

House Bill 1482

By: Representatives Rogers of the 20<sup>th</sup>, Reece of the 21<sup>st</sup>, and Jenkins of the 8<sup>th</sup>

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 provide for a duty of passengers in vehicles to warn drivers against certain  
3 conduct; to provide for a misdemeanor and driver's license suspension when passengers fail  
4 to warn the driver in certain circumstances; to provide for related matters; to repeal  
5 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 Article 3 of Chapter 5, relating to cancellation, suspension, and revocation of  
10 licenses, by adding a new Code Section 40-5-57.3 to read as follows:

11 "40-5-57.3.

12 (a) The driver's license of any person convicted of violating Code Section 40-6-256 shall  
13 be suspended for a period of six months. The person shall submit the driver's license to  
14 the court upon conviction and the court shall forward the driver's license to the department.

15 (b) After the suspension period and when the person pays a restoration fee of \$60.00 or,  
16 when processed by mail, \$50.00, the suspension shall terminate and the department shall  
17 return the person's driver's license to the person."

18 **SECTION 2.**

19 Said title is further amended in Article 11 of Chapter 6, relating to miscellaneous provisions  
20 of uniform rules of the road, by adding a new Code Section 40-6-256 to read as follows:

21 "40-6-256.

22 (a) Any person who is a licensed driver between 16 and 21 years of age who is a passenger  
23 in a motor vehicle which is being operated by a person who is a licensed driver between  
24 16 and 21 years of age has a duty to warn the driver if the passenger observes the driver  
25 performing any dangerous driving behavior, including, but not limited to, speeding,

1 weaving, reckless driving, aggressive driving, or driving under the influence of alcohol,  
2 that the conduct is dangerous and that the driver should cease the conduct.  
3 (b) If a driver is involved in a collision that results in the death or serious injury, as defined  
4 in Code Section 40-6-394, to another person and the driver is convicted of hit and run or  
5 leaving the scene of an accident in violation of Code Section 40-6-270, racing on highways  
6 or streets in violation of Code Section 40-6-186, using a motor vehicle in fleeing or  
7 attempting to elude an officer in violation of Code Section 40-6-395, reckless driving in  
8 violation of Code Section 40-6-390, vehicular homicide in violation of Code Section  
9 40-6-393, serious injury by vehicle in violation of Code Section 40-6-394, aggressive  
10 driving in violation of Code Section 40-6-397, any offense for which four or more points  
11 are assessable under subsection (c) of Code Section 40-5-57, or a violation of Code Section  
12 40-6-391, and the passenger failed to warn the driver pursuant to subsection (a) of this  
13 Code section, then the passenger shall be guilty of a misdemeanor and his or her driver's  
14 license shall be suspended as provided in Code Section 40-5-57.3."

15 **SECTION 3.**

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