

House Bill 1275 (COMMITTEE SUBSTITUTE)

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

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:

