

1 HB80
2 164692-4
3 By Representatives Pettus, Ball, Rowe and Standridge
4 RFD: Public Safety and Homeland Security
5 First Read: 03-MAR-15

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2 ENROLLED, An Act,

3 Relating to law enforcement; to amend Section
4 32-5-171, Code of Alabama 1975, to specify that a law
5 enforcement officer may arrest a person subsequent to a
6 traffic accident under certain conditions; and to authorize a
7 law enforcement officer to issue a traffic citation subsequent
8 to a traffic accident to a driver involved in the accident
9 under certain conditions.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

11 Section 1. Section 32-5-171, Code of Alabama 1975,
12 is amended to read as follows:

13 "§32-5-171.

14 "(a) ~~A uniformed police officer, state trooper,~~
15 ~~county sheriff, or his or her deputy or member of a municipal~~
16 ~~police force~~ law enforcement officer as defined in Section
17 36-21-40, may arrest, ~~at the scene of~~ subsequent to a traffic
18 accident, any driver of a vehicle involved in the accident if
19 upon personal investigation, including information from
20 eyewitnesses, the officer has reasonable grounds to believe
21 that the person by violating Section 32-5A-191 contributed to
22 the accident if the person has been in the custody of medical
23 personnel since the accident occurred or the driver is still
24 engaged in actively leaving the scene. He or she may arrest

1 such a person without a warrant although he or she did not
2 personally see the violation.

3 "(b) A law enforcement officer as defined in Section
4 36-21-40, subsequent to a traffic accident, may issue a
5 traffic citation to a driver of a vehicle involved in the
6 accident when, based on personal investigation, the officer
7 has reasonable has prima facia evidence demonstrating and
8 probable grounds to believe that the person has committed any
9 offense under ~~this title.~~ Chapters 5, 5A, 6, 7, or 7A of Title
10 32."

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

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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 19-MAY-15, as amended.

Jeff Woodard
Clerk

Senate	04-JUN-15	Amended and Passed
House	04-JUN-15	Concurred in Senate Amendment