

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

1 ENGROSSED

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4 A BILL  
5 TO BE ENTITLED  
6 AN ACT  
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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; and to authorize a  
12 law enforcement officer to issue a traffic citation subsequent  
13 to a traffic accident to a driver involved in the accident  
14 under certain conditions.

15 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

18 "§32-5-171.

19 "(a) ~~A uniformed police officer, state trooper,~~  
20 ~~county sheriff, or his or her deputy or member of a municipal~~  
21 ~~police force~~ law enforcement officer as defined in Section  
22 36-21-40, may arrest, ~~at the scene of~~ subsequent to a traffic  
23 accident, any driver of a vehicle involved in the accident if  
24 upon personal investigation, including information from  
25 eyewitnesses, the officer has reasonable grounds to believe  
26 that the person by violating Section 32-5A-191 contributed to  
27 the accident. He or she may arrest such a person without a

1 warrant although he or she did not personally see the  
2 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 ~~and probable~~ grounds to believe that the person  
8 has committed any offense under ~~this title. Chapters 5, 5A, 6,~~  
9 7, or 7A of Title 32."

10 Section 2. This act shall become effective on the  
11 first day of the third month following its passage and  
12 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..... . . . . 03-MAR-15

Read for the second time and placed  
on the calendar..... . . . . 02-APR-15

Read for the third time and passed  
as amended..... . . . . 19-MAY-15

Yeas 73, Nays 7, Abstains 13

Jeff Woodard  
Clerk