

SB258 ENGROSSED



1 SB258
2 TENT155-2
3 By Senators Kelley, Kitchens, Jones, Sessions, Williams,
4 Weaver, Chesteen, Elliott
5 RFD: Transportation and Energy
6 First Read: 21-Mar-24



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A BILL
TO BE ENTITLED
AN ACT

Relating to commercial motor vehicles; to amend Sections 32-6-49.5, 32-6-49.8, 32-6-49.10, 32-6-49.11, 32-6-49.19, 32-9A-2, and 32-9A-4, Code of Alabama 1975, to revise existing state law to conform to various changes to Federal Motor Carrier Safety Administration (FMCSA) regulations, including deleting a requirement for a driver to report certain violations; deleting a school bus driver fee and written test waiver; revising fees for commercial driver licenses and learner's permits; adding a human trafficking ban; and repealing a steel coil transport certification requirement; and in connection therewith would have as its purpose or effect the requirement of a new or increased expenditure of local funds within the meaning of Section 111.05 of the Constitution of Alabama of 2022.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 32-6-49.5, 32-6-49.8, 32-6-49.10, 32-6-49.11, 32-6-49.19, 32-9A-2, and 32-9A-4, Code of Alabama 1975, are amended to read as follows:

"§32-6-49.5



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29 ~~Notification required by driver shall be as follows:~~

30 ~~(a) Notification of convictions:~~

31 ~~(1) TO STATE. Any driver holding a commercial driver~~
32 ~~license issued by this state, who is convicted of violating~~
33 ~~any state law or local ordinance relating to motor vehicle~~
34 ~~traffic control, in any other state or federal, provincial,~~
35 ~~territorial, or municipal laws of Canada, other than parking~~
36 ~~violations, must notify the Department of Public Safety in the~~
37 ~~manner specified by the department within 30 days of the date~~
38 ~~of conviction.~~

39 ~~(2) TO EMPLOYERS. (a)~~ Any driver holding a commercial
40 driver license issued by this state, who is convicted of
41 violating any state law or local ordinance relating to motor
42 vehicle traffic control in this or any other state, or
43 federal, provincial, territorial, or municipal laws of Canada,
44 other than parking violations, must notify his or her employer
45 in writing of the conviction within 30 days of the date of
46 conviction.

47 (b) Any driver whose commercial driver license is
48 suspended, revoked, or cancelled by any state, or federal,
49 provincial, territorial, or municipal laws of Canada, or who
50 loses the privilege to drive a commercial motor vehicle in any
51 such state for any period, including being disqualified from
52 driving a commercial motor vehicle, or who is subject to an
53 out of service order, must notify his or her employer of that
54 fact before the end of the business day following the day the
55 driver received notice of that fact.

56 (c) Any person who applies to be a commercial motor



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57 vehicle driver must provide the employer, at the time of the
58 application, with the following information for the 10 years
59 preceding the date of application:

60 (1) A list of the names and addresses of the
61 applicant's previous employers for which the applicant was a
62 driver of a commercial motor vehicle;

63 (2) The dates between which the applicant drove for
64 each employer; and

65 (3) The reason for leaving that employer.

66 The applicant must certify that all information
67 furnished is true and complete. An employer may require an
68 applicant to provide additional information."

69 "§32-6-49.8

70 Commercial driver license qualification standards shall
71 be as follows:

72 (a) Testing.

73 (1) GENERAL. No person may be issued a commercial
74 driver license unless that person is a resident of this state
75 and has passed a knowledge and skills test for driving a
76 commercial motor vehicle which complies with minimum federal
77 standards established by federal regulation enumerated in 49
78 C.F.R. ~~part~~ Part 383, ~~subparts~~ Subparts G and H, and has
79 satisfied all other requirements of the CMVSA in addition to
80 other requirements imposed by state law or federal regulation.
81 The tests shall be prescribed and conducted by the department.

