

House Bill 1502

By: Representatives Snelling of the 99<sup>th</sup> and Snow of the 2<sup>nd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 16 of Title 40 of the Official Code of Georgia Annotated, relating to the  
2 Department of Motor Vehicle Safety, so as to regulate certain use of motor vehicles or other  
3 equipment by certified law enforcement officers employed by the department; to repeal  
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

7 Chapter 16 of Title 40 of the Official Code of Georgia Annotated, relating to the Department  
8 of Motor Vehicle Safety, is amended by inserting a new Code section to read as follows:

9 "40-16-5.1.

10 (a) Except as otherwise provided in subsection (b) of this Code section, no department  
11 motor vehicles shall be used by any certified law enforcement officers employed by the  
12 department except in the discharge of official duties. Any other equipment shall be used  
13 only with the express written approval of the commissioner. The commissioner shall adopt  
14 rules and regulations governing the use of equipment.

15 (b)(1) Certified law enforcement officers employed by the department may use a  
16 department motor vehicle while working an approved off-duty job, provided that:

17 (A) The off-duty employment is of a general nature that is the subject of a contract  
18 between the off-duty employer and the department and is service in which the use of  
19 the department motor vehicle is a benefit to the department or is in furtherance of the  
20 department's mission;

21 (B) The off-duty employer agrees to pay and does pay to the department an amount  
22 determined by the commissioner to be sufficient to reimburse the department for the use  
23 of the vehicle and to pay the off-duty employee sufficient compensation. Pursuant to  
24 such contract, the department shall pay the employee of the department the  
25 compensation earned on off-duty employment whenever such employee performs such  
26 service in a department motor vehicle; and

1 (C) The commissioner has specifically approved, in writing, the individual use of the  
2 vehicle by the employee.

3 (2) At no time will an off-duty employee be allowed use of a department motor vehicle  
4 at any political function of any kind."

5 **SECTION 2.**

6 All laws and parts of laws in conflict with this Act are repealed.