

House Bill 273

By: Representatives Black of the 174<sup>th</sup>, Roberts of the 154<sup>th</sup>, Hugley of the 133<sup>rd</sup>, Smith of the 168<sup>th</sup>, Hatchett of the 143<sup>rd</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 3 of Chapter 7 of Title 34 of the Official Code of Georgia Annotated,  
2 relating to the employer's liability for injuries to railroad employees, so as to provide  
3 standards for motor common or contract carriers transporting railroad employees within this  
4 state; to provide for a definition; to provide for related matters; to provide for an effective  
5 date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 SECTION 1.

8 Article 3 of Chapter 7 of Title 34 of the Official Code of Georgia Annotated, relating to the  
9 employer's liability for injuries to railroad employees, is amended by adding a new Code  
10 section to read as follows:

11 "34-7-49.

12 (a) As used in this Code section, the term 'carrier' means a motor common carrier or motor  
13 contract carrier that is transporting railroad employees within this state.

14 (b) This Code section shall apply only to carriers.

15 (c) Each driver for a carrier shall be required to hold a commercial driver's license.

16 (d) Carriers shall perform alcohol and drug testing on drivers before employment, on  
17 suspicion of drug or alcohol use, and randomly at least once every 365 days.

18 (e) Drivers employed by carriers shall not perform duties in excess of 14 hours per shift,  
19 with a total driving time of 12 hours, and shall have a minimum of ten hours of rest  
20 between shifts.

21 (f) Carriers shall keep logs, signed by the drivers and the employer on a weekly basis,  
22 showing hours of service and recording time on duty, driving time, and total time worked  
23 per shift. The logs shall be kept by the carriers for a minimum of three years.

24 (g) Carriers shall maintain a minimum liability insurance coverage of \$1.5 million per  
25 vehicle and equivalent uninsured and underinsured motorist coverage.

- 26 (h) The Department of Transportation may adopt rules and regulations, as necessary, to  
27 implement the provisions of this Code section.  
28 (i) The Department of Transportation shall inform carriers of the requirements of this Code  
29 section."

30 **SECTION 2.**

31 This Act shall become effective on July 1, 2011.

32 **SECTION 3.**

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