82 (2) ~~THIRD PARTY~~ THIRD-PARTY TESTING. The department may
83 authorize a person, including an agency of this or another
84 state, an employer, a private driver training facility, or



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85 other private institution, or a department, agency, or
86 instrumentality of local government to administer the skills
87 test specified by this section, if the test is the same as
88 what would otherwise be administered by the state and the
89 third party has entered into an agreement with this state
90 which complies with requirements of 49 C.F.R. ~~part~~ Part
91 383.75.

92 (b) Waiver of skills test. The department may waive the
93 skills test specified in this section for a commercial driver
94 license applicant who meets the requirements of 49 C.F.R. ~~part~~
95 Part 383.77. ~~In the case of school bus drivers the department~~
96 ~~shall waive the skills test herein specified.~~

97 (c) Limitations on issuance of license. A commercial
98 driver license may not be issued to a person while the person
99 is subject to a disqualification from driving a commercial
100 motor vehicle, or while the person's driver license is
101 suspended, revoked, or cancelled in any state or foreign
102 jurisdiction with reciprocity; nor may a commercial driver
103 license be issued to a person who has a commercial driver
104 license issued by any other state unless the person first
105 surrenders all such licenses, which shall be returned to the
106 issuing state(s) for cancellation.

107 (d) The holder of a valid commercial driver license
108 learner's permit may drive a commercial motor vehicle only
109 when accompanied by the holder of a commercial driver license
110 valid for the type of vehicle driven who occupies a seat
111 beside the individual for the purpose of giving instruction in
112 driving the commercial vehicle.



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113 (e) A commercial driver license learner's permit for a
114 particular class or classes of commercial vehicle may be
115 issued to a person who meets all the qualifications required
116 of a person seeking a commercial driver license and has passed
117 the vision and written tests for that class of commercial
118 driver license. Commercial driver license learner's permits
119 may be issued with any endorsements or restrictions provided
120 for in 49 C.F.R. Part 383. The endorsements or restrictions
121 shall be coded in accordance with the provisions of 49 C.F.R.
122 § 383.153."

123 "§32-6-49.10

124 (a) The commercial driver license shall be marked
125 "Commercial Driver License" or "CDL," and shall be, to the
126 maximum extent practicable, tamper proof. It shall include,
127 but not be limited to, all of the following information:

128 (1) The name and residential address of the person.

129 (2) The person's color photograph.

130 (3) A physical description of the person including sex,
131 height, weight, eye and hair color.

132 (4) Date of birth.

133 (5) Any other number or identifier not to include the
134 Social Security number of the person deemed appropriate by the
135 department.

136 (6) The person's signature.

137 (7) The class or type of commercial motor vehicle or
138 vehicles which the person is authorized to drive together with
139 any endorsements or restrictions.

140 (8) The name of this state.



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141 (9) The dates between which the license is valid.

142 (b) Commercial driver licenses may be issued with the
143 following classifications, endorsements, and restrictions as
144 provided below. The holder of a valid commercial driver
145 license may drive all vehicles in the class for which that
146 license is issued, and all lesser classes of vehicles
147 including Class D, except motorcycles (Class M). Vehicles
148 which require an endorsement may not be driven unless the
149 proper endorsement appears on the license.

150 (1) Commercial driver licenses shall be classified as
151 follows:

152 Class A - Any combination of vehicles with a gross
153 vehicle weight rating (GVWR) of 26,001 pounds or more,
154 provided the GVWR of the ~~vehicle(s)~~ vehicle or vehicles being
155 towed is in excess of 10,000 pounds.

156 Class B - Any single vehicle with a GVWR of 26,001
157 pounds or more, and any such vehicle towing a vehicle not in
158 excess of 10,000 pounds.

159 Class C - Any single vehicle with a GVWR of less than
160 26,001 pounds or any such vehicle towing a vehicle with a GVWR
161 not in excess of 10,000 pounds comprising:

162 (i) Vehicles designed to transport 16 or more
163 passengers, including the driver; and

164 (ii) Vehicles used in the transportation of hazardous
165 materials which require the vehicle to be placarded under 49
166 C.F.R., Part 172, Subpart F.

