

Senate Bill 315 (Prefiled)

By: Senator Gingrey of the 37th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 40-5-57.1 of the Official Code of Georgia Annotated, relating to
2 suspension of licenses of persons under age 21 for certain offenses and issuance of new
3 licenses following suspensions, so as to specifically provide that age at the time of
4 committing an offense rather than age at the time of conviction shall determine applicability
5 of certain suspension provisions; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 40-5-57.1 of the Official Code of Georgia Annotated, relating to suspension
9 of licenses of persons under age 21 for certain offenses and issuance of new licenses
10 following suspensions, is amended by striking subsection (a) and inserting in lieu thereof the
11 following:

12 "(a) Notwithstanding any other provision of this chapter, the driver's license of any person
13 who was under 21 years of age ~~convicted~~ at the time of committing an offense of hit and
14 run or leaving the scene of an accident in violation of Code Section 40-6-270, racing on
15 highways or streets, using a motor vehicle in fleeing or attempting to elude an officer,
16 reckless driving, any offense for which four or more points are assessable under
17 subsection (c) of Code Section 40-5-57, purchasing an alcoholic beverage in violation of
18 paragraph (2) of subsection (a) of Code Section 3-3-23, violation of paragraph (3) or (5)
19 of subsection (a) of Code Section 3-3-23, or violation of Code Section 40-6-391 shall be
20 suspended by the department as provided by this Code section upon conviction of such
21 offense; and the driver's license of any person under 18 years of age who has accumulated
22 a violation point count of four or more points under Code Section 40-5-57 in any
23 consecutive 12 month period shall be suspended by the department as provided by this
24 Code section. A plea of nolo contendere shall be considered a conviction for purposes of
25 this subsection. Notice of suspension shall be given by certified mail or statutory overnight

1 delivery, return receipt requested; or, in lieu thereof, notice may be given by personal
2 service upon such person. Such license shall be surrendered within ten days of notification
3 of such suspension. Notice given by certified mail or statutory overnight delivery, return
4 receipt requested, mailed to the person's last known address shall be prima-facie evidence
5 that such person received the required notice."

6 **SECTION 2.**

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