

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 40 of the Official Code of Georgia Annotated, relating to
2 general provisions relative to identification and regulation with regard to motor vehicles and
3 traffic, so as to require policies that prohibit law enforcement officers from impermissibly
4 using race or ethnicity in determining whether to stop a motor vehicle; to require annual
5 training of law enforcement officers on impermissible uses of race and ethnicity in stopping
6 motor vehicles; to require law enforcement officers to document the race, ethnicity, and
7 gender of drivers and passengers under certain circumstances; to provide for related matters;
8 to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

10 Chapter 1 of Title 40 of the Official Code of Georgia Annotated, relating to general
11 provisions relative to identification and regulation with regard to motor vehicles and traffic,
12 is amended by adding a new Code section to read as follows:
13

14 "40-1-9.

15 (a) Law enforcement officers shall not use a person's race or ethnicity to form probable
16 cause or reasonable suspicion to stop a motor vehicle but may use a person's race or
17 ethnicity to confirm a previously obtained description of a suspect.

18 (b)(1) Each state and local law enforcement agency shall adopt a policy and implement
19 an annual training program regarding racial profiling that provides and instructs that a
20 law enforcement officer shall not use a person's race or ethnicity to form probable cause
21 or reasonable suspicion to stop a motor vehicle but may use a person's race or ethnicity
22 to confirm a previously obtained description of a suspect.

23 (2) Except in instances where a motor vehicle is stopped in a fixed road block, each time
24 a state or local law enforcement officer stops a motor vehicle to issue a citation or to
25 make an arrest, such officer shall document the following information in a public record,
26 the format of which shall be determined by the Department of Driver Services:

