

House Bill 124

By: Representatives Epps of the 90th, Stanley-Turner of the 43rd, Post 2, Jordan of the 83rd, Walker of the 115th, Thomas of the 43rd, Post 1, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 5 of Title 40 of the Official Code of Georgia Annotated,
2 relating to issuance, expiration, and renewal of drivers' licenses, so as to change certain
3 provisions relating to persons not to be licensed; to require a course of driver education for
4 certain applicants for drivers' licenses; to allow public schools to offer such courses over the
5 summer and to charge for them; to provide for standards for approval of driver education
6 courses; to provide an effective date; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 2 of Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to
10 issuance, expiration, and renewal of drivers' licenses, is amended by striking subsection (a)
11 of Code Section 40-5-22, relating to persons not to be licensed, and inserting in its place the
12 following:

13 "(a)(1) The department shall not issue ~~any~~ a Class C driver's license to any person who
14 is under 18 years of age or Class M driver's license to any person who is under ~~the age~~
15 ~~of 16 years~~ of age, except that the department may, under subsection (a) of Code Section
16 40-5-24, issue a Class P instruction permit permitting the operation of a noncommercial
17 Class C vehicle to any person who is at least 15 years of age, and may, under subsection
18 (b) of Code Section 40-5-24, issue a Class D driver's license permitting the operation of
19 a noncommercial Class C vehicle to any person who is at least 16 years of age. On and
20 after January 1, 1985, the department shall not issue any driver's license to any person
21 under 18 years of age unless such person presents a certificate or other evidence
22 acceptable to the department which indicates satisfactory completion of an alcohol and
23 drug course as prescribed in subsection (b) of Code Section 20-2-142; provided, however,
24 that a person under 18 years of age who becomes a resident of this state and who has in
25 his or her immediate possession a valid license issued to him or her in another state or
26 country shall not be required to take or complete the alcohol and drug course. The

1 department shall not issue a driver's license or a Class P instruction permit for the
 2 operation of a Class A or B vehicle or any commercial driver's license to any person who
 3 is under the age of 18 years.

4 (2)(A) On and after January 1, 2004, the department shall not issue a Class C or Class
 5 M driver's license to any person who is under 21 years of age unless such person
 6 presents acceptable evidence that he or she satisfactorily completed a driver education
 7 course:

8 (i) Approved by the department and in a driver training school and under the
 9 instruction of a driver training instructor licensed by the department under Chapter 13
 10 of Title 43, 'The Driver Training School License Act'; or

11 (ii) In an accredited driver education program at a public high school and under the
 12 instruction of a driver training instructor licensed by the department for such a
 13 program.

14 Evidence of completion of a comparable driver education course shall be required in
 15 the event the person applying for a Class C or Class M driver's license possesses a valid
 16 regular driver's license previously issued to such person by the department or by any
 17 other jurisdiction.

18 (B) If a local school system offers a driver education program at one or more public
 19 high schools, it may offer such program as a summer school program and may charge
 20 an appropriate fee to cover expenses.

21 (C) The commissioner of motor vehicle safety shall, by rule or regulation, establish
 22 standards for approval of the driver education course provided for in subparagraph (A)
 23 of this paragraph, including without limitation requirements for course content and
 24 duration, attendance, and examinations. Such course shall be designed to educate
 25 young drivers about safe driving practices and the traffic laws of this state and to train
 26 young drivers in the safe operation of motor vehicles and shall consist of a minimum
 27 of 30 hours of classroom teaching and a minimum of six hours of behind-the-wheel
 28 instruction in a vehicle approved by the department for use as a driver training vehicle."

29 SECTION 2.

30 This Act shall become effective on July 1, 2003.

31 SECTION 3.

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