

1 HB385
2 217328-4
3 By Representative South
4 RFD: Ways and Means General Fund
5 First Read: 22-FEB-22

1 educational development certificate (GED) from a state
2 approved institution or organization, or has obtained the
3 certificate~~7.~~.

4 "(2) ~~is~~ The person is enrolled in a secondary school
5 of this state or any other state and has not at the time of
6 application accumulated disciplinary points while a student in
7 school that would extend the age of eligibility for the
8 student to apply for a driver's license~~7.~~.

9 "(3) ~~is~~ The person is participating in a job
10 training program approved by the State Superintendent of
11 Education~~7.~~.

12 "(4) ~~is~~ The person is gainfully and substantially
13 employed~~7.~~.

14 "(5) ~~is~~ The person is a parent with the care and
15 custody of a minor or unborn child~~7.~~.

16 "(6) ~~has a~~ A physician ~~certify~~ certifies that the
17 parents of the person depend on him or her as their sole
18 source of transportation~~7.~~~~or.~~.

19 "(7) ~~is~~ The person is exempted from this requirement
20 due to circumstances beyond his or her control as provided in
21 this chapter.

22 "(b) (1) The attendance officer or chief attendance
23 administrator, upon request, shall provide documentation of
24 enrollment status and disciplinary points on a form approved
25 by the Department of Education to any student 15 years of age
26 or older who is properly enrolled in a school under the
27 jurisdiction of the official, for presentation to the

1 Department of Public Safety, on application for, or renewal or
2 reinstatement of, a driver's license or a learner's license to
3 operate a motor vehicle.

4 "(2) Upon the request of a student seeking a fee
5 exemption on the basis of his or her homelessness, the
6 attendance officer or chief attendance administrator staff
7 member designated to act as the local educational agency
8 liaison for homeless children and youth, pursuant to 42 U.S.C.
9 § 11432(g) (1) (J) (ii), shall provide documentation that the
10 student is a qualified student, on a form approved by the
11 Department of Education, for presentation to the Department of
12 Public Safety, on application for, or renewal, reinstatement,
13 or replacement of a driver's license. The term "qualified
14 student" refers to a student who a school attendance officer
15 or chief attendance administrator the local educational agency
16 liaison for homeless children and youth verifies as meeting
17 the definition of a "homeless child or youth" as provided by
18 42 U.S.C. § 11434(a) (2) and whose enrollment status and
19 disciplinary points have been documented pursuant to
20 subdivision (1).

21 "(3) Whenever a student 16 years of age or older
22 withdraws from school, the attendance officer or chief
23 attendance administrator shall notify the Department of Public
24 Safety of the withdrawal. Withdrawal shall be defined as more
25 than 10 consecutive or 15 days total unexcused absences during
26 a single semester.

1 "(c) Within five days of receipt of a notice of
2 withdrawal, the Department of Public Safety shall send notice
3 to the licensee that his or her driver's license or learner's
4 license will be suspended under this article on the 30th day
5 following the date the notice was sent unless documentation of
6 compliance with this article is received by the department
7 before the 30th day.

8 "(d) Whenever the withdrawal from school of the
9 student, or the failure of the student to enroll in a course
10 leading to or to obtain a GED or high school diploma, is
11 beyond the control of the student, or is for the purpose of
12 transfer to another school as confirmed in writing by the
13 parent or guardian of the student, or is for the purpose of
14 participating in a job training program approved by the State
15 Superintendent of Education, no notice shall be sent by the
16 proper school official to the Department of Public Safety to
17 suspend the license of the student. If the student is applying
18 for or renewing a driver's license or a learner's license, the
19 attendance officer or chief attendance administrator, upon
20 request, shall provide the student with documentation to
21 present to the Department of Public Safety to exempt the
22 student from this section. The local superintendent of
23 education with the assistance of the county or city school
24 attendance director as the case may be, and any other staff or
25 school personnel, or the appropriate school official of any
26 private secondary school, shall be the sole judge of whether
27 the withdrawal is due to circumstances beyond the control of

1 the person. Suspension or expulsion from school or
2 imprisonment in a jail or penitentiary is not a circumstance
3 beyond the control of a person.

4 "(e) (1) Any person over the age of 14 who is
5 convicted of the crime of possession of a pistol on the
6 premises of a public school, or a public school bus, or both,
7 under Section 13A-11-72 shall be denied issuance of a driver's
8 permit or license for the operation of a motor vehicle for 180
9 days from the date the person is eligible and applies for a
10 permit or license for the operation of a motor vehicle. Any
11 adjudication as a juvenile delinquent or youthful offender
12 where the underlying charge is the possession of a pistol on
13 the premises of a public school, or a public school bus, or
14 both, under Section 13A-11-72 shall be considered a conviction
15 under this subsection, and the adjudication of a person as a
16 juvenile delinquent or youthful offender where the underlying
17 charge is a violation under Section 13A-11-72 shall be
18 reported to the Department of Public Safety.