167 (2) ~~Endorsements and restrictions shall be coded as~~
168 ~~follows:~~ Commercial driver licenses may be issued with any



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169 endorsements or restrictions provided for in 49 C.F.R. Part
170 383. The endorsements or restrictions shall be coded in
171 accordance with 49 C.F.R. § 383.153.

172 ~~"H" - Authorizes the driver to drive a vehicle~~
173 ~~transporting hazardous materials.~~

174 ~~"K" - Restricts the driver to vehicles not equipped~~
175 ~~with airbrakes.~~

176 ~~"T" - Authorizes driving double and triple trailers.~~

177 ~~"P" - Authorizes driving vehicles carrying passengers.~~

178 ~~"S" - Authorizes driving a school bus.~~

179 ~~"N" - Authorizes driving tank vehicles.~~

180 ~~"X" - Represents a combination of hazardous materials~~
181 ~~and tank vehicle endorsements.~~

182 (c) Before issuing a commercial driver license, the
183 department shall obtain driving record information through the
184 Commercial Driver License Information System, the National
185 Driver Register, and from each state in which the person has
186 been licensed.

187 (d) Within 10 days after issuing a commercial driver
188 license, the department shall notify the Commercial Driver
189 License Information System of that fact, providing all
190 information required to ensure identification of the person.

191 (e) A commercial driver license issued pursuant to this
192 article expires as set by existing state law.

193 (f) Renewal procedures for commercial driver licenses
194 shall be as follows: Every person applying for renewal of a
195 commercial driver license shall complete the application form
196 required by subsection (a), providing updated information and



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197 required certifications. If the applicant wishes to retain a
198 hazardous materials endorsement, the written test for a
199 hazardous materials endorsement shall be taken and passed."

200 "§32-6-49.11

201 (a) (1) Any person is disqualified from driving a
202 commercial motor vehicle for a period of not less than one
203 year if convicted of a first violation of one of the
204 following:

205 ~~(1)~~ a. Driving a motor vehicle under the influence of
206 alcohol, or a controlled substance or any other drug which
207 renders a person incapable of safely driving.

208 ~~(2)~~ b. Driving a commercial motor vehicle while the
209 alcohol concentration of the person's blood, urine, or breath
210 is 0.04 or more.

211 ~~(3)~~ c. Knowingly and willfully leaving the scene of an
212 accident involving a motor vehicle driven by the person.

213 ~~(4)~~ d. Using a motor vehicle in the commission of any
214 felony.

215 ~~(5)~~ e. Refusal to submit to a test to determine the
216 driver's use of a controlled substance or alcohol
217 concentration while driving a motor vehicle.

218 (2) If any of the violations ~~in subdivisions (1) to~~
219 ~~(5), inclusive,~~ described in this subsection occurred while
220 transporting a hazardous material required to be placarded,
221 the person is disqualified for a period of not less than three
222 years.

223 (b) A person is disqualified for life if convicted of
224 two or more violations of any of the offenses specified in



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225 subsection (a), or any combination of those offenses, arising
226 from two or more separate incidents.

227 (c) The Alabama State Law Enforcement Agency may ~~issue~~
228 ~~regulations and promulgate establishing~~adopt rules and
229 establish guidelines, including conditions, under which a
230 disqualification for life under subsection (b) may be reduced
231 to a period of not less than 10 years.

232 (d) A person is disqualified from driving a commercial
233 motor vehicle for life who uses a motor vehicle in the
234 commission of any felony involving the manufacture,
235 distribution, or dispensing of a controlled substance, or
236 possession with intent to manufacture, distribute, or dispense
237 a controlled substance.

238 (e) A person is disqualified from driving a commercial
239 motor vehicle for life if the person is convicted of using a
240 vehicle in the commission of a felony involving any act or
241 practice of severe forms of trafficking in persons, as defined
242 in 22 U.S.C. § 7102(11).

