

LOST

1 Senator Crotts of the 17th offered the following amendment:

2 Amend SB 488 by striking lines 1 and 2 of page 1 and inserting in lieu thereof the following:

3 "To amend Title 40 of the Official Code of Georgia Annotated, relating to motor".

4 By inserting "to change certain provisions relating to limited driving permits for certain
5 offenders; to change certain provisions relating to terms and conditions for suspension of
6 license under subsection (c) of Code Section 40-5-67.1;" after "standards;" on line 6 of page
7 1.

8 By inserting between Sections 3 and 4 the following:

9 **"SECTION 3A.**

10 Said title is further amended in Code Section 40-5-64, relating to limited driving permits for
11 certain offenders, by striking paragraph (1) of subsection (a) and subsection (e) and inserting
12 in lieu thereof the following:

13 '(1) Notwithstanding any contrary provision of Code Section 40-5-57 or 40-5-63 or any
14 other Code section of this chapter, any person who has not been previously convicted or
15 adjudicated delinquent for a violation of Code Section 40-6-391 within five years, as
16 measured from the dates of previous arrests for which convictions were obtained or pleas
17 of nolo contendere were accepted to the date of the current arrest for which a conviction
18 is obtained or a plea of nolo contendere is accepted, may apply for a limited driving
19 permit when and only when that person's driver's license has been suspended in
20 accordance with paragraph (2) of subsection (a.1) of Code Section 40-5-22; or subsection
21 (d) of Code Section 40-5-57; ~~paragraph (1) of subsection (a) of Code Section 40-5-63, or~~
22 ~~paragraph (1) of subsection (a) of Code Section 40-5-67.2.'~~

23 '(e) *Duration of permit.* A permit issued pursuant to this Code section shall be \$25.00 and
24 shall be nonrenewable and shall become invalid upon the driver's eighteenth birthday in
25 the case of a suspension under paragraph (2) of subsection (a.1) of Code Section 40-5-22,
26 upon the expiration of one year following the effective date of suspension of the applicant's
27 driver's license in the case of a suspension for an offense listed in Code Section 40-5-54
28 or a suspension under Code Section 40-5-57, ~~upon the expiration of 120 days following~~
29 ~~conviction in the case of a suspension in accordance with paragraph (1) of subsection (a)~~
30 ~~of Code Section 40-5-63 for a violation of Code Section 40-6-391, upon the expiration of~~
31 ~~30 days in the case of an administrative license suspension in accordance with paragraph~~

1 ~~(1) of subsection (a) of Code Section 40-5-67.2,~~ or upon the expiration of six months
 2 following proof of installation of an ignition interlock device in the case of a limited
 3 driving permit issued to a person subject to a court order for installation and use of such
 4 a device pursuant to Article 7 of Chapter 8 of Title 42; except that such limited driving
 5 permit shall expire upon any earlier reinstatement of the driver's license. A person
 6 convicted of such offense whose driver's license had been surrendered to the court in
 7 which such conviction was adjudged may apply to the department for a limited driving
 8 permit immediately following such conviction. Upon the applicant's execution of an
 9 affidavit attesting to such facts and to the fact that the court had not imposed a suspension
 10 or revocation of his or her driver's license or driving privileges inconsistent with the
 11 driving privileges to be conferred by the limited driving permit applied for, the department
 12 may issue such person a limited driving permit. A person convicted of such offense whose
 13 driver's license had not been surrendered to such court immediately following such
 14 conviction may apply to the department for a permit. Upon the applicant's surrender to the
 15 department of his or her driver's license and the execution of a similar affidavit, or if the
 16 driver's license has been lost, upon execution of an additional affidavit to that effect, the
 17 department may issue such person a limited driving permit.'

18 **SECTION 3B.**

19 Said title is further amended in Code Section 40-5-67.2, relating to terms and conditions for
 20 suspension of license under subsection (c) of Code Section 40-5-67.1, by striking subsections
 21 (c) and (d) and inserting in lieu thereof the following:

22 '(c) In all cases in which the department may return a license to a driver prior to the
 23 termination of the full period of suspension, the department may require such tests of
 24 driving skill and knowledge as it determines to be proper, and the department's discretion
 25 shall be guided by the driver's past driving record and performance, and the driver shall
 26 pay a restoration fee of \$210.00 or \$200.00 when processed by mail.

27 ~~(d) Any other provision of law to the contrary notwithstanding, a driver with no previous
 28 conviction for a violation of Code Section 40-6-391 within the previous five years, as
 29 measured from the dates of previous arrests for which convictions were obtained to the date
 30 of the current arrest, during the period of administrative suspension contemplated under
 31 this chapter, shall be entitled to a limited driving permit as provided in Code Section
 32 40-5-64."~~