

1 HB465  
2 176174-1  
3 By Representative Pettus  
4 RFD: Public Safety and Homeland Security  
5 First Read: 22-MAR-16

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8 SYNOPSIS: This bill would impose an additional \$200  
9 penalty on any driver who is convicted of driving  
10 at a speed of 25 miles per hour or more over the  
11 posted speed limit under certain conditions.

12  
13 A BILL  
14 TO BE ENTITLED  
15 AN ACT

16  
17 Relating to additional fees for certain super  
18 speeding offenses; to include a \$200 penalty for any driver  
19 who is convicted of driving at a speed of 25 miles per hour  
20 over the posted speed limit under certain conditions; to  
21 require the Alabama Law Enforcement Agency to provide notice  
22 to offenders of the imposition of the fee; and to provide for  
23 the distribution of the penalties.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25 Section 1. (a) For the purposes of this section,  
26 "agency" means the Alabama Law Enforcement Agency.

1           (b) In addition to any other fines or penalties  
2 imposed by any local jurisdiction or the agency, the agency  
3 shall administer and collect a civil penalty of two hundred  
4 dollars (\$200) from any driver who is convicted of driving at  
5 a speed of 25 miles per hour or more over the posted speed  
6 limit, provided that the posted speed limit is 50 miles per  
7 hour or greater. A driver, upon conviction, shall be  
8 classified as a "super speeder."

9           (c) The agency shall notify offenders of the  
10 imposition of the penalty under this section within 30 days  
11 after receipt of a qualifying ticket and notice of conviction.  
12 Failure to pay the penalty within 90 days after receipt of the  
13 notice shall result in the suspension of the driver's license  
14 or driving privileges of the offender, and, in addition to the  
15 existing fees and penalties, a fee of fifty dollars (\$50)  
16 shall be assessed, payable upon the application for  
17 reinstatement of the driver's license or driving privileges.  
18 Notice shall be provided by the agency to the offender by  
19 first class mail to the address shown on the records of the  
20 agency. The mailed notice shall be adequate notification of  
21 the fee and of the offender's ability to avoid a driver's  
22 license suspension by paying the fee prior to the effective  
23 date of the suspension. No other notice shall be required to  
24 make the driver's license suspension effective.

25           (d) The agency may adopt rules to implement this  
26 section.

1           (e) All civil penalties collected pursuant to this  
2 section shall be deposited in the Highway Traffic Safety Fund  
3 on a monthly basis. After the deduction of the actual and  
4 necessary expenses of administering this act, the net proceeds  
5 shall be distributed as follows:

6           (1) Thirty-three and one-third percent shall be  
7 deposited in the Motor Vehicle Replacement Fund of the agency.

8           (2) Sixty and one-third percent shall be deposited  
9 in the Highway Traffic Safety Fund. One-third of this amount  
10 shall be used to improve communications for first responders  
11 and the remaining two-thirds shall be used to hire additional  
12 state troopers.

13           (3) Six and one-third percent shall be deposited in  
14 the Alabama Peace Officers' Annuity and Benefit Fund as  
15 authorized by Section 36-21-66, Code of Alabama 1975.

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