243 ~~(e)~~(f) A person is disqualified from driving a
244 commercial motor vehicle for a period of not less than 60 days
245 if convicted of two serious traffic violations, or 120 days if
246 convicted of three serious traffic violations, committed in a
247 commercial motor vehicle arising from separate incidents
248 occurring within a three-year period.

249 ~~(f)~~(g) (1) A person is disqualified from driving a
250 commercial motor vehicle for not less than 90 days nor more
251 than one year upon a first conviction of driving a commercial
252 vehicle while under an out-of-service order.



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253 (2) A person is disqualified from driving a commercial
254 motor vehicle for not less than one year nor more than five
255 years if during any 10-year period the person receives two
256 convictions of driving a commercial vehicle while under an
257 out-of-service order where the convictions arise out of
258 separate incidents.

259 (3) A person is disqualified from driving a commercial
260 motor vehicle for not less than three years nor more than five
261 years if during any 10-year period the person receives three
262 or more convictions of driving a commercial vehicle while
263 under an out-of-service order where the convictions arise out
264 of separate incidents.

265 (4) If a conviction of driving a commercial motor
266 vehicle while under an out-of-service order arises out of an
267 arrest where the person was transporting hazardous materials
268 required to be placarded under the Hazardous Materials
269 Transportation Act, 49 U.S.C. § 5101, et seq., or while
270 operating motor vehicles designed to transport more than 15
271 passengers, including the driver, the person is disqualified
272 for not less than 180 days nor more than two years upon a
273 first conviction and not less than three years nor more than
274 five years upon any subsequent conviction within a 10-year
275 period where these factors exist.

276 ~~(g)~~ (h) (1) A person is disqualified from operating a
277 commercial motor vehicle for not less than 60 days upon a
278 first conviction, not less than 120 days if during any
279 three-year period the person receives two convictions, and not
280 less than one year if during any three-year period the person



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281 receives three or more convictions of any of the following
282 railroad-highway grade crossing violations:

283 a. The driver is not required to stop, but fails to
284 slow down and check that tracks are clear of an approaching
285 train.

286 b. The driver is not required to stop, but fails to
287 stop before reaching the crossing if the tracks are not clear.

288 c. The driver is always required to stop, but fails to
289 stop before driving onto the crossing.

290 d. The driver fails to have sufficient space to drive
291 completely through the crossing without stopping.

292 e. The driver fails to obey a traffic control device or
293 the directions of an enforcement official at the crossing.

294 f. The driver fails to negotiate a crossing because of
295 insufficient undercarriage clearance.

296 (2) A person is disqualified for not less than 120 days
297 if during any three-year period the person receives two
298 convictions of a railroad-highway grade crossing violation.

299 (3) A person is disqualified from operating a
300 commercial motor vehicle for not less than one year if during
301 any three-year period the person receives three or more
302 convictions of a railroad-highway grade crossing violation.

303 ~~(h)~~ (i) After suspending, revoking, or canceling a
304 commercial driver license, the Alabama State Law Enforcement
305 Agency shall update its records to reflect that action within
306 10 days. After suspending, revoking, or canceling a
307 nonresident commercial driver's privilege, the Alabama State
308 Law Enforcement Agency shall notify the licensing authority of



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309 the state that issued the commercial driver license or
310 commercial driver instruction permit within 10 days.

311 (j) Any failureA person who fails to report or disclose
312 required information under this section, either before or
313 after issuance of a commercial driver license, shall be guilty
314 of a Class C felony and shall, upon conviction thereof, be
315 punished as provided by law."

316 "§32-6-49.19

317 (a) For the purpose of defraying the cost of issuing
318 commercial ~~drivers' license~~driver licenses, the Alabama State
319 Law Enforcement Agency, judge of probate, or license
320 commissioner shall collect ~~for~~all of the following fees:

321 (1) For each commercial driver license or commercial
322 driver license learner's permit, a fee equal to the sum of all
323 fees imposed for the issuance of a Class D driver license.

