

The Senate Public Safety Committee offered the following substitute to HB 258:

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 40-5-22 of the Official Code of Georgia Annotated, relating to the
2 qualifications for a driver's license, so as to allow any person 15 years of age or older who
3 has a parent or guardian who is medically incapable of being licensed to operate a motor
4 vehicle to drive with the disabled person in the vehicle; to amend Code Section 40-5-24 of
5 the Official Code of Georgia Annotated, relating to the issuance of instruction permits, so as
6 to allow a holder of a valid instruction permit to drive with a disabled guardian or parent who
7 has been issued an identification card containing the international handicapped symbol; to
8 provide for related matters; to provide for an effective date; to repeal conflicting laws; and
9 for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

11 Code Section 40-5-22 of the Official Code of Georgia Annotated, relating to the
12 qualifications for a driver's license, is amended by revising subsection (b) as follows:

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14 "(b)(1) Notwithstanding the provisions of subsection (a) of this Code section, any person
15 14 years of age who has a parent or guardian who is medically incapable of being
16 licensed to operate a motor vehicle due to visual impairment may apply for and, subject
17 to the approval of the commissioner, may be issued a restricted noncommercial Class P
18 instruction permit for the operation of a noncommercial Class C vehicle. Any person
19 permitted pursuant to this subsection shall be accompanied by such visually impaired
20 parent or guardian whenever operating a motor vehicle.

21 (2) Notwithstanding the provisions of subsection (a) of this Code section, any person 15
22 years of age or older who has a parent or guardian who is medically incapable of being
23 licensed to operate a motor vehicle due to physical impairment and has been issued an
24 identification card containing the international handicapped symbol pursuant to Article
25 8 of this chapter may apply for and, subject to the approval of the commissioner, may be
26 issued a restricted noncommercial Class P instruction permit for the operation of a

27 noncommercial Class C vehicle. Any person permitted pursuant to this paragraph shall
 28 be accompanied whenever operating a motor vehicle by such physically impaired parent
 29 or guardian or by a person at least 21 years of age who is licensed as a driver for a
 30 commercial or noncommercial Class C vehicle, who is fit and capable of exercising
 31 control over the vehicle, and who is occupying a seat beside the driver. The department
 32 shall require satisfactory proof that the physically impaired parent or guardian previously
 33 held a valid driver's license in the State of Georgia, another state, or the District of
 34 Columbia before issuing an instructional permit pursuant to this paragraph."

35 **SECTION 2.**

36 Code Section 40-5-24 of the Official Code of Georgia Annotated, relating to the issuance of
 37 instruction permits, is amended by revising paragraph (1) of subsection (a) as follows:

38 "(a)(1)(A) Any resident of this state who is at least 15 years of age may apply to the
 39 department for an instruction permit to operate a noncommercial Class C vehicle. The
 40 department shall, after the applicant has successfully passed all parts of the examination
 41 referred to in Code Section 40-5-27 other than the driving test, issue to the applicant an
 42 instruction permit which shall entitle the applicant, while having such permit in his or
 43 her immediate possession, to drive a Class C vehicle upon the public highways for a
 44 period of two years when accompanied by a person at least 21 years of age who is
 45 licensed as a driver for a commercial or noncommercial Class C vehicle, who is fit and
 46 capable of exercising control over the vehicle, and who is occupying a seat beside the
 47 driver.

48 (B) Notwithstanding the provisions of subparagraph (A) of this paragraph, any person
 49 holding a valid Class C instructional permit may drive a Class C motor vehicle when
 50 accompanied by a disabled parent or guardian who has been issued an identification
 51 card containing the international handicapped symbol pursuant to Article 8 of this
 52 chapter."

53 **SECTION 3.**

54 This Act shall become effective on July 1, 2009.

55 **SECTION 4.**

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