

The House Committee on Motor Vehicles offered the following substitute to SB 1:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to motor
2 vehicle drivers' licenses, so as to change certain provisions relating to definitions; to change
3 certain provisions relating to persons not to be licensed, minimum ages for licensees, and
4 school attendance requirements; to provide driver training requirements for certain license
5 applicants; to regulate the means by which such requirements may be satisfied; to change
6 certain provisions relating to instruction permits, graduated licensing and related restrictions,
7 and temporary licenses; to change certain provisions relating to examination of applicants;
8 to change certain provisions relating to licensing exemptions; to change certain provisions
9 relating to revocation of licenses of persons under age 21 for certain offenses and issuance
10 of new licenses following revocations; to provide effective dates; to provide for a report; to
11 repeal conflicting laws; and for other purposes.

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

PART I
SECTION 1-0.

15 Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to motor vehicle
16 drivers' licenses, is amended by striking paragraph (15) of Code Section 40-5-1, relating to
17 definitions, and inserting in lieu thereof the following:

18 "(15) 'Resident' means a person who has a permanent home or abode in Georgia to
19 which, whenever such person is absent, he or she has the intention of returning. For the
20 purposes of this chapter, there is a rebuttable presumption that the following person is a
21 resident:

22 (A) Any person who accepts employment or engages in any trade, profession, or
23 occupation in Georgia or enters his or her children to be educated in the private or
24 public schools of Georgia within ten days after the commencement of such employment
25 or education; or

S. B. 1 (SUB)

1 (B) Any person who, except for infrequent, brief absences, has been present in the state
 2 for 30 or more days;
 3 provided, however, that no person shall be considered a resident for purposes of this
 4 chapter unless such person is either a United States citizen or an alien with documented
 5 proof of legal authorization from the U.S. Immigration and Naturalization Service."

6 SECTION 1-1.

7 Said chapter is further amended by adding to Code Section 40-5-22, relating to persons not
 8 to be licensed, minimum ages for licensees, and school attendance requirements, a new
 9 subsection (a.2) to read as follows:

10 "(a.2)(1) On and after January 1, 2002, the department shall not issue any initial Class
 11 D driver's license or, in the case of a person who has never been issued a Class D driver's
 12 license by the department or the equivalent thereof by any other jurisdiction, any initial
 13 Class C driver's license unless such person:

14 (A) Has completed an approved driver education course in a licensed private or public
 15 driver training school and in addition a cumulative total of at least 20 hours of other
 16 supervised driving experience including at least six hours at night, all of which is
 17 verified in writing signed before a person authorized to administer oaths by a parent or
 18 legal guardian of the applicant or by the applicant if such person is at least 18 years of
 19 age;

20 (A.1)(i) Has completed an approved driver education course provided through means
 21 of distance learning by a licensed private or public driver training school and in
 22 addition a cumulative total of at least 30 hours of other supervised driving experience
 23 including at least six hours at night, all of which is verified in writing signed before
 24 a person authorized to administer oaths by a parent or legal guardian of the applicant
 25 or by the applicant if such person is at least 18 years of age.

26 (ii) Any driver training school offering instruction through means of distance learning
 27 for purposes of this subparagraph shall be an entity having an office in this state open
 28 to the public during normal business hours and shall have been licensed for a
 29 continuous period of at least five years prior to offering any instruction through means
 30 of distance learning for purposes of this subparagraph.

31 (iii) Any such driver training school shall remit to the department an administrative
 32 fee of \$10.00 for each student enrolled in a distance learning program provided by
 33 such school. Such fee shall be paid not later than 30 days after the date of enrollment.

34 (iv) Any such driver training school shall maintain a local or toll-free telephone
 35 number available for use by an applicant enrolled in such distance learning course to
 36 obtain technical assistance with the program 24 hours per day.

1 (v) Any such driver training school shall provide each person successfully
 2 completing such distance learning program a numbered completion certificate, which
 3 shall be electronically transmitted, postmarked by the United States Postal Service,
 4 or sent by statutory overnight delivery not later than five business days after the
 5 course completion date.

