

1 SB197
2 207840-1
3 By Senator Whatley
4 RFD: Judiciary
5 First Read: 04-FEB-21

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8 SYNOPSIS: Under existing law, when a person is cited
9 for a nonfelony traffic infraction, the arresting
10 law enforcement officer issues and files with the
11 court a Uniform Traffic Ticket and Complaint or an
12 approved electronic version of the ticket and
13 serves upon the person a notice to appear. The
14 person may plead guilty by appearing before the
15 court and paying the fine, by signing and mailing
16 the ticket to the court with the cost of the fine,
17 or by paying the amount of the fine electronically.
18 The person may also plead not guilty by appearing
19 before the court as provided in the notice to
20 appear.

21 This bill would provide that if a person who
22 is issued a citation for a nonfelony traffic
23 infraction appears before a court as provided in
24 the notice to appear and pleads not guilty, and the
25 law enforcement officer who issued the citation
26 fails to appear before the court, the court is

1 required to order the case dismissed with
2 prejudice.

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4 A BILL
5 TO BE ENTITLED
6 AN ACT

7
8 Relating to criminal procedure; to provide for the
9 dismissal of nonfelony traffic infractions under certain
10 conditions.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12 Section 1. In the case of a nonfelony traffic
13 infraction in any court of this state, when a defendant
14 properly appears before the court pursuant to a summons and
15 notice to appear and pleads not guilty, and the law
16 enforcement officer who issued the Uniform Traffic Ticket and
17 Complaint or electronic version of the ticket fails to appear,
18 the court shall order the case dismissed with prejudice.

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