

1 SB97
2 164999-2
3 By Senator Allen
4 RFD: Transportation and Energy
5 First Read: 03-MAR-15

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4 ENGROSSED

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7 A BILL
8 TO BE ENTITLED
9 AN ACT

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11 To amend Section 32-10-1, Code of Alabama 1975,
12 relating to the duty of a driver at the scene of a motor
13 vehicle accident; to require the driver of a vehicle involved
14 in an accident to move the vehicle from the roadway if the
15 vehicle is drivable and can be safely moved off the roadway
16 where no apparent serious physical injury or death to any
17 person has occurred; to authorize employees of the Department
18 of Transportation to require and assist in the moving of a
19 vehicle disabled as a result of an accident from a roadway
20 under its jurisdiction and on the state highway system; and to
21 provide department employees would be subject to Section
22 36-1-12, Code of Alabama 1975.

23 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

24 Section 1. Section 32-10-1, Code of Alabama 1975, is
25 amended to read as follows:

26 "§32-10-1.

1 "(a) The driver of any motor vehicle involved in an
2 accident not resulting in apparent serious physical injury as
3 defined in Section 13A-1-2 to or the death of any person, ~~or~~
4 ~~in damage to a motor vehicle or other vehicle which is driven~~
5 ~~or attended by any person,~~ shall immediately ~~stop such~~ move
6 the vehicle at the scene of such accident or as close thereto
7 as possible from the roadway to the shoulder, emergency lane,
8 median, or other location close to the accident site if the
9 vehicle is drivable and can be safely moved from the roadway
10 and shall then ~~forthwith~~ return to and ~~in every event shall~~
11 remain ~~at~~ as close to the scene of the accident as safely
12 possible until ~~he or she~~ the driver has fulfilled the
13 requirements of Section 32-10-3. ~~Every such stop shall be made~~
14 ~~without obstructing traffic more than is necessary.~~ The driver
15 or any other person who has moved a motor vehicle from the
16 roadway as provided herein before the arrival of a law
17 enforcement officer shall not be considered at fault regarding
18 the cause of the accident solely by reason of moving the
19 vehicle and shall not be considered as having failed to stop
20 and report a traffic accident.

21 "(b) Employees of the Department of Transportation
22 may move a vehicle, require a vehicle to be moved, or assist
23 in the moving of a vehicle from the roadway under the
24 jurisdiction of the department if the vehicle is disabled as a
25 result of an accident and the disabled vehicle creates a
26 traffic hazard or is obstructing traffic and the vehicle may
27 be safely moved. A vehicle may also be moved by the driver of

1 the vehicle or with the assistance of a towing or recovery
2 vehicle. A vehicle disabled as a result of an accident with
3 apparent serious physical injury to or death of any person may
4 not be moved until directed by a law enforcement officer.

5 "(c) This section does not relive a driver from
6 complying with any other duties imposed in this chapter.

7 (d) Department of Transportation employees shall be
8 subject to Section 36-1-12 as to any damages or claims
9 resulting from the exercise of their authority under this
10 section.

11 ~~(b)~~ (e) The director shall revoke the driver's
12 license of a person convicted under this section."

13 Section 2. This act shall become effective
14 immediately following its passage and approval by the
15 Governor, or its otherwise becoming law.

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Senate

Read for the first time and referred to the Senate
committee on Transportation & Energy..... 03-MAR-15

Acted on by Transportation and Energy as Favorable
with 1 amendment..... 07-APR-15

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

Yeas 27
Nays 3

Patrick Harris
Secretary