

SB108 INTRODUCED



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



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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.



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A BILL

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TO BE ENTITLED

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AN ACT

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

43 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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



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57 providing proof of lawful presence.

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

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

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

71 "§32-6-2

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

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

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

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



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85 license is invalid under Section 1.[†]

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

93 Section 3. This act shall become effective on October
94 1, 2024.