HB306

116551-4

By Representatives Thigpen, Harper and Beasley

RFD: Public Safety

First Read: 19-JAN-10
A BILL

To prohibit any person or other entity from imposing an accident response service fee for the investigation of a motor vehicle accident on an insurance company, the driver or owner of a motor vehicle, or any other person or entity.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. As used in this act, the following terms shall have the following meanings:

(1) ACCIDENT RESPONSE SERVICE FEE. A fee imposed for the response or investigation by a law enforcement officer or agency of a motor vehicle accident.

(2) ENTITY. A governmental entity or agency or department of a governmental entity.

(3) LAW ENFORCEMENT AGENCY. The Alabama Department of Public Safety, the police department of each incorporated city or municipality, the department of each sheriff of the state, including all deputies sheriff deputy sheriffs, the enforcement division of the Department of Conservation and Natural Resources, and the Public Service Commission, and each public agency in the state charged with the enforcement of any
laws and the officers and employees of which have the power as such to make arrests. The term shall not include rescue squads or volunteer fire departments.

(4) LAW ENFORCEMENT OFFICER. An officer of a law enforcement agency.

Section 2. Notwithstanding any other provision of law to the contrary, no law enforcement agency, law enforcement officer, or other entity shall impose an accident response service fee on or from an insurance company, the driver or owner of a motor vehicle, or any other person or entity.

Section 3. This act shall become effective immediately following its passage and approval by the Governor, or its otherwise becoming law.
House of Representatives

Read for the first time and referred to the House of Representatives committee on Public Safety . ..... 19-JAN-10

Read for the second time and placed on the calendar with 1 substitute and .................................... ..... 28-JAN-10

Read for the third time and passed as amended .............................. ..... 18-FEB-10

Yeas 95, Nays 0, Abstains 0

Greg Pappas
Clerk