324 (2) For each Class A commercial driver license, thean
325 additional sum of ~~fifty dollars (\$50);~~thirty dollars (\$30).

326 (3) For each Class B commercial driver license, thean
327 additional sum of ~~forty dollars (\$40) for each Class B~~
328 commercial driver license;~~twenty dollars (\$20).~~ and the sum of
329 twenty dollars (\$20) for each Class C commercial driver
330 license and commercial driver license learner's permit. The
331 fee for any school bus driver license shall be twenty dollars
332 (\$20) and the license shall be restricted to the operation of
333 a school bus and noncommercial vehicle.

334 (b) (1) TheseCommercial driver licenses shall be issued
335 for a period of four years,~~except a commercial.~~

336 (2) Commercial driver license learner's ~~permit~~



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337 ~~which~~permits shall be issued for a period of one year.

338 ~~(b)~~ (c) The additional revenue from the additional fees
339 collected pursuant to this section, ~~as amended by Act~~
340 ~~2004-521~~, shall be deposited in the ~~Highway Traffic Safety~~
341 ~~Fund of the Department of Public Safety~~Public Safety Fund."

342 "§32-9A-2

343 (a) (1) Except as otherwise provided in subsection (b),
344 no person may operate a commercial motor vehicle in this
345 state, or fail to maintain required records or reports, in
346 violation of the federal motor carrier safety regulations as
347 prescribed by the U.S. Department of Transportation, 49 C.F.R.
348 Part 107, Parts 171-180, Part 380, Parts 382-387, and Parts
349 390-399 and as they may be amended in the future. Except as
350 otherwise provided herein, this chapter shall not be construed
351 to repeal or supersede other laws relating to the operation of
352 motor vehicles.

353 (2)a. No person may operate a commercial motor vehicle
354 in this state in violation of 49 C.F.R. §_393.120, as amended,
355 relating to load securement for certain metal coils.

356 b. No one owning, leasing, or allowing a commercial
357 vehicle to be operated in this state shall knowingly or
358 negligently be in violation of 49 C.F.R. §_393.120, as
359 amended, relating to load securement for metal coils.

360 (3) No person may knowingly or negligently own or lease
361 or cause to be operated on any public highway, road, street,
362 or other public right-of-way a commercial motor vehicle loaded
363 with a metal coil in a manner that fails to comply with 49
364 C.F.R. §_393.120 and thereby allows a metal coil to drop,



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365 fall, spill, shift, or otherwise escape from the commercial
366 vehicle onto any public highway, road, street, or any other
367 public right-of-way.

368 ~~(4)a. No motor carrier may initiate or terminate in~~
369 ~~this state the commercial transport of metal coils, as defined~~
370 ~~in 49 C.F.R. §393.120, unless the commercial vehicle operator~~
371 ~~is certified in proper load securement as provided in 49~~
372 ~~C.F.R. §393.120. Certification shall be conducted according to~~
373 ~~standards published by the Department of Public Safety and~~
374 ~~certified by the motor carrier and the driver on forms~~
375 ~~provided by the department.~~

376 ~~b. The operator of a commercial motor vehicle involved~~
377 ~~in the commercial transport of metal coils subject to this~~
378 ~~subdivision shall be certified in proper load securement as~~
379 ~~provided in 49 C.F.R. §393.120.~~

380 ~~(5)(4)~~ Except as it relates to subdivision (3), no law
381 enforcement officer may make an arrest or issue a citation
382 under this chapter unless he or she has satisfactorily
383 completed, as a part of his or her training, the basic course
384 of instruction developed by the Commercial Vehicle Safety
385 Alliance. Those law enforcement officers authorized to enforce
386 this chapter shall annually receive in service training
387 related to commercial motor vehicle operations, including, but
388 not limited to, training in current federal motor carrier
389 safety regulations, safety inspection procedures, and
390 out-of-service criteria. The annual training requirements
391 shall be designated and specified by the director. An officer
392 qualified under this section to make an arrest or issue a



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393 citation pursuant to subdivision (3) may arrest or issue a
394 citation to the driver of a commercial motor vehicle without a
395 warrant and without witnessing the violation personally if,
396 upon personal investigation, the officer has reasonable cause
397 to believe that a violation has occurred.