6 (vi) Upon request, any such driver training school shall provide the department with
 7 any necessary access code or key to enable the department to access any computer,
 8 server, or other electronic device used to store data or provide certificates of
 9 completion to applicants who have enrolled in any course required of an applicant for
 10 purposes of this subparagraph.

11 (vii) For purposes of this subparagraph, the term 'distance learning' means the use of
 12 Internet or World Wide Web based computer systems or other electronic delivery
 13 systems or programs providing information or instruction to students and utilizing
 14 access security measures designed to prevent fraudulent use by or false identification
 15 of a student; or

16 (B) Has completed a cumulative total of at least 40 hours of supervised driving
 17 experience including at least six hours at night, and the same is verified in writing
 18 signed before a person authorized to administer oaths by a parent or legal guardian of
 19 the applicant or by the applicant if such person is at least 18 years of age; provided,
 20 however, that the alternative provided by this subparagraph shall not be available for
 21 any applicant for an initial Class D driver's license who is less than 17 years of age and
 22 resides in any county having a population of 500,000 or more according to the United
 23 States decennial census of 2000 or any future such census.

24 (2) The commissioner shall by rule or regulation establish standards for approval of any
 25 driver education course for purposes of subparagraphs (A) and (A.1) of paragraph (1) of
 26 this subsection, provided that such course shall be designed to educate young drivers
 27 about safe driving practices and the traffic laws of this state and to train young drivers in
 28 the safe operation of motor vehicles.

29 (3) For purposes of supervised driving experience under paragraph (1) of this subsection,
 30 supervision shall be provided by a person at least 21 years of age who is licensed as a
 31 driver for a commercial or noncommercial Class C vehicle, who is fit and capable of
 32 exercising control over the vehicle, and who is occupying a seat beside the driver."

33 SECTION 1-2.

34 Said chapter is further amended by striking subsection (b) of Code Section 40-5-24, relating
 35 to instruction permits, graduated licensing and related restrictions, and temporary licenses,
 36 and inserting in lieu thereof the following:

S. B. 1 (SUB)

1 "(b)(1) Any resident of this state who is at least 16 years of age and who, for a period of
 2 at least 12 months, had a valid instruction permit issued under subsection (a) of this Code
 3 section may apply to the department for a Class D driver's license to operate a
 4 noncommercial Class C vehicle if such resident has otherwise complied with all
 5 prerequisites for the issuance of such Class D driver's license as provided in subsection
 6 (a) of this Code section, provided that a resident at least 16 years of age who has at any
 7 age surrendered to the department a valid instruction permit or driver's license issued by
 8 another state or the District of Columbia or who has submitted to the department proof,
 9 to the satisfaction of the department, of a valid instruction permit or driver's license
 10 issued by another state or the District of Columbia may apply his or her driving record
 11 under such previously issued permit or driver's license toward meeting the eligibility
 12 requirements for a Class D driver's license the same as if such previously issued permit
 13 or driver's license were an instruction permit issued under subsection (a) of this Code
 14 section.

15 (2) The department shall, after all applicable requirements have been met ~~the applicant~~
 16 ~~has successfully passed a behind the wheel road test,~~ issue to the applicant a Class D
 17 driver's license which shall entitle the applicant, while having such license in his or her
 18 immediate possession, to drive a Class C vehicle upon the public highways of this state
 19 under the following conditions:

20 (A) ~~The~~ Any Class D license holder shall not drive a Class C motor vehicle on the
 21 public roads, streets, or highways of this state between the hours of ~~1:00 A.M. 12:00~~
 22 Midnight and ~~5:00 6:00~~ 6:00 A.M. eastern standard time or eastern daylight time, whichever
 23 is applicable, unless:

24 (i) Going to or from a place of business where he or she is actually employed on a
 25 regularly scheduled basis;

26 (ii) Going to or from an event or activity sponsored or sanctioned by a secondary or
 27 postsecondary school in which he or she is enrolled as a student;

28 (iii) Going to or from an event or activity sponsored or sanctioned by a religious
 29 organization; or

