

1 HB679
2 116150-1
3 By Representative Irons
4 RFD: Government Operations
5 First Read: 04-MAR-10

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8 SYNOPSIS: Under existing law, members of the Public
9 Service Commission enforcement division have the
10 powers of peace officers and deputy sheriffs and
11 may exercise those powers within the state as to
12 the laws and rules of the Public Service Commission
13 only.

14 This bill would expand the powers to allow
15 the officers to enforce the state law relating to
16 the Federal Motor Carrier Safety Regulations and
17 the Federal Hazardous Material Regulations adopted
18 by the Department of Public Safety.

19
20 A BILL
21 TO BE ENTITLED
22 AN ACT
23

24 To amend Section 37-1-66 of the Code of Alabama
25 1975, relating to powers of members of the enforcement
26 division, Public Service Commission, to expand the powers to
27 allow the officers to enforce the state law relating to the

1 Federal Motor Carrier Safety Regulations and the Federal
2 Hazardous Material Regulations adopted by the Department of
3 Public Safety.

4 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

5 Section 1. Section 37-1-66 of the Code of Alabama
6 1975, is amended to read as follows:

7 "§37-1-66.

8 "(a) Members of the enforcement division of the
9 Public Service Commission designated in writing by the Public
10 Service Commission shall have the powers of peace officers and
11 deputy sheriffs in this state, and may exercise such powers
12 anywhere within the state as to the provisions of this title
13 and as to the rules and regulations of the Public Service
14 Commission only, the provisions of Title 32, Chapter 9A, the
15 Federal Motor Carrier Safety Regulations, and the Federal
16 Hazardous Material Regulations as adopted by the Alabama
17 Department of Public Safety.

18 "(b) This section shall not be construed as
19 transferring authority for the oversight of the enforcement of
20 the Federal Motor Carrier Safety Rules, the Federal Hazardous
21 Material Regulations, or any part of the Motor Carrier Safety
22 Assistance Program from the Alabama Department of Public
23 Safety."

24 Section 2. This act shall become effective on the
25 first day of the third month following its passage and
26 approval by the Governor, or its otherwise becoming law.