398 (b) Notwithstanding subsection (a) or any other
399 provision of law to the contrary:

400 (1) Amendments to the hours of service regulations
401 promulgated by the U.S. Department of Transportation at 68
402 Federal Register 22456, April 28, 2003 and effective June 27,
403 2003, shall not apply to utility service vehicles as defined
404 at 49 C.F.R. §_395.2, not including television cable or
405 community antenna service vehicles, which are owned or
406 operated by utilities regulated by the Public Service
407 Commission or electric cooperatives and which are engaged
408 solely in intrastate commerce in this state until June 27,
409 2006, provided the amendments are valid and remain in effect
410 as of that date. Hours of service regulations that are
411 applicable in this state immediately prior to June 27, 2003,
412 shall remain applicable to utility service vehicles engaged
413 solely in intrastate commerce in this state until June 27,
414 2006. If the U.S. Department of Transportation issues an
415 official finding that this provision may result in the loss of
416 federal Motor Carrier Safety Assistance Program funding, the
417 ~~department~~ Alabama State Law Enforcement Agency may adopt
418 rules providing for earlier implementation of the amendments
419 to the federal hours of service regulations. If federal law or
420 regulations are amended at any time to exempt utility service



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421 vehicles from the hours of service requirements, any exemption
422 shall be effective in this state immediately for the duration
423 of the federal exemption.

424 (2) The ~~department~~ Alabama State Law Enforcement Agency
425 may adopt rules suspending the effective date for up to three
426 years after adoption of any motor carrier safety regulation by
427 the U.S. Department of Transportation as applied to vehicles
428 engaged solely in intrastate commerce in this state, provided
429 that the suspension does not result in the loss of federal
430 Motor Carrier Safety Assistance Program funding.

431 (3) The ~~department~~ Alabama State Law Enforcement Agency
432 may enter into agreements with state and local emergency
433 management agencies and private parties establishing
434 procedures for complying with 49 U.S.C. §_31502(e) and federal
435 regulations promulgated thereto at 49 C.F.R. §_390.23 which
436 provide an exemption from the hours of service regulations
437 during certain emergencies.

438 (4) The ~~department~~ Alabama State Law Enforcement Agency
439 may adopt rules granting any waiver, variance, or exemption
440 permitted under 49 U.S.C. §_31104(h) and federal regulations
441 promulgated thereto at 49 C.F.R. §§_350.339-350.345, provided
442 that the waiver, variance, or exemption does not result in the
443 loss of federal Motor Carrier Safety Assistance Program
444 funding and does not take effect unless approved by the U.S.
445 Department of Transportation if that approval is required.

446 (5) A commercial motor vehicle operated in intrastate
447 commerce which does not equal or exceed 26,001 pounds, except
448 a motor vehicle, regardless of weight, which is designed or



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449 used to transport 16 or more passengers, including the driver,
450 or which is used in the transportation of hazardous materials
451 and required to be placarded pursuant to 49 C.F.R. Part 172,
452 Subpart F, shall be exempt from the federal motor carrier
453 regulations otherwise made applicable in this state pursuant
454 to subsection (a). For purposes of this subdivision,
455 "commercial motor vehicle" means a commercial motor vehicle as
456 defined in 49 C.F.R. §_390.5.

457 (6) For purposes of those provisions of 49 C.F.R. §_395
458 providing for exemptions from the hours of service
459 requirements of that section respecting the operation of motor
460 vehicles for the transportation of agricultural commodities as
461 contemplated in that section, the planting and harvesting
462 season for this state is defined by the Legislature as the
463 period from April 1 of each calendar year to March 31 of the
464 next succeeding calendar year.

