

**SB258 ENROLLED**



1 SB258  
2 TENT155-3  
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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1 Enrolled, An Act,

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5 Relating to commercial motor vehicles; to amend

6 Sections 32-6-49.5, 32-6-49.8, 32-6-49.10, 32-6-49.11,

7 32-6-49.19, 32-9A-2, and 32-9A-4, Code of Alabama 1975, to

8 revise existing state law to conform to various changes to

9 Federal Motor Carrier Safety Administration (FMCSA)

10 regulations, including deleting a requirement for a driver to

11 report certain violations; deleting a school bus driver fee

12 and written test waiver; revising fees for commercial driver

13 licenses and learner's permits; adding a human trafficking

14 ban; and repealing a steel coil transport certification

15 requirement; and in connection therewith would have as its

16 purpose or effect the requirement of a new or increased

17 expenditure of local funds within the meaning of Section

18 111.05 of the Constitution of Alabama of 2022.

19 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

20 Section 1. Sections 32-6-49.5, 32-6-49.8, 32-6-49.10,

21 32-6-49.11, 32-6-49.19, 32-9A-2, and 32-9A-4, Code of Alabama

22 1975, are amended to read as follows:

23 "§32-6-49.5

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

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

26 ~~(1) TO STATE. Any driver holding a commercial driver~~

27 ~~license issued by this state, who is convicted of violating~~

28 ~~any state law or local ordinance relating to motor vehicle~~



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29 ~~traffic control, in any other state or federal, provincial,~~  
30 ~~territorial, or municipal laws of Canada, other than parking~~  
31 ~~violations, must notify the Department of Public Safety in the~~  
32 ~~manner specified by the department within 30 days of the date~~  
33 ~~of conviction.~~

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

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

51 (c) Any person who applies to be a commercial motor  
52 vehicle driver must provide the employer, at the time of the  
53 application, with the following information for the 10 years  
54 preceding the date of application:

55 (1) A list of the names and addresses of the  
56 applicant's previous employers for which the applicant was a



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57 driver of a commercial motor vehicle;

58 (2) The dates between which the applicant drove for  
59 each employer; and

60 (3) The reason for leaving that employer.

61 The applicant must certify that all information  
62 furnished is true and complete. An employer may require an  
63 applicant to provide additional information."

64 "§32-6-49.8

65 Commercial driver license qualification standards shall  
66 be as follows:

67 (a) Testing.

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

77 (2) ~~THIRD PARTY~~ THIRD-PARTY TESTING. The department may  
78 authorize a person, including an agency of this or another  
79 state, an employer, a private driver training facility, or  
80 other private institution, or a department, agency, or  
81 instrumentality of local government to administer the skills  
82 test specified by this section, if the test is the same as  
83 what would otherwise be administered by the state and the  
84 third party has entered into an agreement with this state



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85 which complies with requirements of 49 C.F.R. ~~part~~ Part  
86 383.75.

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

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

102 (d) The holder of a valid commercial driver license  
103 learner's permit may drive a commercial motor vehicle only  
104 when accompanied by the holder of a commercial driver license  
105 valid for the type of vehicle driven who occupies a seat  
106 beside the individual for the purpose of giving instruction in  
107 driving the commercial vehicle.

108 (e) A commercial driver license learner's permit for a  
109 particular class or classes of commercial vehicle may be  
110 issued to a person who meets all the qualifications required  
111 of a person seeking a commercial driver license and has passed  
112 the vision and written tests for that class of commercial



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113 driver license. Commercial driver license learner's permits  
114 may be issued with any endorsements or restrictions provided  
115 for in 49 C.F.R. Part 383. The endorsements or restrictions  
116 shall be coded in accordance with the provisions of 49 C.F.R.  
117 § 383.153."

118 "§32-6-49.10

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

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

124 (2) The person's color photograph.

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

127 (4) Date of birth.

128 (5) Any other number or identifier not to include the  
129 Social Security number of the person deemed appropriate by the  
130 department.

