

1 SB117
2 216234-1
3 By Senator Barfoot
4 RFD: Judiciary
5 First Read: 18-JAN-22

8 SYNOPSIS: Under existing law, an individual's driver
9 license or driving privilege will be suspended for
10 failure to appear in court.

11 This bill would provide that an individual's
12 driver license or driving privilege may not be
13 suspended for failure to appear in court when the
14 court appearance is for a post adjudication
15 compliance review of court ordered conditions.

16 Under existing law, if a court orders an
17 individual to pay a fine, fee, court cost, or
18 restitution as a result of a traffic infraction and
19 he or she fails to pay, his or her driver license
20 or driving privilege will be suspended.

21 This bill would provide that an individual's
22 driver license or driving privilege may not be
23 suspended for failure to pay a fine, fee, court
24 cost, or restitution imposed as a result of a
25 traffic violation.

27 A BILL

1 TO BE ENTITLED

2 AN ACT

3
4 Relating to driver license suspensions; to provide
5 for the elimination of the suspension of an individual's
6 driver license or driving privilege in certain circumstances,
7 and to provide retroactive effect.

8 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

9 Section 1. (a) Notwithstanding any other provision
10 of law, the Alabama State Law Enforcement Agency may not
11 suspend an individual's driver license or driving privilege
12 for failing to appear in court when the court appearance is
13 based on a court's post adjudication compliance review of
14 conditions ordered by the court for a traffic violation.

15 (b) The Secretary of the Alabama State Law
16 Enforcement Agency shall adopt rules as necessary to implement
17 and administer the requirements of this section.

18 (c) The provisions of this section are remedial and
19 shall apply retroactively. An Alabama State Law Enforcement
20 Agency reinstatement office shall reinstate the driver license
21 or driving privilege of any individual whose driver license or
22 driving privilege was suspended before the effective date of
23 this act for failure to appear in court, as further described
24 in subsection (a), if so requested by that individual, and any
25 reinstatement fee shall be waived, provided the individual has
26 no other current suspensions or revocations requiring the
27 payment of a fee.

1 Section 2. (a) A court may not suspend an
2 individual's driver license or driving privilege for failure
3 to pay a fine, fee, court cost, or restitution imposed as a
4 result of a traffic violation.

5 (b) It is the intent of the Legislature that
6 pursuant to Amendment 328 of the Constitution of Alabama of
7 1901, now appearing as Section 150 of the Official
8 Recompilation of the Constitution of Alabama of 1901, as
9 amended, the Supreme Court of Alabama shall amend its rules to
10 conform with this act.

11 (c) The provisions of this section are remedial and
12 shall apply retroactively. An Alabama State Law Enforcement
13 Agency reinstatement office shall reinstate the driver license
14 or driving privilege of any individual whose driver license or
15 driving privilege was suspended before the effective date of
16 this act for failure to pay a fine, fee, court cost, or
17 restitution, as further described in subsection (a), if so
18 requested by that individual, and any reinstatement fee shall
19 be waived, provided the individual has no other current
20 suspensions or revocations requiring the payment of a fee.

21 Section 3. This act shall become effective on
22 October 1, 2022, following its passage and approval by the
23 Governor, or its otherwise becoming law.