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3 HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR HB200
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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 be
13 suspended for violating his or her written bond to
14 appear or otherwise failing to appear for an
15 initial court date or for failing to appear in
16 court on two or more occasions, when the court
17 appearance is for a post adjudication compliance
18 review of court ordered conditions.

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

24 This bill would provide that an individual's
25 driver license or driving privilege may be
26 suspended for failure to pay a fine, fee, or court
27 cost under certain circumstances.

1 This bill would require the Alabama State
2 Law Enforcement Agency to add points to an
3 individual's driver license when he or she has been
4 convicted of a traffic offense.

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6 A BILL
7 TO BE ENTITLED
8 AN ACT

9
10 Relating to driver license suspensions; to provide
11 for the suspension of an individual's driver license or
12 driving privilege in certain circumstances.

13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

18 (1) The individual violates his or her written bond
19 to appear or otherwise fails to appear for an initial court
20 date.

21 (2) The individual failed to appear on two or more
22 occasions and the court appearance is based on a court's post
23 adjudication compliance review of conditions ordered by the
24 court for a traffic violation.

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

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

4 (d) This section shall not apply to an individual
5 holding a commercial driver license or a commercial learner
6 license, or to an individual operating a commercial vehicle at
7 the time of the traffic violation.

8 Section 2. (a) A court may not suspend an
9 individual's driver license for failure to pay a fine, fee, or
10 court cost as a result of a traffic violation unless the
11 individual fails to make half or more of the required payments
12 within one year of the court's order, or fails to make any
13 additional payments one year after the court's order.

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

17 (c) It is the intent of the Legislature that,
18 pursuant to Amendment 328 of the Constitution of Alabama of
19 1901, now appearing as Section 150 of the Official
20 Recompilation of the Constitution of Alabama of 1901, as
21 amended, the Supreme Court of Alabama shall amend its rules to
22 conform with this section.

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

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

7 (b) For purposes of subsection (a), the term "final
8 conviction" means any of the following:

9 (1) A judicial finding of guilt or a plea of guilty.

10 (2) When an individual fails to appear in court to
11 dispute a traffic violation.

12 (c) In accordance with subsection (b), after a final
13 conviction, the Alabama State Law Enforcement Agency shall add
14 points to an individual's driver license prior to the
15 completion of any payment plan.

16 (d) If the final conviction is based on a judicial
17 finding of guilt or a plea of guilty, the court shall forward
18 a record of the conviction to the Alabama State Law
19 Enforcement Agency after the time has elapsed to perfect an
20 appeal. If the final conviction is based on an individual's
21 failure to appear in court, the court shall forward a record
22 of the conviction to the Alabama State Law Enforcement Agency
23 within five days of the final conviction.

24 (e) A final conviction is the only time when points
25 may be assessed for an underlying traffic violation.

26 Section 4. Nothing in this act shall alter or limit
27 any provision of the Motor Vehicle Responsibility Act, Chapter

1 7 of Title 32, Code of Alabama 1975, or of the Mandatory
2 Liability Insurance Act, Chapter 7A of Title 32, Code of
3 Alabama 1975, including a court's authority to order and
4 enforce restitution by an individual found to have violated
5 either act.

6 Section 5. This act shall become effective on
7 October 1, 2022, following its passage and approval by the
8 Governor, or its otherwise becoming law.