131 (6) The person's signature.

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

135 (8) The name of this state.

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

137 (b) Commercial driver licenses may be issued with the  
138 following classifications, endorsements, and restrictions as  
139 provided below. The holder of a valid commercial driver  
140 license may drive all vehicles in the class for which that



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141 license is issued, and all lesser classes of vehicles  
142 including Class D, except motorcycles (Class M). Vehicles  
143 which require an endorsement may not be driven unless the  
144 proper endorsement appears on the license.

145 (1) Commercial driver licenses shall be classified as  
146 follows:

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

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

154 Class C - Any single vehicle with a GVWR of less than  
155 26,001 pounds or any such vehicle towing a vehicle with a GVWR  
156 not in excess of 10,000 pounds comprising:

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

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

162 ~~(2) Endorsements and restrictions shall be coded as~~  
163 ~~follows:~~ Commercial driver licenses may be issued with any  
164 endorsements or restrictions provided for in 49 C.F.R. Part  
165 383. The endorsements or restrictions shall be coded in  
166 accordance with 49 C.F.R. § 383.153.

167 ~~"H" - Authorizes the driver to drive a vehicle~~  
168 ~~transporting hazardous materials.~~



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169 ~~"K" - Restricts the driver to vehicles not equipped~~  
170 ~~with airbrakes.~~

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

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

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

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

175 ~~"X" - Represents a combination of hazardous materials~~  
176 ~~and tank vehicle endorsements.~~

177 (c) Before issuing a commercial driver license, the  
178 department shall obtain driving record information through the  
179 Commercial Driver License Information System, the National  
180 Driver Register, and from each state in which the person has  
181 been licensed.

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

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

188 (f) Renewal procedures for commercial driver licenses  
189 shall be as follows: Every person applying for renewal of a  
190 commercial driver license shall complete the application form  
191 required by subsection (a), providing updated information and  
192 required certifications. If the applicant wishes to retain a  
193 hazardous materials endorsement, the written test for a  
194 hazardous materials endorsement shall be taken and passed."

195 "§32-6-49.11

196 (a) (1) Any person is disqualified from driving a





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197 commercial motor vehicle for a period of not less than one  
198 year if convicted of a first violation of one of the  
199 following:

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

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

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

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

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

213 (2) If any of the violations ~~in subdivisions (1) to~~  
214 ~~(5), inclusive,~~ described in this subsection occurred while  
215 transporting a hazardous material required to be placarded,  
216 the person is disqualified for a period of not less than three  
217 years.

218 (b) A person is disqualified for life if convicted of  
219 two or more violations of any of the offenses specified in  
220 subsection (a), or any combination of those offenses, arising  
221 from two or more separate incidents.

222 (c) The Alabama State Law Enforcement Agency may ~~issue~~  
223 ~~regulations and promulgate establishing~~ adopt rules and  
224 establish guidelines, including conditions, under which a



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225 disqualification for life under subsection (b) may be reduced  
226 to a period of not less than 10 years.

227 (d) A person is disqualified from driving a commercial  
228 motor vehicle for life who uses a motor vehicle in the  
229 commission of any felony involving the manufacture,  
230 distribution, or dispensing of a controlled substance, or  
231 possession with intent to manufacture, distribute, or dispense  
232 a controlled substance.

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

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

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

248 (2) A person is disqualified from driving a commercial  
249 motor vehicle for not less than one year nor more than five  
250 years if during any 10-year period the person receives two  
251 convictions of driving a commercial vehicle while under an  
252 out-of-service order where the convictions arise out of



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253 separate incidents.

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

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

271 ~~(g)~~ (h) (1) A person is disqualified from operating a  
272 commercial motor vehicle for not less than 60 days upon a  
273 first conviction, not less than 120 days if during any  
274 three-year period the person receives two convictions, and not  
275 less than one year if during any three-year period the person  
276 receives three or more convictions of any of the following  
277 railroad-highway grade crossing violations:

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



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

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

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

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

289           f. The driver fails to negotiate a crossing because of  
290 insufficient undercarriage clearance.

