

ADOPTED

1 Senator Gingrey of the 37th offered the following amendment:

2 Amend SB 401 by striking lines 1 through 4 of page 1 and inserting in lieu thereof the
3 following:

4 "To amend Article 3 of Chapter 5 of Title 40 of the Official Code of Georgia Annotated,
5 relating to cancellation, suspension, and revocation of drivers' licenses, so as to change
6 certain provisions relating to suspension of license or driving privilege for failure to
7 respond to citation and reinstatement of license; to change certain provisions relating to
8 suspension of licenses of persons under age 21 for certain offenses and issuance of new
9 licenses following suspensions; to provide an effective date; to repeal".

10 By redesignating Sections 2 and 3 as Sections 3 and 4, respectively.

11 By striking lines 8, 9, and 10 of page 1 and inserting in lieu thereof the following:

12 "Article 3 of Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to
13 cancellation, suspension, and revocation of drivers' licenses, is amended by striking
14 subsection (a) of Code Section 40-5-56, relating to suspension of license or driving
15 privilege for failure to respond to citation and reinstatement of license, and inserting in its
16 place the".

17 By inserting after Section 1 the following:

18 **"SECTION 2.**

19 Said article is further amended by striking subsection (a) of Code Section 40-5-57.1, relating
20 to suspension of licenses of persons under age 21 for certain offenses and issuance of new
21 licenses following suspensions, and inserting in lieu thereof the following:

22 '(a) Notwithstanding any other provision of this chapter, the driver's license of any person
23 who was under 21 years of age ~~convicted~~ at the time of committing an offense of hit and
24 run or leaving the scene of an accident in violation of Code Section 40-6-270, racing on
25 highways or streets, using a motor vehicle in fleeing or attempting to elude an officer,
26 reckless driving, any offense for which four or more points are assessable under
27 subsection (c) of Code Section 40-5-57, purchasing an alcoholic beverage in violation of
28 paragraph (2) of subsection (a) of Code Section 3-3-23, violation of paragraph (3) or (5)
29 of subsection (a) of Code Section 3-3-23, or violation of Code Section 40-6-391 shall be
30 suspended by the department as provided by this Code section upon conviction of such

1 offense; and the driver's license of any person under 18 years of age who has accumulated
2 a violation point count of four or more points under Code Section 40-5-57 in any
3 consecutive 12 month period shall be suspended by the department as provided by this
4 Code section. A plea of nolo contendere shall be considered a conviction for purposes of
5 this subsection. Notice of suspension shall be given by certified mail or statutory overnight
6 delivery, return receipt requested; or, in lieu thereof, notice may be given by personal
7 service upon such person. Such license shall be surrendered within ten days of notification
8 of such suspension. Notice given by certified mail or statutory overnight delivery, return
9 receipt requested, mailed to the person's last known address shall be prima-facie evidence
10 that such person received the required notice."