19 "(2) If a person over the age of 14 years possesses
20 a driver's license on the date of conviction, the Department
21 of Public Safety, within five days of receipt of a notice of
22 conviction from the court, shall send notice to the licensee
23 that his or her driver's license will be suspended. The notice
24 shall state that the license will be suspended for 180 days
25 commencing on the 30th day following the date the notice was
26 sent unless documentation is received by the department before
27 the 30th day that the person was not convicted of the crime.

1 Upon the appropriate date, the department shall suspend the
2 license.

3 "(3) Upon the written request of the person whose
4 license is denied or suspended, the Department of Public
5 Safety shall afford the person an opportunity for a hearing in
6 the same manner and under the procedure used for other
7 driver's license suspensions. If the suspension or denial of
8 issuance determination is sustained by the Director of the
9 Department of Public Safety or the authorized agent of the
10 director, upon such hearing, the person may file a petition in
11 the appropriate court to review the final order of suspension
12 or denial by the director or the authorized agent of the
13 director in the same manner and under the same conditions as
14 is provided in the case of suspensions and denials.

15 "(4) If the conviction is reversed within the
16 180-day period, the department, upon receipt of notice of the
17 reversal from the Administrative Office of Courts, shall
18 reinstate a suspended license and shall accept an application
19 for a license and shall issue the license according to law and
20 regulation.

21 "(5) The court shall notify the Department of Public
22 Safety of the conviction of a person over the age of 14 of a
23 crime involving the possession of a pistol on the premises of
24 a public school, or a public school bus, or both, under
25 Section 13A-11-72 and any reversal of the conviction. The
26 Administrative Office of Courts may promulgate necessary rules
27 and regulations to implement this notification procedure.

1 "§32-6-4.

2 "(a) Upon the installation of a system for the
3 issuance of drivers' licenses and nondriver identification
4 cards with color photographs of licensees and nondrivers
5 thereon, all initial Alabama licenses and nondriver
6 identification cards and renewals of licenses issued in this
7 state shall be issued in the following manner:

8 "(1) The person shall apply under oath to the
9 Department of Public Safety, Driver License Division, for an
10 initial Alabama driver's license or nondriver identification
11 card and to the judge of probate or license commissioner of
12 the county of his or her residence for the renewal of a
13 license or nondriver identification card upon a form which
14 shall be provided by the Director of Public Safety.

15 "(2) For the renewal of a driver's license or
16 nondriver identification card, the judge of probate or license
17 commissioner shall take a color photograph of the licensee
18 with equipment to be furnished by the Department of Public
19 Safety to be attached to each application.

20 "(b) (1) For the purpose of defraying the cost of
21 issuing drivers' licenses or nondriver identification cards
22 with color photographs of the licensee or nondriver thereon,
23 except as provided in Section 32-6-4.1, the Department of
24 Public Safety, Driver License Division, judge of probate, or
25 license commissioner shall collect for each license or
26 identification card the sum of twenty dollars (\$20) for a
27 four-year license or an identification card, and the

1 Department of Public Safety, Driver License Division, judge of
2 probate, or license commissioner shall give the licensee a
3 driver's license or identification card. Except as provided by
4 rules and regulations of the Director of Public Safety, the
5 nondriver identification card shall bear no expiration date
6 for any person 62 years of age or older.

7 "(2) A qualified student, as defined in Section
8 16-28-40(b)(2), is exempt from the driver's license issuance
9 fee required by this section.

10 "(c) (1) Any male applicant who applies for a
11 driver's license or a learner's license or a renewal of the
12 license who is at least 18 years of age, but less than 26
13 years of age, shall be registered in compliance with the
14 requirements of Section 3 of the Military Selective Service
15 Act, 50 App. U.S.C.A. Sec. 453, as amended.

16 "(2) The Department of Public Safety shall forward
17 in an electronic format the necessary personal information of
18 the applicants identified in this subsection to the Selective
19 Service System. The applicant's signature on the application
20 shall serve as an indication that the applicant either has
21 already registered with the Selective Service System or that
22 he is authorizing the department to forward to the Selective
23 Service System the necessary information for registration. The
24 department shall notify the applicant at the time of
25 application that his signature constitutes consent to
26 registration with the Selective Service System, if he is not
27 already registered.

1 "§32-6-6.

2 "(a) Each driver's license issued by the Department
3 of Public Safety, except temporary permits or other special
4 circumstances as determined by the Director of the Department
5 of Public Safety, shall ~~bear thereon~~ contain a distinguishing
6 number assigned to the licensee and a color photograph of the
7 licensee, the name, birthdate, address, and a description of
8 the licensee, who, for the purpose of identification and as a
9 condition precedent to the validity of the license,
10 immediately upon receipt ~~thereof~~ of the license, shall endorse
11 his or her usual or regular signature upon the license in the
12 space provided ~~thereon~~, unless a facsimile of the licensee's
13 signature appears ~~thereon~~ on the license.