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

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

298           ~~(h)~~ (i) After suspending, revoking, or canceling a  
299 commercial driver license, the Alabama State Law Enforcement  
300 Agency shall update its records to reflect that action within  
301 10 days. After suspending, revoking, or canceling a  
302 nonresident commercial driver's privilege, the Alabama State  
303 Law Enforcement Agency shall notify the licensing authority of  
304 the state that issued the commercial driver license or  
305 commercial driver instruction permit within 10 days.

306           ~~(j) Any failure~~ A person who fails to report or disclose  
307 required information under this section, either before or  
308 after issuance of a commercial driver license, shall be guilty



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309 ~~of a Class C felony and shall, upon conviction thereof, be~~  
310 ~~punished as provided by law."~~

311 "§32-6-49.19

312 (a) For the purpose of defraying the cost of issuing  
313 ~~commercial drivers' licensed~~driver licenses, the Alabama State  
314 Law Enforcement Agency, judge of probate, or license  
315 commissioner shall collect ~~for~~all of the following fees:

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

319 (2) For each Class A commercial driver license, the an  
320 additional sum of ~~fifty dollars (\$50);~~ thirty dollars (\$30).

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

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

331 (2) Commercial driver license learner's permit  
332 which permits shall be issued for a period of one year.

333 ~~(b) (c)~~ (c) The additional revenue from the additional fees  
334 collected pursuant to this section, ~~as amended by Act~~  
335 ~~2004-521,~~ shall be deposited in the ~~Highway Traffic Safety~~  
336 ~~Fund of the Department of Public Safety~~Public Safety Fund."



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337 "§32-9A-2

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

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

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

355 (3) No person may knowingly or negligently own or lease  
356 or cause to be operated on any public highway, road, street,  
357 or other public right-of-way a commercial motor vehicle loaded  
358 with a metal coil in a manner that fails to comply with 49  
359 C.F.R. §\_393.120 and thereby allows a metal coil to drop,  
360 fall, spill, shift, or otherwise escape from the commercial  
361 vehicle onto any public highway, road, street, or any other  
362 public right-of-way.

363 ~~(4)a. No motor carrier may initiate or terminate in~~  
364 ~~this state the commercial transport of metal coils, as defined~~



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365 ~~in 49 C.F.R. §393.120, unless the commercial vehicle operator~~  
366 ~~is certified in proper load securement as provided in 49~~  
367 ~~C.F.R. §393.120. Certification shall be conducted according to~~  
368 ~~standards published by the Department of Public Safety and~~  
369 ~~certified by the motor carrier and the driver on forms~~  
370 ~~provided by the department.~~

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

375 ~~(5)~~ (4) Except as it relates to subdivision (3), no law  
376 enforcement officer may make an arrest or issue a citation  
377 under this chapter unless he or she has satisfactorily  
378 completed, as a part of his or her training, the basic course  
379 of instruction developed by the Commercial Vehicle Safety  
380 Alliance. Those law enforcement officers authorized to enforce  
381 this chapter shall annually receive in service training  
382 related to commercial motor vehicle operations, including, but  
383 not limited to, training in current federal motor carrier  
384 safety regulations, safety inspection procedures, and  
385 out-of-service criteria. The annual training requirements  
386 shall be designated and specified by the director. An officer  
387 qualified under this section to make an arrest or issue a  
388 citation pursuant to subdivision (3) may arrest or issue a  
389 citation to the driver of a commercial motor vehicle without a  
390 warrant and without witnessing the violation personally if,  
391 upon personal investigation, the officer has reasonable cause  
392 to believe that a violation has occurred.



