

House Bill 1255

By: Representatives Forster of the 3rd, Powell of the 23rd, Snow of the 2nd, Wiles of the 34th
and Ehrhart of the 36th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 40-5-24 of the Official Code of Georgia Annotated, relating to
2 instruction permits, graduated licensing and related restrictions, and temporary licenses, so
3 as to change the limitations on operation of vehicles by holders of Class D permits during the
4 initial six month period after receiving such permits; to repeal conflicting laws; and for other
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 style="text-align:center">**SECTION 1.**

8 Code Section 40-5-24 of the Official Code of Georgia Annotated, relating to instruction
9 permits, graduated licensing and related restrictions, and temporary licenses, is amended by
10 striking paragraph (2) of subsection (b) and inserting in lieu thereof a new paragraph (2) to
11 read as follows:

12 "(2) The department shall, after all applicable requirements have been met, issue to the
13 applicant a Class D driver's license which shall entitle the applicant, while having such
14 license in his or her immediate possession, to drive a Class C vehicle upon the public
15 highways of this state under the following conditions:

16 (A) Any Class D license holder shall not drive a Class C motor vehicle on the public
17 roads, streets, or highways of this state between the hours of 12:00 Midnight and 6:00
18 A.M. eastern standard time or eastern daylight time, whichever is applicable; and

19 (B)(i) Any Class D license holder shall not drive a Class C motor vehicle upon the
20 public roads, streets, or highways of this state when more than three other passengers
21 in the vehicle who are not members of the driver's immediate family are less than 21
22 years of age.

23 (ii) During the six-month period immediately following issuance of such license, any
24 Class D license holder shall not drive a Class C motor vehicle upon the public roads,
25 streets, or highways of this state when any other passenger in the vehicle is not a
26 member of the driver's immediate family unless the Class D license holder is

1 accompanied by a person at least 21 years of age who is licensed as a driver for a
2 commercial or noncommercial Class C vehicle who is occupying a seat beside the
3 driver;

4 provided, however, that a Class D license holder shall not be charged with a violation of
5 this paragraph alone but may be charged with violating this paragraph in addition to any
6 other traffic offense."

7 **SECTION 2.**

8 All laws and parts of laws in conflict with this Act are repealed.