

Senate Bill 485

By: Senators Schaefer of the 50th, Balfour of the 9th and Douglas of the 17th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated,
2 relating to general provisions for the uniform rules of the road, so as to provide that certain
3 persons convicted of speeding violations shall display a habitual speeder bumper sticker as
4 a condition of his or her probation; to provide that a judge may suspend a driver's license
5 of a person who violates the condition of probation; to provide for related matters; to provide
6 an effective date; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 1 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to
10 general provisions for the uniform rules of the road, is amended in Code Section 40-6-1,
11 relating to the observance of the uniform rules of the road required, punishment for violations
12 generally, and maximum fines for certain offenses, by adding immediately following
13 subsection (b) a new subsection (c) to read as follows:

14 "(c) Every person convicted of violating Code Section 40-6-181 may, upon a third or
15 subsequent conviction thereof within a five-year period of time, as measured from the dates
16 of previous arrests for which convictions were obtained or pleas of nolo contendere were
17 accepted to the date of the current arrest for which a conviction is obtained or a plea of nolo
18 contendere is accepted, be declared a habitual speeder and shall be placed on probation for
19 a period of time not to exceed 12 months. During such period of probation, a habitual
20 speeder shall be required to prominently legibly display upon the bumper of any vehicle
21 driven by him or her a sticker or magnetic decal specifying that the driver of the vehicle
22 is a habitual speeder. The bumper sticker or decal shall be provided by the sentencing
23 court or in a form officially approved by the sentencing court. The driver's license or
24 temporary permit of any person driving in violation of the condition of probation specified
25 by this subsection may, within the discretion of the sentencing court, be suspended for up
26 to the remainder of the probationary period or 90 days, whichever period of time is longer.

1 For the purpose of imposing a sentence under this subsection, a plea of nolo contendere or
2 an adjudication of delinquency based on a violation of Code Section 40-6-181 shall
3 constitute a conviction. The court shall notify the Department of Driver Services of any
4 condition of probation imposed pursuant to this subsection, and the condition of probation
5 shall be noted on the person's driving record by the department. The court shall notify the
6 Department of Driver Services of any revocation of a permit or suspension of a driver's
7 license. The court shall forward the license and a processing fee of \$25.00 to the
8 Department of Driver Services, which shall reissue the license with the restriction endorsed
9 thereon and shall return the license by mail to the person at the address listed on the license
10 or such other address as provided by such person. A copy of the notice of transmittal to
11 the Department of Driver Services shall serve as a temporary license for 30 days or until
12 such time as the department shall issue a license with the restriction endorsed thereon,
13 whichever is sooner. The Department of Driver Services may extend the 30 day period for
14 good cause."

15 **SECTION 2.**

16 This Act shall become effective on July 1, 2006.

17 **SECTION 3.**

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