

House Bill 1177

By: Representatives Powell of the 23rd and Parham of the 94th

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and
2 traffic, so as to change certain requirements relating to pamphlets issued by the department;
3 to change certain provisions relating to suspension of driving privilege of a nonresident; to
4 change certain provisions relating to issuance of forms by the department; to provide for
5 related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, is
9 amended in Code Section 40-5-32, relating to expiration and renewal of licenses and
10 reexamination required, by striking subsection (c) of said Code section and inserting in its
11 place the following:

12 "(c)(1) The department shall require every person applying for renewal of a driver's
13 license to take and pass successfully such test of his or her eyesight as the department
14 shall prescribe, unless otherwise provided by rule or regulation for purposes of paragraph
15 (2) of subsection (b) of this Code section.

16 ~~(2) At the time of the renewal, the department shall issue a pamphlet containing~~
17 ~~information pertaining to new traffic laws and to traffic laws most frequently violated.~~

18 ~~(3)~~(2) The commissioner may issue such rules and regulations as are necessary to
19 implement this subsection."

20 **SECTION 2.**

21 Said title is further amended by striking Code Section 40-5-51, relating to suspension of
22 driving privilege of nonresident, reporting convictions, suspensions, and revocations of
23 nonresidents, and inserting in its place the following:

1 "40-5-51.

2 (a) The privilege of driving a motor vehicle on the highways of this state given to a
 3 nonresident under this chapter shall be subject to suspension or revocation by the
 4 department ~~in like manner and for like cause as a driver's license issued under this chapter~~
 5 ~~may be suspended or revoked~~ only when suspension or revocation is required by law for
 6 the violation. No points shall be assessed as provided in Code Section 40-5-57 for any
 7 violation committed by a nonresident.

8 (b) The department is required, upon receiving a record of the conviction in this state of
 9 a nonresident driver of a motor vehicle of any offense, to forward a certified copy of such
 10 record to the motor vehicle administrator in the state wherein the person so convicted is a
 11 resident.

12 (c) When a nonresident's operating privilege is suspended or revoked, the department shall
 13 forward a certified copy of the record of such action to the motor vehicle administrator in
 14 the state wherein such person resides."

15 **SECTION 3.**

16 Said title is further amended in Code Section 40-5-54, relating to mandatory suspension of
 17 license and notice of suspension, by striking subsection (b) of said Code section and inserting
 18 in its place the following:

19 "(b) All judges of all courts having jurisdiction of the offenses set forth in subsection (a)
 20 of this Code section shall, at the time of sentencing, give notice to the defendant on forms
 21 ~~provided~~ prescribed by the department of the suspension of the defendant's driver's license.
 22 The period of suspension shall be determined by the department for the term authorized by
 23 law. The court shall forward the notice of suspension and the defendant's driver's license
 24 to the department within ten days from the date of conviction. The department shall notify
 25 the defendant of the period of suspension at the address provided by the defendant."

26 **SECTION 4.**

27 Said title is further amended in Code Section 40-9-3, relating to administration of chapter,
 28 rules and regulations, hearings, and appeals, by striking subsection (a) of said Code section
 29 and inserting in its place the following:

30 "(a) The commissioner shall administer and enforce this chapter and is authorized to adopt
 31 and enforce rules and regulations necessary for its administration. The commissioner shall
 32 prescribe ~~and provide~~ suitable forms requisite or deemed necessary for the purposes of this
 33 chapter."

1 **SECTION 5.**

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