

1 HB368
2 156746-3
3 By Representative Ball
4 RFD: Public Safety and Homeland Security
5 First Read: 30-JAN-14

1 ENGROSSED

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4 A BILL
5 TO BE ENTITLED
6 AN ACT
7

8 Relating to law enforcement; to amend Section
9 32-5-171, Code of Alabama 1975, to specify that a law
10 enforcement officer may arrest a person subsequent to a
11 traffic accident under certain conditions; to authorize a law
12 enforcement officer to issue a traffic citation subsequent to
13 a traffic accident to a driver involved in the accident under
14 certain conditions; to require the court to impose an
15 additional fine for each traffic violation; and to specify the
16 disposition of additional fines collected.

17 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

20 "§32-5-171.

21 "(a) ~~A uniformed police officer, state trooper,~~
22 ~~county sheriff, or his or her deputy or member of a municipal~~
23 ~~police force~~ law enforcement officer as defined in Section
24 36-21-40, may arrest, ~~at the scene of~~ subsequent to a traffic
25 accident, any driver of a vehicle involved in the accident if
26 upon personal investigation, including information from
27 eyewitnesses, the officer has reasonable grounds to believe

1 that the person by violating Section 32-5A-191 contributed to
2 the accident. He or she may arrest such a person without a
3 warrant although he or she did not personally see the
4 violation.

5 "(b) A law enforcement officer as defined in Section
6 36-21-40, subsequent to a traffic accident, may issue a
7 traffic citation to a driver of a vehicle involved in the
8 accident when, based on personal investigation, the officer
9 has reasonable and probable grounds to believe that the person
10 has committed any offense under this title. Chapter 6, Chapter
11 7, or Chapter 7A of Title 32.

12 ~~"(c) A court shall impose an additional fine of~~
13 ~~fifty dollars (\$50) for each citation issued under subsection~~
14 ~~(b). Additional fines collected under this subsection shall be~~
15 ~~transferred to the Highway Traffic Safety Fund for the~~
16 ~~Department of Public Safety to be used for law enforcement~~
17 ~~purposes."~~

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

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Public Safety
and Homeland Security..... 30-JAN-14

Read for the second time and placed
on the calendar 1 amendment 06-FEB-14

Read for the third time and passed
as amended..... 13-FEB-14

Yeas 98, Nays 0, Abstains 0

Jeff Woodard
Clerk