30 (iv) For the purpose of a medical, fire, or law enforcement related emergency; and

31 (B) Any ~~The~~ Class D license holder shall not drive a Class C motor vehicle upon the
 32 public roads, streets, or highways of this state when more than ~~three other passengers~~
 33 one other passenger in the vehicle who ~~are not members~~ is not a member of the driver's
 34 immediate family ~~are~~ is less than 21 years of age; and, during the 90 day period
 35 immediately following issuance of such license, any Class D license holder shall not
 36 drive a Class C motor vehicle upon the public roads, streets, or highways of this state

1 when any other passenger in the vehicle is not a member of the driver's immediate
 2 family;

3 provided, however, that a Class D license holder shall not be charged with a violation of
 4 this ~~subparagraph~~ paragraph alone but may be charged with violating this ~~subparagraph~~
 5 paragraph in addition to any other traffic offense.

6 ~~(2)~~(3) A person who has been issued a Class D driver's license under this subsection and
 7 has never been issued a Class C driver's license under this chapter will become eligible
 8 for a Class C driver's license under this chapter only if such person has a valid Class D
 9 driver's license which is not under suspension and, for a period of not less than 12
 10 consecutive months prior to making application for a Class C driver's license, has not
 11 been convicted of a violation of Code Section 40-6-391, hit and run or leaving the scene
 12 of an accident in violation of Code Section 40-6-270, racing on highways or streets, using
 13 a motor vehicle in fleeing or attempting to elude an officer, reckless driving, or convicted
 14 of any offense for which four or more points are assessable under subsection (c) of Code
 15 Section 40-5-57 and is at least 18 years of age."

16 SECTION 1-3.

17 Said chapter is further amended by striking subsection (a) of Code Section 40-5-27, relating
 18 to examination of applicants, and inserting in lieu thereof the following:

19 "(a)(1) The department shall examine every applicant for a driver's license. Such
 20 examination shall include a test of the applicant's eyesight, his or her ability to
 21 understand official traffic-control devices, and his or her knowledge of safe driving
 22 practices and the traffic laws of this state and ~~may~~ shall also include ~~an actual~~
 23 ~~demonstration of~~ a comprehensive on-the-road driving test during which the applicant
 24 shall be required to fully demonstrate his or her ability to exercise ordinary and
 25 reasonable control in the operation of a motor vehicle of the type or general class of
 26 vehicles he or she desires a license to drive. Applicants 18 years of age and older with
 27 valid and current licenses issued by another state of the United States or the District of
 28 Columbia who surrender their previous licenses to obtain a Georgia license shall be
 29 exempt from taking such tests other than tests of eyesight. The examination may also
 30 include such further physical and mental examination as the department finds necessary
 31 to determine the applicant's fitness to operate a motor vehicle safely upon the highways.
 32 The commissioner may establish by rules and regulations the type of tests or
 33 demonstrations to be made by applicants for any class of license.

34 (2) As shall be prescribed by rule or regulation of the department, any driver training
 35 instructor licensed under Chapter 13 of Title 43 may act as a driver's license examiner
 36 on behalf of the department in lieu of a department employee for purposes of this

1 subsection and may charge the driver's license applicant a fee not exceeding \$50.00 for
 2 providing such service."

3
 4 **PART II**
 5 **SECTION 2-1.**

6 Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to motor vehicle
 7 drivers' licenses, is amended by striking paragraph (11) of subsection (a) of Code Section
 8 40-5-21, relating to licensing exemptions, and inserting in lieu thereof the following:

