

Senate Bill 490

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

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 15 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated,
2 relating to serious traffic offenses, so as to provide that a person convicted of driving under
3 the influence of alcohol, drugs, or other intoxicating substances shall display a bumper
4 sticker on his or her motor vehicle as a condition of his or her probation on a second or
5 subsequent offense within five years; to provide that a judge may suspend a driver's license
6 of a person who violates the condition of probation; to provide for related matters; to provide
7 for applicability and an effective date; to repeal conflicting laws; and for other purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 Article 15 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to
11 serious traffic offenses, is amended in Code Section 40-6-391, relating to driving under the
12 influence of alcohol, drugs, or other intoxicating substances, by adding immediately
13 following subsection (l) a new subsection (m) to read as follows:

14 "(m) For any felony conviction of driving under the influence of alcohol, drugs, or other
15 intoxicating substances or for the second or subsequent conviction within a five-year period
16 of time, as measured from the dates of previous arrests for which convictions were obtained
17 or pleas of nolo contendere were accepted to the date of the current arrest for which a
18 conviction is obtained or a plea of nolo contendere is accepted, a person convicted of
19 violating this Code section shall, during his or her probation and as a condition of
20 probation, display a bumper sticker on any motor vehicle driven by such person which
21 bumper sticker shall state 'CONVICTED OF DUI' and such other related language as
22 deemed necessary by the department. The bumper sticker shall be of a form approved by
23 the department and shall be prominently displayed on the bumper in a legible manner. In
24 addition to any other penalty authorized by law, the driver's license of any person driving
25 in violation of the condition of probation specified by this subsection may, within the
26 discretion of the sentencing court, be suspended for up to the remainder of the probationary

1 period or 120 days, whichever period of time is longer. For the purpose of imposing a
2 sentence under this subsection, a plea of nolo contendere or an adjudication of delinquency
3 based on a violation of this Code section shall constitute a conviction."

4 **SECTION 2.**

5 This Act shall become effective on July 1, 2006, and shall apply to offenses committed on
6 or after that date.

7 **SECTION 3.**

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