

SB154 ENROLLED



1 R5QKNY-3
2 By Senators Barfoot, Coleman
3 RFD: Judiciary
4 First Read: 04-Apr-23
5 2023 Regular Session



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1 Enrolled, An Act,

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4 Relating to driver license suspensions; to provide for
5 the suspension of an individual's driver license or driving
6 privilege in certain circumstances.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8 Section 1. (a) Notwithstanding any other provision of
9 law, a judge may only order an individual's driver license or
10 driving privilege be suspended for failing to appear in court
11 when either of the following occur:

12 (1) The individual violates his or her written bond to
13 appear or otherwise fails to appear for any pre-adjudication
14 court date or trial date.

15 (2) The individual failed to appear on more than one
16 occasion when the court appearance is based on a court's post
17 adjudication compliance review of conditions ordered by the
18 court for a traffic violation.

19 (b) The Alabama State Law Enforcement Agency shall
20 suspend an individual's driver license or driving privilege
21 upon receipt of the court order suspending the license.

22 (c) The Secretary of the Alabama State Law Enforcement
23 Agency shall adopt rules as necessary to implement and
24 administer the requirements of this section.

25 (d) This section shall not apply to an individual
26 holding a commercial driver license or a commercial learner
27 license or to an individual operating a commercial vehicle at
28 the time of the traffic violation.



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29 (e) Any individual whose driver license or driving
30 privilege is suspended for failure to appear, his or her
31 driver license or driving privilege shall be reinstated upon
32 compliance with the notice to appear and the payment of the
33 reinstatement fee.

34 Section 2. (a) A court may not suspend an individual's
35 driver license for failure to pay a fine, fee, or court cost
36 as a result of a traffic violation unless the individual fails
37 to make three or more of the required payments if the court's
38 order permits the payment of fines, fees, or court costs as
39 part of a payment plan.

40 (b) It is the intent of the Legislature that, pursuant
41 to Section 150 of the Constitution of Alabama of 2022, the
42 Supreme Court of Alabama shall amend its rules to conform with
43 this section.

44 (c) This section shall not apply to an individual
45 holding a commercial driver license or a commercial learner
46 license or to an individual operating a commercial motor
47 vehicle at the time of the traffic violation.

48 Section 3. (a) Notwithstanding any other provision of
49 law, for the purposes of ensuring that habitually reckless or
50 negligent drivers do not remain on the road, the Alabama State
51 Law Enforcement Agency shall add points to an individual's
52 driver license for any traffic violation for which the
53 individual has received a final conviction.

54 (b) (1) For purposes of subsection (a), the term "final
55 conviction" means a judicial finding of guilt or a plea of
56 guilty.



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57 (2) After a final conviction, the court shall forward a
58 record of the conviction to the Alabama State Law Enforcement
59 Agency after the time has elapsed to perfect an appeal.

60 (c) A final conviction is the only time when points may
61 be assessed for an underlying traffic violation.

62 Section 4. Nothing in this act shall alter or limit any
63 provision of the Motor Vehicle Responsibility Act, Chapter 7
64 of Title 32, Code of Alabama 1975, or of the Mandatory
65 Liability Insurance Act, Chapter 7A of Title 32, Code of
66 Alabama 1975, including a court's authority to order and
67 enforce restitution by an individual found to have violated
68 either act.

69 Section 5. This act shall become effective on October
70 1, 2023, following its passage and approval by the Governor,
71 or its otherwise becoming law.



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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB154
Senate 25-Apr-23
I hereby certify that the within Act originated in and passed
the Senate, as amended.

Patrick Harris,
Secretary.

House of Representatives
Amended and passed: 16-May-23

Senate concurred in House amendment 18-May-23

By: Senator Barfoot