed to automatically record the speed  
128 of a motor vehicle engaged in a speeding violation.

129 (c) The department, authority, or a third party  
130 approved by the department or authority may place automated  
131 photographic speed enforcement systems at work zones as  
132 necessary to assure the safety of the work zone. The  
133 department may adopt rules, including emergency rules, to  
134 implement this section and to provide for the approval of  
135 third parties under this section.

136 Section 6. (a) ALEA may use a manually operated  
137 photographic speed enforcement system to monitor motor vehicle  
138 activity in a work zone as necessary to assure the safety of  
139 the work zone. The system shall be operated by a law  
140 enforcement officer in a manner that combines a manually



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141 operated camera system that works in conjunction with an  
142 electronically operated speed detection system to record  
143 digital imaging of a motor vehicle that is speeding.

144 (b) The Secretary of ALEA may adopt rules, including  
145 emergency rules, to implement this section and to establish  
146 uniform procedures for law enforcement officers operating  
147 under this act.

148 Section 7. A photographic speed enforcement system  
149 authorized under this act may be used to detect and record  
150 motor vehicle speeding violations in an active work zone. For  
151 purposes of this act, "active work zone" means a work zone  
152 that satisfies all of the following conditions:

153 (1) The area is designated by the department or  
154 authority as a work zone.

155 (2) Employees or contractors of the department or  
156 authority or construction, maintenance, inspection, surveying,  
157 utility, or other workers are present.

158 (3) Work zone traffic control devices, traffic  
159 controls, or warning signs are present to notify motorists and  
160 pedestrians of construction, maintenance, inspection,  
161 surveying, utility, or other workers in the area.

162 (4) Not less than two warning signs are placed at least  
163 500 feet in advance of the entrance warning motorists that a  
164 photographic speed enforcement system is being operated in the  
165 area and that a violation will result in a fine.

166 Section 8. (a) When a motor vehicle is recorded  
167 operating in an active work zone at a speed that exceeds 10  
168 miles per hour over the posted speed limit, ALEA may issue a



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169 civil traffic citation to the registered owner of the motor  
170 vehicle.

171 (b) When a speeding violation is recorded, ALEA shall  
172 send to the owner of the motor vehicle, via mail, a notice of  
173 the civil traffic citation which was recorded by the automated  
174 photographic speed enforcement system while committing a  
175 speeding violation. The notice shall be sent not later than 30  
176 days after the date the speeding violation is recorded, as  
177 follows:

178 (1) If the vehicle is registered in this state, to the  
179 registered owner's address as shown on the registration  
180 records of the Department of Revenue.

181 (2) If the vehicle is registered in another state or  
182 country, to the registered owner's address as shown on the  
183 motor vehicle registration records of the other state or  
184 country.

185 (c) The notice shall contain all of the following:

186 (1) A description of the violation alleged, including  
187 the speed at which the motor vehicle is alleged to have been  
188 operated, and the maximum speed applicable at the location.

189 (2) The date, time, and location of the speeding  
190 violation.

191 (3) A copy of recorded images of the vehicle involved  
192 in the speeding violation.

193 (4) The amount of the civil penalty to be imposed for  
194 the speeding violation.

195 (5) The date by which the civil penalty must be paid.

196 For purposes of this subdivision, the Alabama State Law



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197 Enforcement Agency shall require the civil penalty to be paid  
198 by a date certain, not less than 60 days following issuance of  
199 the notice of violation.

200 (6) A statement that the person named in the notice of  
201 violation may pay the civil penalty in lieu of appearing at an  
202 administrative adjudication hearing.

203 (7) A statement that the person has the right to  
204 contest the imposition of the civil penalty in an  
205 administrative adjudication and information about the manner  
206 and time in which the person may contest the imposition of the  
207 civil penalty.

208 (8) A statement that failure to pay the civil penalty  
209 or to contest liability is an admission of liability.

210 (9) A statement that a recorded image is evidence in a  
211 proceeding for the imposition of a civil penalty.

212 (10) Any other information necessary for issuing the  
213 notice.

214 (11) A statement that if the registered owner is a  
215 rental car company, the company has the right to provide  
216 information to ALEA on which individual was renting the  
217 vehicle at the time of violation. The statement shall include  
218 information about how to provide the information of the  
219 individual.

220 (d) In lieu of issuing a notice of violation, ALEA may  
221 mail a warning notice to the registered owner. ALEA shall  
222 exercise discretion in issuing the warning notice.

223 (e) In the event the evidence produced by a  
224 photographic speed enforcement system does not produce an



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225 image of the license plate with sufficient clarity for a speed  
226 enforcement system operator to determine the identity of the  
227 owner, and if the identity cannot otherwise be reliably  
228 established, then no notice of speeding violation may be  
229 issued pursuant to this act.

