

WITHDRAWN

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

2 Amend the floor amendment (AM 19 0700) to the Senate Judiciary Committee substitute to
3 SB 13 by striking lines 18 and 19 of page 1 and inserting the following:

4 "By redesignating Section 3 as Section 6, Sections 4 and 5 as Sections 13 and 14, and
5 Section 6 as Section 17, respectively."

6 By striking lines 35 and 36 of page 2 and inserting the following:

7 "Said title is further amended in Code Section 40-5-64, relating to limited driving permits
8 for certain offenders, by striking paragraph (1) of subsection (a) and by striking subsection
9 (e) and inserting in their places the following:

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

20 '(e) *Duration of permit.* A permit issued pursuant to this Code section shall be \$25.00 and
21 shall be nonrenewable and shall become invalid upon the driver's eighteenth birthday in
22 the case of a suspension under paragraph (2) of subsection (a.1) of Code Section 40-5-22,
23 upon the expiration of one year following the effective date of suspension of the
24 applicant's driver's license in the case of a suspension for an offense listed in Code
25 Section 40-5-54 or a suspension under Code Section 40-5-57, ~~upon the expiration of 120~~
26 ~~days following conviction in the case of a suspension in accordance with paragraph (1)~~
27 ~~of subsection (a) of Code Section 40-5-63 for a violation of Code Section 40-6-391, upon~~
28 ~~the expiration of 30 days in the case of an administrative license suspension in~~
29 ~~accordance with paragraph (1) of subsection (a) of Code Section 40-5-67.2, or upon the~~
30 expiration of six months following proof of installation of an ignition interlock device in
31 the case of a limited driving permit issued to a person subject to a court order for
32 installation and use of such a device pursuant to Article 7 of Chapter 8 of Title 42; except
33 that such limited driving permit shall expire upon any earlier reinstatement of the driver's

1 license. A person convicted of such offense whose driver's license had been surrendered
 2 to the court in which such conviction was adjudged may apply to the department for a
 3 limited driving permit immediately following such conviction. Upon the applicant's
 4 execution of an affidavit attesting to such facts and to the fact that the court had not
 5 imposed a suspension or revocation of his or her driver's license or driving privileges
 6 inconsistent with the driving privileges to be conferred by the limited driving permit
 7 applied for, the department may issue such person a limited driving permit. A person
 8 convicted of such offense whose driver's license had not been surrendered to such court
 9 immediately following such conviction may apply to the department for a permit. Upon
 10 the applicant's surrender to the department of his or her driver's license and the execution
 11 of a similar affidavit, or if the driver's license has been lost, upon execution of an
 12 additional affidavit to that effect, the department may issue such person a limited driving
 13 permit."

14 By striking lines 1 through 4 of page 3 in their entirety.

15 By inserting between lines 23 and 24 of page 5 the following:

16 **"SECTION 9.**

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

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

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

31 By redesignating Sections 9 through 11 as Sections 10 through 12, respectively, and Sections
 32 14 and 15 as Sections 15 and 16, respectively.