



**House Transportation, Utilities and Infrastructure
Reported Substitute for SB242**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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



**House Transportation, Utilities and Infrastructure
Reported Substitute for SB242**

29 ~~driver license instruction~~ learner permit issued by any state
30 ~~or provinces or territories of Canada,~~ territory, or
31 possession of the United States, the District of Columbia, or
32 the Commonwealth of Puerto Rico in accordance with the minimum
33 federal standards for the issuance of commercial motor vehicle
34 driver licenses, ~~—~~; or

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

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

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

48 Section 2. Division 3, commencing with Section
49 32-6-49.60, is added to Article 1A of Chapter 6 of Title 32,
50 Code of Alabama 1975, to read as follows:

51 Division 3

52 §32-6-49.60

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

55 §32-6-49.61

56 For the purposes of this division, the following terms



House Transportation, Utilities and Infrastructure
Reported Substitute for SB242

57 have the following meanings:

58 (1) COMMERCIAL DRIVER LICENSE (CDL). A license issued
59 to an individual in accordance with the requirements of this
60 article, which authorizes the individual to drive a class of
61 commercial motor vehicle.

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

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

72 (4) FOREIGN GOVERNMENT. Any jurisdiction other than a
73 state, territory, province, or possession of the United
74 States.

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

81 b. A license, certificate, permit, seal, title, letter
82 of patent, or similar document issued by a state, territory,
83 or possession of the United States, the District of Columbia,
84 or the Commonwealth of Puerto Rico or a foreign government



**House Transportation, Utilities and Infrastructure
Reported Substitute for SB242**

85 engaged in a reciprocal treaty or memorandum of understanding
86 with the United States.

87 §32-6-49.62

88 (a) An individual commits the offense of presenting a
89 false foreign commercial driver license if the individual
90 knowingly:

91 (1) Makes, presents, or uses a public document with
92 knowledge of the falsity of the public document and with the
93 intent that the public document be taken as a genuine public
94 document; and

95 (2) Represents that a false public document made,
96 presented, or used under subdivision (1) is a valid commercial
97 driver license or commercial learner permit issued by a
98 foreign government.

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

100 §32-6-49.63

101 (a) An individual commits the offense of operating a
102 commercial motor vehicle without proper documentation if the
103 individual knowingly:

104 (1) Holds a valid commercial driver license issued by a
105 foreign government; and

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

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

112 a. The impounding of the commercial motor vehicle.



**House Transportation, Utilities and Infrastructure
Reported Substitute for SB242**

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

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

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

121 §32-6-49.64

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

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

129 (1) Operates a commercial motor vehicle; and

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

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

140 (2) A second or subsequent violation of this section



House Transportation, Utilities and Infrastructure
Reported Substitute for SB242

141 shall be punished by a fine of up to two thousand dollars
142 (\$2,000) for the operator, a fine of up to four thousand
143 dollars (\$4,000) for the commercial motor carrier, and the
144 impoundment of the commercial motor vehicle.

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

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

168 (3) Any person in possession of a commercial motor



**House Transportation, Utilities and Infrastructure
Reported Substitute for SB242**

169 vehicle impounded pursuant to this section shall be subject to
170 the provisions of Chapter 13 of Title 32, relating to the
171 impoundment and sale of abandoned vehicles; Section 32-8-84,
172 relating to the procedures for unclaimed vehicles; and Section
173 41-27-61, relating to the procedures for freight retrieval of
174 impounded commercial vehicles.

175 Section 3. This act shall become effective on October
176 1, 2026.