230 Section 9. Failure to pay a civil penalty or to contest  
231 liability in a timely manner is an admission of liability in  
232 the full amount of the civil fine assessed in the notice of  
233 violation.

234 Section 10. (a) The Secretary of ALEA shall adopt rules  
235 providing for a hearing procedure and the administrative  
236 resolution of speeding violations under this act. The rules  
237 shall provide for the hearing to be conducted by a driver  
238 license hearing officer or other hearing officer appointed by  
239 the secretary. The hearing may be informal. The hearing shall  
240 not be a contested case under the Alabama Administrative  
241 Procedure Act. Following the hearing, the hearing officer  
242 shall issue a final order.

243 (b) (1) Speeding violations under this act shall be  
244 punished by a civil fine of two hundred fifty dollars (\$250),  
245 which shall be collected as other civil judgments are  
246 collected. Court costs shall not be assessed except as  
247 provided in subsection (c).

248 (2) In no event shall a speeding violation be  
249 punishable by a criminal fine or imprisonment.

250 (3) The Secretary of ALEA shall not assess any points  
251 against a driver license or suspend or revoke a driver license  
252 for a speeding violation.



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253 (c) A person who is found liable for a speeding  
254 violation after an adjudicative hearing or who requests an  
255 adjudicative hearing and thereafter fails to appear at the  
256 time and place of the hearing is liable for court costs and  
257 fees set in addition to the amount of the civil penalty  
258 assessed for the speeding violation. A person who is found  
259 liable for a speeding violation after an adjudicative hearing  
260 shall pay the civil penalty and costs withing 60 days of the  
261 hearing.

262 (d) Whenever a person is ordered to pay a civil penalty  
263 under this act, the amount of the civil penalty as set by this  
264 act may not be increased, decreased, or remitted by the court,  
265 and the liability may be satisfied only by payment in full.

266 (e) An order issued under this section shall have the  
267 same weight and effect as any other civil judgment.

268 Section 11. (a) Any agency using a photographic speed  
269 enforcement system shall ensure the system is calibrated on an  
270 annual basis by an independent calibration laboratory.

271 (b) The independent calibration laboratory performing  
272 the calibration shall issue a certificate of calibration for  
273 the automated photographic speed enforcement system as proof  
274 of both of the following:

275 (1) The annual calibration check was performed.

276 (2) The automated photographic speed enforcement system  
277 is accurately calibrated.

278 Section 12. (a) For purposes of this act, a "speed  
279 enforcement system operator" means any of the following  
280 individuals who are trained and certified to operate a



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281 photographic speed enforcement system:

282 (1) An employee of ALEA or a county or municipal law  
283 enforcement agency.

284 (2) An employee of the department or authority.

285 (3) A third party approved by the department or  
286 authority to operate or install a photographic speed  
287 enforcement system.

288 (b) An individual may be trained and certified to  
289 operate a photographic speed enforcement system as described  
290 in subsection (a) by completing training by the manufacturer  
291 or vendor of the system in the following:

292 (1) Certification of automated speed enforcement  
293 systems and accuracy testing.

294 (2) Image quality requirements.

295 (3) Chain of custody procedures.

296 (4) Technician training and discretion for determining  
297 which violations to process.

298 (5) Vendor performance and auditing requirements.

299 (6) Requirements for issuance, service, and processing  
300 of notices of violation.

301 (7) Any other requirement adopted by rule of the  
302 department.

303 (c) The manufacturer or vendor of a photographic speed  
304 enforcement system shall issue a certificate of training to an  
305 individual who successfully completes the training required  
306 under subsection (b).

307 Section 13. (a) The reliability of a photographic speed  
308 enforcement system used to produce the recorded image of the



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309 speeding violation may be attested to by affidavit of a speed  
310 enforcement system operator.

311 (b) An affidavit of a speed enforcement system operator  
312 that alleges a violation based on an inspection of the  
313 pertinent recorded image shall be admissible in a proceeding  
314 under this act as evidence of the facts contained in the  
315 affidavit.

316 (c) The notice of violation; the recorded and  
317 reproduced images of the speeding violation, regardless of the  
318 media on which they are recorded, accompanied by a  
319 certification of authenticity of a speed enforcement system  
320 operator; and evidence of ownership of a vehicle as shown by  
321 copies or summaries of official records, shall be admissible  
322 into evidence without foundation unless the court finds there  
323 is an indication of untrustworthiness, in which case the  
324 prosecution shall be given a reasonable opportunity to lay an  
325 evidentiary foundation.

326 (d) The issue of whether an image of a license plate is  
327 sufficiently clear to identify the vehicle is admissible as to  
328 the weight of the evidence.