9 "(11) Any resident who is 15 years of age or over while taking actual in-car training in
 10 a training vehicle other than a commercial motor vehicle under the direct personal
 11 supervision of a driving instructor when such driving instructor and training vehicle are
 12 licensed by the Department of Public Safety in accordance with the provisions of Chapter
 13 13 of Title 43, 'The Driver Training School License Act,' ~~or when such driving instructor~~
 14 ~~and vehicle are approved by the State Department of Education for a driver education~~
 15 ~~program offered by a public high school, provided that the course is open only to students~~
 16 ~~of such accredited school.'~~ As used in the previous sentence, the term 'commercial motor
 17 vehicle' shall have the meaning specified in Code Section 40-5-142. All vehicles utilized
 18 for the in-car training authorized under this paragraph shall be equipped with dual
 19 controlled brakes and shall be marked with signs in accordance with the Department of
 20 Public Safety ~~or Department of Education~~ rules clearly identifying such vehicles as
 21 training cars belonging to a licensed driving school ~~or public high school~~. A driving
 22 instructor shall test the eyesight of any unlicensed person who will be receiving actual
 23 in-car training prior to commencement of such training, and no unlicensed driver shall
 24 receive in-car training unless such person has at least the visual acuity and horizontal
 25 field of vision as is required for issuance of a driver's license in subsection (c) of Code
 26 Section 40-5-27."

27 **SECTION 2-2.**

28 Said chapter is further amended by striking Code Section 40-5-57.1, relating to revocation
 29 of licenses of persons under age 21 for certain offenses and issuance of new licenses
 30 following revocations, and inserting in lieu thereof the following:

31 "40-5-57.1.

32 (a) Notwithstanding any other provision of this chapter, the driver's license of any person
 33 under 21 years of age convicted of hit and run or leaving the scene of an accident in
 34 violation of Code Section 40-6-270, racing on highways or streets, using a motor vehicle
 35 in fleeing or attempting to elude an officer, reckless driving, any offense for which four

1 or more points are assessable under subsection (c) of Code Section 40-5-57, purchasing an
 2 alcoholic beverage in violation of paragraph (2) of subsection (a) of Code Section 3-3-23,
 3 violation of paragraph (3) or (5) of subsection (a) of Code Section 3-3-23, or violation of
 4 Code Section 40-6-391 shall be ~~revoked~~ suspended by the department as provided by this
 5 Code section, ~~and a driver's license revoked under this subsection shall not be reinstated;~~
 6 provided, however, that a person whose driver's license has been suspended under this
 7 Code section other than for a violation of Code Section 40-6-391 shall be eligible for and
 8 may be issued a Class P instruction permit during the last 60 days of the suspension period
 9 provided by this Code section. A plea of nolo contendere shall be considered a conviction
 10 for purposes of this subsection. Notice of ~~revocation~~ suspension shall be given by certified
 11 mail or statutory overnight delivery, return receipt requested; or, in lieu thereof, notice may
 12 be given by personal service upon such person. Such license shall be surrendered within
 13 ten days of notification of such ~~revocation~~ suspension. Notice given by certified mail or
 14 statutory overnight delivery, return receipt requested, mailed to the person's last known
 15 address shall be prima-facie evidence that such person received the required notice.

16 (b) A person whose driver's license has been ~~revoked~~ suspended under subsection (a) of
 17 this Code section shall:

18 (1) ~~Except~~ Subject to the requirements of subsection (c) of this Code section and except
 19 as otherwise provided by paragraph (2) of this subsection:

20 (A) Upon a first such ~~revocation~~ suspension, be eligible to apply for license
 21 reinstatement and, subject to successful recompletion of the examination requirements
 22 of Code Section 40-5-27 and payment of required fees, ~~be issued a new driver's license~~
 23 have his or her driver's license reinstated six months from the date on which the
 24 ~~revoked~~ suspended license was surrendered to and received by the department; and

25 (B) Upon a second or subsequent such ~~revocation~~ suspension, be eligible to apply for
 26 license reinstatement and, subject to successful recompletion of the examination
 27 requirements of Code Section 40-5-27 and payment of required fees, ~~be issued a new~~
 28 ~~driver's license~~ have his or her driver's license reinstated 12 months from the date on
 29 which the ~~revoked~~ suspended license was surrendered to and received by the
 30 department; or

31 (2) If the driver's license was ~~revoked~~ suspended upon conviction for violation of Code
 32 Section 40-6-391, be subject to the provisions of Code Section 40-5-63; except that if
 33 such driver was convicted of driving under the influence of alcohol or of having an
 34 unlawful alcohol concentration and is otherwise subject to the provisions of paragraph
 35 (1) of subsection (a) of Code Section 40-5-63, then:

1 (A) If the driver's alcohol concentration at the time of the offense was less than 0.08
 2 grams, he or she shall not be eligible for license reinstatement until the end of six
 3 months; or

4 (B) If and the driver's alcohol concentration at the time of the offense was 0.08 grams
 5 or more, he or she shall not be eligible for license reinstatement until the end of 12
 6 months.

