

SB108 INTRODUCED



1 SB108
2 D8LYHNNH-1
3 By Senators Orr, Williams, Butler, Melson, Kitchens, Bell,
4 Livingston, Hovey, Sessions, Shelnutt, Elliott, Allen, Gudger,
5 Price, Barfoot, Jones
6 RFD: Fiscal Responsibility and Economic Development
7 First Read: 15-Feb-24



SYNOPSIS:

Under existing law, every individual, except those specifically exempted by law, is required to obtain a driver license before driving a motor vehicle on the highways of this state and every new resident is required to obtain an Alabama driver license within 30 days after establishing residence in this state.

A nonresident with a license issued in his or her home state or country may be exempt from the Alabama license requirement under certain circumstances.

This bill would invalidate any driver license of a nonresident driving a motor vehicle in this state, issued in another state, if the license is of any class of licenses issued exclusively to undocumented immigrants unable to prove lawful presence in the United States.

This bill would also provide that a nonresident driver with a license issued in his or her home state or country shall not be exempt from Alabama driver license requirements if his or her license is of any class of licenses issued exclusively to undocumented immigrants unable to prove lawful presence in the United States.



SB108 INTRODUCED

A BILL
TO BE ENTITLED
AN ACT

Relating to driver licenses; to invalidate in this state any driver licenses, issued in another state, of a class of licenses exclusively issued to undocumented immigrants; to amend Section 32-6-2, Code of Alabama 1975, to provide that a nonresident with a certain class of driver license issued in another state shall not be exempt from securing a license in this state.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) If a driver license is of a class of licenses issued by another state exclusively to undocumented immigrants who are unable to prove lawful presence in the United States when the licenses are issued, the driver license, or other permit purporting to authorize the holder to operate a motor vehicle on public roadways, is invalid in this state and does not authorize the holder to operate a motor vehicle in this state. These classes of licenses include licenses that are issued exclusively to undocumented immigrants or licenses that are substantially the same as licenses issued to citizens, residents, or those lawfully present in the United States but have markings establishing that the license holder did not exercise the option of



SB108 INTRODUCED

providing proof of lawful presence.

(b) A law enforcement officer or other authorized representative of the Alabama State Law Enforcement Agency who stops an individual driving with an invalid license as described in subsection (a) or driving without a valid license shall issue a citation to the driver for driving without a license.

(c) To facilitate the enforcement of this section and to aid in providing notice to visitors and the general public concerning invalid licenses, the agency shall maintain on its website a list of out-of-state classes of driver licenses which are invalid in this state.

Section 2. Section 32-6-2, Code of Alabama 1975, is amended to read as follows:

"§32-6-2

The following ~~persons~~individuals when driving a motor vehicle under the following conditions are exempt from a license hereunder:

(1) Any ~~person~~individual in the service of the federal government while driving an official motor vehicle in such service~~+~~.

(2) Any ~~person~~individual while driving any road machine, farm tractor, or implement of husbandry temporarily driven or moved on a highway~~+~~.

(3) A nonresident who is at least 16 years of age and who has in his or her immediate possession a valid ~~driver's~~driver license issued in his or her home state or country. This exemption does not apply if the nonresident's



SB108 INTRODUCED

license is invalid under Section 1.[†]

(4) Any nonresident who is at least 16 years of age whose home state or country does not require the licensing of drivers for a period of not more than 90 days in any calendar year, if the motor vehicle so driven is duly registered in the home state or country of such nonresident. This exemption does not apply if the nonresident's license is invalid under Section 1."

Section 3. This act shall become effective on October 1, 2024.