329 Section 14. (a) The owner of a motor vehicle may raise  
330 any of the following as an affirmative defense to the  
331 imposition of liability under this act:

332 (1) The operator of the motor vehicle was acting in  
333 compliance with the lawful order or direction of a law  
334 enforcement officer.

335 (2) The motor vehicle was being operated as an  
336 authorized emergency vehicle.



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337           (3) The motor vehicle was stolen or being operated by a  
338 person other than the owner of the vehicle without the  
339 effective consent of the owner.

340           (4) The license plate depicted in the recorded image of  
341 the speeding violation was a stolen license plate and being  
342 displayed on a motor vehicle other than the motor vehicle for  
343 which the license plate had been issued.

344           (5) The person who received the notice of civil traffic  
345 citation was not the owner of the motor vehicle at the time of  
346 the speeding violation.

347           (6) The person who received the notice of civil traffic  
348 citation was not the operator of the motor vehicle at the time  
349 of the speeding violation.

350           (7) The operator of the vehicle was arrested or was  
351 issued a citation and notice to appear by a law enforcement  
352 officer for a traffic or criminal violation of any other  
353 portion of Title 32, Code of Alabama 1975, or any other  
354 municipal ordinance that embraces and incorporates the  
355 statutes contained in that title, and the conduct resulting in  
356 the citation occurred simultaneously with and under the same  
357 set of circumstances recorded by the automated photographic  
358 speed enforcement system.

359           (b) The burden of raising and establishing the  
360 affirmative defense shall be on the owner of the vehicle.

361           Section 15. A final order issued under Section 10 may  
362 be reviewed by the circuit court by the filing of a notice of  
363 appeal pursuant to Section 41-22-20, Code of Alabama 1975,  
364 within 30 days after the final order is issued. The filing of



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365 the notice of appeal shall stay enforcement of the civil  
366 penalty.

367 Section 16. The department or authority, or its  
368 contractor, shall place traffic control devices in conformity  
369 with a nationally recognized traffic engineering handbook,  
370 including, but not limited to, the Manual of Uniform Traffic  
371 Control Devices and the traffic control plans of the  
372 department. There is a presumption that the department's  
373 actions are in compliance with this section unless the  
374 contrary is shown by a preponderance of the evidence.

375 Section 17. The department or authority may perform the  
376 duties assigned to the department or authority under this act  
377 either directly or through a contracted manufacturer or vendor  
378 selected pursuant to state the procurement process and  
379 operating in coordination with the department or authority.  
380 Any procurements made under this act shall not be considered  
381 to be a contract for professional services. The department or  
382 authority shall follow the department or authority's  
383 procurement procedures. The department or authority shall have  
384 sole discretion on selecting a vendor or vendors.

385 Section 18. ALEA may procure the equipment and  
386 technology necessary to operate a photographic speed  
387 enforcement system pursuant to the state procurement law. The  
388 procurement shall not be considered a contract for  
389 professional services. The system may be operated using  
390 manual, handheld, or unmanned devices capable of being mounted  
391 to a vehicle. ALEA shall have sole discretion on selecting a  
392 vendor or vendors.



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393           Section 19. All civil penalties collected under this  
394 act shall be distributed as follows:

395           (1) Fifty percent to ALEA, to be used solely for costs  
396 relating to the implementation of this act, with the remaining  
397 proceeds deposited into the ALEA Work Zone Safety Fund.

398           (2) Fifty percent to the department, to be used solely  
399 for costs relating to the implementation of this act, with the  
400 remaining proceeds deposited into the Transportation Work Zone  
401 Safety Fund.

402           Section 20. The ALEA Work Zone Safety Fund is created  
403 in the State Treasury to be administered by ALEA. Funds shall  
404 be budgeted and allotted pursuant to Chapter 19 of Title 41,  
405 Code of Alabama 1975.

406           Section 21. The Transportation Work Zone Safety Fund is  
407 created in the State Treasury to be administered by the  
408 department. Funds shall be budgeted and allotted pursuant to  
409 Chapter 19 of Title 41, Code of Alabama 1975.

410           Section 22. Sections 1 through 19 of this act are  
411 repealed September 30, 2028.

412           Section 23. This act shall become effective  
413 immediately.



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President and Presiding Officer of the Senate

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Speaker of the House of Representatives

SB341  
Senate 17-Mar-26  
I hereby certify that the within Act originated in and passed  
the Senate, as amended.

Senate 09-Apr-26  
I hereby certify that the within Act originated in and passed  
the Senate, as amended by Conference Committee Report.

Patrick Harris,  
Secretary.

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House of Representatives  
Passed: 07-Apr-26, as amended.

House of Representatives  
Passed: 09-Apr-26, as amended by Conference Committee Report.

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By: Senator Carnley