7 Any driver subject to the provisions of this paragraph shall, as an additional prerequisite
 8 for license reinstatement, be required to successfully recomplete ~~be eligible to apply for~~
 9 ~~and, subject to the examination requirements of Code Section 40-5-27 and payment of~~
 10 ~~required fees, be issued a new driver's license 12 months from the date on which the~~
 11 ~~revoked license was surrendered to and received by the department.~~

12 (b.1) In any case where a person's driver's license was administratively suspended as a
 13 result of the offense for which the person's driver's license has been ~~revoked~~ suspended
 14 pursuant to this Code section, the administrative license suspension period and the license
 15 revocation suspension period provided by this Code section may run concurrently, and any
 16 completed portion of such administrative license suspension period shall apply toward
 17 completion of the license ~~revocation~~ suspension period provided by this Code section.

18 ~~(c) Any person whose driver's license is revoked under subsection (a) of this Code section~~
 19 ~~for violation of Code Section 40-6-391 shall not be issued a new driver's license without~~
 20 ~~submitting proof of completion of a DUI Alcohol or Drug Use Risk Reduction Program~~
 21 ~~approved by the Department of Human Resources and payment of a fee equivalent to that~~
 22 ~~required for restoration of a suspended driver's license under paragraph (1) of subsection~~
 23 ~~(a) of Code Section 40-5-67.2; provided, however, that such fee shall not be required for~~
 24 ~~the issuance of a new driver's license under this subsection if such person's driver's license~~
 25 ~~was administratively suspended as a result of the offense for which the person's driver's~~
 26 ~~license has been revoked pursuant to this Code section and the restoration fee was paid for~~
 27 ~~such suspended driver's license.~~

28 ~~(d)~~(c) Any person whose driver's license is ~~revoked~~ suspended under subsection (a) of this
 29 Code section for commission of any offense other than violation of Code Section 40-6-391
 30 shall not be issued a new driver's license without submitting become valid and shall remain
 31 suspended until such person submits proof of completion of a defensive driving program
 32 approved by the Department of Public Safety and ~~payment of~~ pays a fee equivalent to that
 33 required for restoration of a suspended driver's license under paragraph (1) of subsection
 34 (a) of Code Section 40-5-63; provided, however, that such fee shall not be required ~~for the~~
 35 ~~issuance of a new driver's license~~ under this subsection if such person's driver's license
 36 was administratively suspended as a result of the offense for which the person's driver's

1 license has been ~~revoked~~ suspended pursuant to this Code section and the restoration fee
 2 was paid for such administratively suspended driver's license."

3 **PART III**

4 **SECTION 3-1.**

5 Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to motor vehicle
 6 drivers' licenses, is amended by striking paragraph (11) of subsection (a) of Code Section
 7 40-5-21, relating to licensing exemptions, and inserting in lieu thereof the following:

8 "(11) Any resident who is 15 years of age or over while taking actual in-car training in
 9 a training vehicle other than a commercial motor vehicle under the direct personal
 10 supervision of a driving instructor when such driving instructor and training vehicle are
 11 licensed by the department in accordance with the provisions of Chapter 13 of Title 43,
 12 'The Driver Training School License Act,' ~~or when such driving instructor and vehicle are~~
 13 ~~approved by the State Department of Education for a driver education program offered~~
 14 ~~by a public high school, provided that the course is open only to students of such~~
 15 ~~accredited school.~~ As used in the previous sentence, the term 'commercial motor vehicle'
 16 shall have the meaning specified in Code Section 40-5-142. All vehicles utilized for the
 17 in-car training authorized under this paragraph shall be equipped with dual controlled
 18 brakes and shall be marked with signs in accordance with the Department of Motor
 19 Vehicle Safety ~~or Department of Education~~ rules clearly identifying such vehicles as
 20 training cars belonging to a licensed driving school ~~or public high school~~. A driving
 21 instructor shall test the eyesight of any unlicensed person who will be receiving actual
 22 in-car training prior to commencement of such training, and no unlicensed driver shall
 23 receive in-car training unless such person has at least the visual acuity and horizontal
 24 field of vision as is required for issuance of a driver's license in subsection (c) of Code
 25 Section 40-5-27."

