

House Bill 612

By: Representatives Davis of the 122<sup>nd</sup>, Greene of the 149<sup>th</sup>, Collins of the 95<sup>th</sup>, Dukes of the 150<sup>th</sup>, McKillip of the 115<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 40-5-63 of the Official Code of Georgia Annotated, relating to  
2 periods of suspension and conditions to return of drivers' licenses, so as to provide for a  
3 driver's license for a person following a five-year revocation or suspension of such person's  
4 driver's license provided that certain conditions have been met; to provide an effective date;  
5 to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 40-5-63 of the Official Code of Georgia Annotated, relating to periods of  
9 suspension and conditions to return of drivers' licenses, is amended by adding a new  
10 subsection to read as follows:

11 "(g) Notwithstanding any provision to the contrary, a person shall be eligible to apply for  
12 a driver's license if he or she has:

13 (1) Not been previously convicted or adjudicated delinquent for any traffic violation or  
14 other criminal offense within the preceding five years, as measured from the dates of  
15 previous arrests for which convictions were obtained or pleas of nolo contendere were  
16 accepted, regardless of whether an adjudication of guilt is entered;

17 (2) His or her driving privileges currently suspended or revoked whether due to an order  
18 entered in this or another state and more than five years have lapsed since such court or  
19 administratively ordered suspension or revocation was entered; and

20 (3) Successfully completed a DUI Alcohol or Drug Use Risk Reduction Program or  
21 driver improvement clinic as designated by the department.

22 A driver's license shall be issued by the department absent a finding of good cause  
23 supporting a denial of such license. A pending criminal charge shall be a basis for finding  
24 good cause to deny a license application under this subsection. A person shall not be  
25 issued a driver's license under this subsection until a license issuance fee of \$200.00 has  
26 been paid to the department."

27

**SECTION 2.**

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

30

**SECTION 3.**

31 All laws and parts of laws in conflict with this Act are repealed.