

House Bill 1171

By: Representatives Day of the 163rd, Murphy of the 23rd, Ralston of the 7th, and Amerson of the 9th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 40-5-61 of the Official Code of Georgia Annotated, relating to the
2 surrender and return of drivers' licenses, so as to provide for a specific date of surrender of
3 a driver's license for the computation of license suspensions and revocations; to change
4 certain provisions relating to the surrender and return of drivers' licenses; to provide for
5 related matters; to provide an effective date; to repeal conflicting laws; and for other
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 40-5-61 of the Official Code of Georgia Annotated, relating to the surrender
10 and return of drivers' licenses, is amended by striking subsection (e) and inserting a new
11 subsection (e) to read as follows:

12 "(e) For the purpose of making any determination under this Code section relating to the
13 return of revoked or suspended licenses to drivers, the period of revocation or suspension
14 shall begin on the date the license is surrendered to the department or a court of competent
15 jurisdiction under any provision of this chapter or on the date that the department processes
16 ~~the citation or conviction~~ or judgment is entered, whichever date shall first occur. If the
17 license is lost, or for any other reason surrender to the department is impossible, the period
18 of revocation or suspension may begin on the date set forth in a sworn affidavit setting
19 forth the date and reasons for such impossibility, if the department shall have sufficient
20 evidence to believe that the date set forth in such affidavit is true; in the absence of such
21 evidence, the date of receipt of such affidavit by the department shall be controlling; but
22 in no event shall the date of surrender be calculated from any date following the date of
23 conviction."

1 **SECTION 2.**

2 This Act shall become effective upon its approval by the Governor or upon its becoming law
3 without such approval.

4 **SECTION 3.**

5 All laws and parts of laws in conflict with this Act are repealed.