

House Bill 1048 (COMMITTEE SUBSTITUTE)

By: Representatives Keen of the 174<sup>th</sup>, Buck of the 135<sup>th</sup>, DeLoach of the 172<sup>nd</sup>, Tillman of the 173<sup>rd</sup> and Mueller of the 152<sup>nd</sup>

A BILL TO BE ENTITLED  
AN ACT

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

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

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

11 "12-5-248.

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

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

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

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

