

The House Committee on Natural Resources and Environment offers the following substitute to HB 1048:

A BILL TO BE ENTITLED
AN ACT

To amend Part 2 of Article 4 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to shore protection, so as to provide that it shall be a violation to operate a motor vehicle over sand dunes or to store certain watercraft on sand dunes; to provide for the protection of nesting sea turtles and shore birds and their hatchlings and habitats; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 2 of Article 4 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to shore protection, is amended by striking Code Section 12-5-248, relating to criminal violations, and inserting in lieu thereof the following:

"12-5-248.

(a) It shall be unlawful for any person to:

(1) Operate any motorized vehicle or other motorized machine on, over, or across ~~the dynamic dune field~~ sand dunes or beaches except as authorized by the permit-issuing authority, except that individual disability vehicles, emergency vehicles, and governmental vehicles utilized for beach maintenance or research may operate within ~~the dynamic dune field~~ sand dunes and beaches without authorization from the permit-issuing authority as long as those vehicles operate across existing cross-overs, paths, or drives;

or

(2) Store or park sailboats, catamarans, or other commercial or recreational marine craft ~~in on any dynamic dune field~~ sand dune.

(b) All such lawful activities conducted under this part shall provide protection to nesting sea turtles and their hatchlings and habitats and to nesting shore birds and their hatchlings and habitats.

