

House Bill 185 (COMMITTEE SUBSTITUTE) (AM)

By: Representatives Black of the 144th, Parham of the 94th, Yates of the 85th, Post 1, Rice of the 64th, Rogers of the 20th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 5 of Title 40 of the Official Code of Georgia Annotated,
2 relating to cancellation, suspension, and revocation of drivers' licenses, so as to change
3 certain provisions relating to suspension of licenses of persons under age 21 for certain
4 offenses, suspension of licenses of persons under age 18 for certain point accumulations, and
5 issuance of new license following suspension; to change certain provisions relating to limited
6 driving permits for certain offenders; to provide an effective date; to repeal conflicting laws;
7 and for other purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 Article 3 of Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to
11 cancellation, suspension, and revocation of drivers' licenses, is amended in Code Section
12 40-5-57.1, relating to suspension of licenses of persons under age 21 for certain offenses,
13 suspension of licenses of persons under age 18 for certain point accumulations, and issuance
14 of new license following suspension, by adding a new subsection to read as follows:

15 "(d) The provisions of subsection (a) of this Code section notwithstanding, in any case
16 where a person has been convicted of a speed limit offense for which four or more points
17 are assessable under subsection (c) of Code Section 40-5-57, the department shall not
18 suspend such person's driver's license under this Code section unless, upon being
19 presented with such citation, the person signed a written acknowledgment, printed in
20 conspicuous bold type on a form prepared by the department for such purpose, that upon
21 conviction of the offense, whether by way of forfeiture of bond, a plea of nolo contendere,
22 or otherwise, his or her driver's license then shall be suspended under this Code section,
23 and such form is attached to or otherwise made a part of the uniform traffic citation
24 forwarded to the department as provided by Code Section 40-5-53."

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

17 **SECTION 4.**

18 This Act shall become effective January 1, 2004.

19 **SECTION 5.**

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