

Senate Bill 134

By: Senators Stone of the 23rd, Beach of the 21st, Jones II of the 22nd, Thompson of the 5th,  
Miller of the 49th and others

**AS PASSED SENATE**

**A BILL TO BE ENTITLED**

**AN ACT**

1 To amend Article 2 of Chapter 14 of Title 40 of the Official Code of Georgia Annotated,  
2 relating to speed detection devices, so as to provide for a rebuttable presumption for law  
3 enforcement agencies' use of speed detection devices when fines are less than a certain  
4 percent of the agencies' operating budgets; to provide for related matters; to repeal  
5 conflicting laws; and for other purposes.

6 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

7 **SECTION 1.**

8 Article 2 of Chapter 14 of Title 40 of the Official Code of Georgia Annotated, relating to  
9 speed detection devices, is amended in Code Section 40-14-11, relating to the ratio of  
10 speeding fines to a law enforcement agency's budget, by revising subsection (d) as follows:  
11 "(d) There shall be a rebuttable presumption that a law enforcement agency is employing  
12 speed detection devices for purposes other than the promotion of the public health, welfare,  
13 and safety if the fines levied based on the use of speed detection devices for speeding  
14 offenses are equal to or greater than 40 percent of that law enforcement agency's budget;  
15 ~~provided, however, that fines for speeding violations exceeding 17 miles per hour over the~~  
16 ~~established speed limit shall not be considered when calculating total speeding fine revenue~~  
17 ~~for the agency."~~

18 **SECTION 2.**

19 All laws and parts of laws in conflict with this Act are repealed.