465 (c) Nothing in this section ~~as amended by Act 2008-336~~
466 shall be interpreted to exempt any person from the obligations
467 to operate a motor vehicle in a safe and proper manner or to
468 observe the rules of the road, nor shall any provision of this
469 section ~~as amended by Act 2008-336~~ be interpreted to immunize
470 any person from civil liability for actionable conduct.

471 ~~(d) The Department of Public Safety shall publish~~
472 ~~standards for training drivers of commercial motor vehicles in~~
473 ~~proper load securement for metal coils as provided in 49~~
474 ~~C.F.R. §393.120 and provide for certification of drivers of~~
475 ~~commercial motor vehicles carrying metal coils."~~

476 "§32-9A-4



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477 (a) Any person violating Section 32-9A-2(a)(1) shall be
478 guilty of a misdemeanor and punished by a fine of not less
479 than twenty-five dollars (\$25) nor more than two thousand
480 dollars (\$2,000) for each offense. In addition, the court may
481 impose a sentence of imprisonment in the county jail, not to
482 exceed 30 days, for each offense.

483 (b) Any person violating Section 32-9A-2(a)(2)a. or a
484 motor carrier violating Section 32-9A-2(a)(2)b. shall be
485 guilty of a misdemeanor and punished by a fine of not less
486 than one thousand dollars (\$1,000) nor more than two thousand
487 five hundred dollars (\$2,500) for each offense.

488 (c) Any operator of a commercial motor vehicle
489 violating Section 32-9A-2(a)(2)a. in which a metal coil drops,
490 falls, spills, shifts, or otherwise escapes from the vehicle
491 shall be guilty of a misdemeanor and punished by a fine of not
492 less than two thousand five hundred dollars (\$2,500) nor more
493 than five thousand dollars (\$5,000).

494 (d) Any person violating Section 32-9A-2(a)(3) ~~or any~~
495 ~~motor carrier violating Section 32-9A-2(a)(4)a.~~ shall be
496 guilty of a misdemeanor and punished by a fine of not less
497 than five thousand dollars (\$5,000) nor more than ten thousand
498 dollars (\$10,000).

499 ~~(e) Any person violating Section 32-9A-2(a)(4)b. shall~~
500 ~~be guilty of a misdemeanor and punishable by a fine of not~~
501 ~~less than two hundred and fifty dollars (\$250) nor more than~~
502 ~~one thousand dollars (\$1,000).~~

503 ~~(f)~~ (e) In addition to the other penalties for a
504 violation of subdivisions (2), or (3), ~~or (4)~~ of Section



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505 32-9A-2(a), the court may impose a sentence of imprisonment in
506 the county jail, not to exceed one year, for each conviction
507 under subdivisions (2), or (3), ~~or (4)~~ of Section 32-9A-2(a).

508 ~~(g)~~ (f) In addition to other punishment fixed by law,
509 the court may enter an order prohibiting the person from
510 operating any commercial motor vehicle for a period to be
511 specified by the court, or perpetually, as the court may
512 determine."

513 Section 2. Although this bill would have as its purpose
514 or effect the requirement of a new or increased expenditure of
515 local funds, the bill is excluded from further requirements
516 and application under Section 111.05 of the Constitution of
517 Alabama of 2022, because the bill defines a new crime or
518 amends the definition of an existing crime.

519 Section 3. This act shall become effective on October
520 1, 2024.

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521
522
523 Senate

524 Read for the first time and referred21-Mar-24
525 to the Senate committee on
526 Transportation and Energy
527
528 Read for the second time and placed04-Apr-24
529 on the calendar:
530 1 amendment
531
532 Read for the third time and passed11-Apr-24
533 as amended
534 Yeas 32
535 Nays 0
536 Abstains 0
537
538

539 Patrick Harris,
540 Secretary.
541