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

395 (1) Amendments to the hours of service regulations  
396 promulgated by the U.S. Department of Transportation at 68  
397 Federal Register 22456, April 28, 2003 and effective June 27,  
398 2003, shall not apply to utility service vehicles as defined  
399 at 49 C.F.R. §\_395.2, not including television cable or  
400 community antenna service vehicles, which are owned or  
401 operated by utilities regulated by the Public Service  
402 Commission or electric cooperatives and which are engaged  
403 solely in intrastate commerce in this state until June 27,  
404 2006, provided the amendments are valid and remain in effect  
405 as of that date. Hours of service regulations that are  
406 applicable in this state immediately prior to June 27, 2003,  
407 shall remain applicable to utility service vehicles engaged  
408 solely in intrastate commerce in this state until June 27,  
409 2006. If the U.S. Department of Transportation issues an  
410 official finding that this provision may result in the loss of  
411 federal Motor Carrier Safety Assistance Program funding, the  
412 ~~department~~ Alabama State Law Enforcement Agency may adopt  
413 rules providing for earlier implementation of the amendments  
414 to the federal hours of service regulations. If federal law or  
415 regulations are amended at any time to exempt utility service  
416 vehicles from the hours of service requirements, any exemption  
417 shall be effective in this state immediately for the duration  
418 of the federal exemption.

419 (2) The ~~department~~ Alabama State Law Enforcement Agency  
420 may adopt rules suspending the effective date for up to three





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421 years after adoption of any motor carrier safety regulation by  
422 the U.S. Department of Transportation as applied to vehicles  
423 engaged solely in intrastate commerce in this state, provided  
424 that the suspension does not result in the loss of federal  
425 Motor Carrier Safety Assistance Program funding.

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

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

441 (5) A commercial motor vehicle operated in intrastate  
442 commerce which does not equal or exceed 26,001 pounds, except  
443 a motor vehicle, regardless of weight, which is designed or  
444 used to transport 16 or more passengers, including the driver,  
445 or which is used in the transportation of hazardous materials  
446 and required to be placarded pursuant to 49 C.F.R. Part 172,  
447 Subpart F, shall be exempt from the federal motor carrier  
448 regulations otherwise made applicable in this state pursuant



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449 to subsection (a). For purposes of this subdivision,  
450 "commercial motor vehicle" means a commercial motor vehicle as  
451 defined in 49 C.F.R. §\_390.5.

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

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

466 ~~(d) The Department of Public Safety shall publish~~  
467 ~~standards for training drivers of commercial motor vehicles in~~  
468 ~~proper load securement for metal coils as provided in 49~~  
469 ~~C.F.R. §393.120 and provide for certification of drivers of~~  
470 ~~commercial motor vehicles carrying metal coils."~~

471 "§32-9A-4

472 (a) Any person violating Section 32-9A-2(a)(1) shall be  
473 guilty of a misdemeanor and punished by a fine of not less  
474 than twenty-five dollars (\$25) nor more than two thousand  
475 dollars (\$2,000) for each offense. In addition, the court may  
476 impose a sentence of imprisonment in the county jail, not to



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477 exceed 30 days, for each offense.

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

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

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

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

498 ~~(f)~~(e) In addition to the other penalties for a  
499 violation of subdivisions (2), or (3), ~~or (4)~~ of Section  
500 32-9A-2(a), the court may impose a sentence of imprisonment in  
501 the county jail, not to exceed one year, for each conviction  
502 under subdivisions (2), or (3), ~~or (4)~~ of Section 32-9A-2(a).

503 ~~(g)~~(f) In addition to other punishment fixed by law,  
504 the court may enter an order prohibiting the person from



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505 operating any commercial motor vehicle for a period to be  
506 specified by the court, or perpetually, as the court may  
507 determine."

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

514           Section 3. This act shall become effective on October  
515 1, 2024.



**SB258 Enrolled**

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President and Presiding Officer of the Senate

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Speaker of the House of Representatives

SB258

Senate 11-Apr-24

I hereby certify that the within Act originated in and passed the Senate, as amended.

Patrick Harris,  
Secretary.

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House of Representatives

Passed: 25-Apr-24

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By: Senator Kelley