26 **SECTION 3-2.**

27 Said chapter is further amended by striking Code Section 40-5-57.1, relating to revocation
 28 of licenses of persons under age 21 for certain offenses and issuance of new licenses
 29 following revocations, and inserting in lieu thereof the following:

30 "40-5-57.1.

31 (a) Notwithstanding any other provision of this chapter, the driver's license of any person
 32 under 21 years of age convicted of hit and run or leaving the scene of an accident in
 33 violation of Code Section 40-6-270, racing on highways or streets, using a motor vehicle
 34 in fleeing or attempting to elude an officer, reckless driving, any offense for which four or

1 more points are assessable under subsection (c) of Code Section 40-5-57, purchasing an
 2 alcoholic beverage in violation of paragraph (2) of subsection (a) of Code Section 3-3-23,
 3 violation of paragraph (3) or (5) of subsection (a) of Code Section 3-3-23, or violation of
 4 Code Section 40-6-391 shall be ~~revoked~~ suspended by the department as provided by this
 5 Code section, ~~and a driver's license revoked under this subsection shall not be reinstated;~~
 6 provided, however, that a person whose driver's license has been suspended under this
 7 Code section other than for a violation of Code Section 40-6-391 shall be eligible for and
 8 may be issued a Class P instruction permit during the last 60 days of the suspension period
 9 provided by this Code section. A plea of nolo contendere shall be considered a conviction
 10 for purposes of this subsection. Notice of ~~revocation~~ suspension shall be given by certified
 11 mail or statutory overnight delivery, return receipt requested; or, in lieu thereof, notice may
 12 be given by personal service upon such person. Such license shall be surrendered within
 13 ten days of notification of such ~~revocation~~ suspension. Notice given by certified mail or
 14 statutory overnight delivery, return receipt requested, mailed to the person's last known
 15 address shall be prima-facie evidence that such person received the required notice.

16 (b) A person whose driver's license has been ~~revoked~~ suspended under subsection (a) of
 17 this Code section shall:

18 (1) ~~Except~~ Subject to the requirements of subsection (c) of this Code section and except
 19 as otherwise provided by paragraph (2) of this subsection:

20 (A) Upon a first such ~~revocation~~ suspension, be eligible to apply for license
 21 reinstatement and, subject to successful recompletion of the examination requirements
 22 of Code Section 40-5-27 and payment of required fees, ~~be issued a new driver's license~~
 23 have his or her driver's license reinstated six months from the date on which the
 24 ~~revoked~~ suspended license was surrendered to and received by the department; and

25 (B) Upon a second or subsequent such ~~revocation~~ suspension, be eligible to apply for
 26 license reinstatement and, subject to successful recompletion of the examination
 27 requirements of Code Section 40-5-27 and payment of required fees, ~~be issued a new~~
 28 ~~driver's license~~ have his or her driver's license reinstated 12 months from the date on
 29 which the ~~revoked~~ suspended license was surrendered to and received by the
 30 department; or

31 (2) If the driver's license was ~~revoked~~ suspended upon conviction for violation of Code
 32 Section 40-6-391, be subject to the provisions of Code Section 40-5-63; except that if
 33 such driver was convicted of driving under the influence of alcohol or of having an
 34 unlawful alcohol concentration and is otherwise subject to the provisions of paragraph
 35 (1) of subsection (a) of Code Section 40-5-63, then:

1 (A) If the driver's alcohol concentration at the time of the offense was less than 0.08
 2 grams, he or she shall not be eligible for license reinstatement until the end of six
 3 months; or

4 (B) If and the driver's alcohol concentration at the time of the offense was 0.08 grams
 5 or more, he or she shall not be eligible for license reinstatement until the end of 12
 6 months.

