

House Bill 286

By: Representatives Day of the 163rd, Horne of the 71st, and Neal of the 1st

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 40-6-391, relating to driving under the influence of alcohol, drugs,
2 or other intoxicating substances, or while having a specified blood alcohol concentration or
3 any amount of marijuana or a controlled substance present in the person's blood or urine, so
4 as to delete provisions distinguishing between persons legally entitled to use marijuana and
5 other drugs and persons not legally entitled to use marijuana and other drugs; to delete a
6 provision providing a person legally entitled to use a drug other than alcohol is not in
7 violation unless such person is rendered incapable of driving safely; to provide for related
8 matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 style="text-align:center">**SECTION 1.**

11 Code Section 40-6-391, relating to driving under the influence of alcohol, drugs, or other
12 intoxicating substances, or while having a specified blood alcohol concentration or any
13 amount of marijuana or a controlled substance present in the person's blood or urine, is
14 amended by striking subsections (a) and (b) and inserting in lieu thereof the following:

15 "(a) A person shall not drive or be in actual physical control of any moving vehicle while:
16 (1) Under the influence of alcohol to the extent that it is less safe for the person to drive;
17 (2) Under the influence of any drug to the extent that it is less safe for the person to
18 drive;
19 (3) Under the intentional influence of any glue, aerosol, or other toxic vapor to the extent
20 that it is less safe for the person to drive;
21 (4) Under the combined influence of any two or more of the substances specified in
22 paragraphs (1) through (3) of this subsection to the extent that it is less safe for the person
23 to drive;
24 (5) The person's alcohol concentration is 0.08 grams or more at any time within three
25 hours after such driving or being in actual physical control from alcohol consumed before
26 such driving or being in actual physical control ended; or