14 "(b) A photo driver's license and photo nondriver
15 identification card as provided in Section 32-6-4 shall have a
16 photo core that meets the minimum width and length dimensions
17 specified in ANSI standards X4.13-1971 and ANSI standard CR80,
18 plus or minus 1/4 inch. In addition to all current and
19 existing fees, the department may charge an additional fee to
20 recover the cost of producing and issuing photo ~~drivers'~~
21 driver's licenses and photo nondriver identification cards.
22 The fee may not exceed ten cents (\$.10) over the actual cost
23 of producing and issuing the license or card including the
24 cost of materials, labor costs, telecommunications costs,
25 computer costs, postage, and any other costs incurred in
26 producing and issuing a license or card.

1 "(c) A driver's license issued to a qualifying
2 student described in Section 16-28-40(b) shall be exempt from
3 any fees under this section.

4 "(d) Revenues collected under this section shall be
5 used by the department for the sole purpose of this program,
6 and any excess shall revert to the General Fund at the end of
7 each fiscal year.

8 "§32-6-6.1.

9 "In addition to any other fees imposed for issuance
10 of a driver's license and photo nondriver identification card,
11 the Department of Public Safety shall impose an additional fee
12 of fifty cents (\$.50) for each driver's license and photo
13 nondriver identification card issued, except for a driver's
14 license issued to a qualifying student, as defined in Section
15 16-28-40(b) (2). The fee collected under this section shall be
16 allocated and appropriated to the Alabama Veterans Living
17 Legacy Trust Fund created by the Alabama Veterans Living
18 Legacy Act of 2008, Division 2, commencing with Section
19 16-44A-50, of Article 2 of Chapter 44A, and expenditures of
20 ~~such~~ the fee pursuant to the master plan for facilities,
21 programs, and outreach provided by that division and its
22 related programs.

23 "§32-6-15.

24 "(a) In the event any driver's license issued under
25 ~~the provisions of~~ this article is lost or destroyed, the
26 person to whom the same was issued may upon payment of a fee
27 of fifteen dollars (\$15) and upon furnishing proof to the

1 Director of Public Safety that the same has been lost or
2 destroyed, secure a duplicate. No fee shall be charged to a
3 qualified student, as defined by Section 16-28-40(b)(2), for
4 his or her first duplicate driver's license. The second and
5 subsequent duplicates applied for ~~will~~ shall require the
6 payment of a fee of fifteen dollars (\$15) and, upon furnishing
7 proof to the Director of Public Safety that his or her
8 previously held license or duplicate has been lost or
9 destroyed, secure another duplicate. Application for ~~such a~~
10 duplicate ~~will~~ shall be made to the Director of Public Safety
11 on forms provided by ~~him~~ the director. The fee shall be
12 collected by the director, paid into the State Treasury, and
13 credited to the Highway Traffic Safety Fund for the Department
14 of Public Safety.

15 "(b) Any person making a false affidavit to the
16 Director of Public Safety for the purpose of obtaining a
17 duplicate driver's license shall be guilty of a misdemeanor
18 and upon conviction shall be punished by imprisonment in the
19 county jail for not more than 30 days or by a fine of not less
20 than twenty-five dollars (\$25) nor more than one hundred
21 dollars (\$100).

22 "§32-6-21.

23 "(a) Every applicant for an original driver license,
24 temporary instruction and learner's permit, and motor driven
25 cycle operator's license, shall pay an examination fee of five
26 dollars (\$5) to the Alabama Department of Public Safety upon
27 applying to the officer, state trooper, or duly authorized

1 agent of the Director of Public Safety, or to one of them
2 where there is more than one designated by the Director of
3 Public Safety. The five ~~dollars~~ dollar (\$5) fee shall be
4 required prior to each examination. No driver's license
5 examination fee shall be charged to a qualified student, as
6 defined in Section 16-28-40(b)(2).

7 "(b) The Alabama Department of Public Safety shall
8 issue proper receipts for the examination fee and shall
9 properly transmit all ~~moneys~~ monies received by ~~it~~ the
10 department for deposit in the State General Fund."

11 Section 2. This act shall become effective on the
12 first day of the third month following its passage and
13 approval by the Governor, or its otherwise becoming law.

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Ways and Means
General Fund..... 22-FEB-22

Read for the second time and placed
on the calendar 1 amendment 02-MAR-22

Read for the third time and passed
as amended..... 09-MAR-22

Yeas 100, Nays 0, Abstains 1

Jeff Woodard
Clerk