7 Any driver subject to the provisions of this paragraph shall, as an additional prerequisite
 8 for license reinstatement, be required to successfully recomplete ~~be eligible to apply for~~
 9 ~~and, subject to the examination requirements of Code Section 40-5-27 and payment of~~
 10 ~~required fees, be issued a new driver's license 12 months from the date on which the~~
 11 ~~revoked license was surrendered to and received by the department.~~

12 (b.1) In any case where a person's driver's license was administratively suspended as a
 13 result of the offense for which the person's driver's license has been ~~revoked~~ suspended
 14 pursuant to this Code section, the administrative license suspension period and the license
 15 revocation suspension period provided by this Code section may run concurrently, and any
 16 completed portion of such administrative license suspension period shall apply toward
 17 completion of the license ~~revocation~~ suspension period provided by this Code section.

18 ~~(c) Any person whose driver's license is revoked under subsection (a) of this Code section~~
 19 ~~for violation of Code Section 40-6-391 shall not be issued a new driver's license without~~
 20 ~~submitting proof of completion of a DUI Alcohol or Drug Use Risk Reduction Program~~
 21 ~~approved by the Department of Human Resources and payment of a fee equivalent to that~~
 22 ~~required for restoration of a suspended driver's license under paragraph (1) of subsection~~
 23 ~~(a) of Code Section 40-5-67.2; provided, however, that such fee shall not be required for~~
 24 ~~the issuance of a new driver's license under this subsection if such person's driver's license~~
 25 ~~was administratively suspended as a result of the offense for which the person's driver's~~
 26 ~~license has been revoked pursuant to this Code section and the restoration fee was paid for~~
 27 ~~such suspended driver's license.~~

28 ~~(d)~~(c) Any person whose driver's license is ~~revoked~~ suspended under subsection (a) of this
 29 Code section for commission of any offense other than violation of Code Section 40-6-391
 30 shall not be issued a new driver's license without submitting become valid and shall remain
 31 suspended until such person submits proof of completion of a defensive driving program
 32 approved by the department and ~~payment of~~ pays a fee equivalent to that required for
 33 restoration of a suspended driver's license under paragraph (1) of subsection (a) of Code
 34 Section 40-5-63; provided, however, that such fee shall not be required ~~for the issuance of~~
 35 ~~a new driver's license~~ under this subsection if such person's driver's license was
 36 administratively suspended as a result of the offense for which the person's driver's license

1 has been ~~revoked~~ suspended pursuant to this Code section and the restoration fee was paid
2 for such administratively suspended driver's license."

3 **PART IV**

4 **SECTION 4-1.**

5 (a) This Act shall become effective on January 1, 2002, except as otherwise provided by
6 subsections (b) and (c) of this section.

7 (b) Paragraph (1) of subsection (a) of Code Section 40-5-27 as amended by Section 1-3 of
8 this Act shall become effective six months after the effective date of appropriation by the
9 General Assembly of sufficient funds for such purpose.

10 (c) Each provision amended in Part III of this Act shall become effective and supersede that
11 respective provision amended in Part II of this Act on January 1, 2002, or on such date
12 thereafter as that same provision, as amended by an Act approved April 28, 2000 (Ga. L.
13 2000, p. 951), becomes fully effective pursuant to Section 13-1 of that 2000 Act, whichever
14 is later.

15 **SECTION 4-1A.**

16 The Department of Public Safety or the Department of Motor Vehicle Safety, whichever is
17 applicable, shall study the effectiveness of the driver training alternatives provided by
18 paragraph (1) of subsection (a.2) of Code Section 40-5-22 as enacted by this Act and shall
19 report its findings and recommendations to the General Assembly not later than January 31,
20 2003.

21 **SECTION 4-2.**

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