

House Bill 1275 (COMMITTEE SUBSTITUTE)

By: Representatives Smith of the 129th, Floyd of the 147th, Rynders of the 152nd, Graves of the 12th, and Channell of the 116th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 8 of Title 16 of the Official Code of Georgia Annotated,
2 relating to theft, so as to provide for the revocation of a commercial driver's license upon
3 violation of Code Sections 16-8-2 through 16-8-9; to amend Code Section 40-5-151 of the
4 Official Code of Georgia Annotated, relating to disqualification from driving, so as to
5 disqualify certain commercial driver's license holders upon conviction of certain offenses;
6 to provide for related matters; 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 8 of Title 16 of the Official Code of Georgia Annotated, relating to theft,
10 is amended by striking paragraph (8) of subsection (a) of Code Section 16-8-12, relating to
11 penalties for violation of Code Sections 16-8-2 through 16-8-9, and inserting in its place a
12 new paragraph (8) to read as follows:

13 "(8) If the property that was the subject of the theft was a vehicle engaged in commercial
14 transportation of cargo or any appurtenance thereto, including without limitation any such
15 trailer, semitrailer, container, or other associated equipment, or the cargo being
16 transported therein or thereon, by imprisonment for not less than three years nor more
17 than ten years, a fine not less than \$5,000.00 nor more than \$50,000.00, and, if
18 applicable, the revocation of the defendant's commercial driver's license in accordance
19 with Code Section 40-5-151, or both such fine and imprisonment any combination of
20 such penalties. For purposes of this paragraph, the term 'vehicle' includes without
21 limitation any railcar."

22 **SECTION 2.**

23 Code Section 40-5-151 of the Official Code of Georgia Annotated, relating to
24 disqualification from driving, is amended by striking subsection (a) and inserting in lieu
25 thereof the following:

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