

House Bill 459 (AS PASSED HOUSE AND SENATE)

By: Representatives Ehrhart of the 36th, Carson of the 46th, Dempsey of the 13th, Cooper of the 43rd, and Gaines of the 117th

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 5 of Article 22 of Chapter 2 of Title 20 of the Official Code of Georgia
2 Annotated, relating to school buses, so as to provide for a driver's license verification system
3 for school bus drivers; to require participation by local boards of education; to provide for
4 data submission; to provide for rules and regulations; to provide for coordination among the
5 Department of Public Safety, the Georgia Technology Authority, and the Department of
6 Driver Services; to amend Code Section 50-18-72 of the Official Code of Georgia Annotated,
7 relating to when public disclosure not required, so as to provide that records maintained for
8 such verification system shall not be subject to public disclosure; to amend Article 23 of
9 Chapter 2 of Title 20, Chapter 1 of Title 35, and Article 1 of Chapter 6 of Title 40 of the
10 Official Code of Georgia Annotated, relating to traffic safety, general provisions for law
11 enforcement officers and agencies, and general provisions regarding the uniform rules of the
12 road, respectively, so as to authorize certain personnel employed by or volunteering for law
13 enforcement agencies or fire departments to assist in directing and regulating the flow of
14 traffic and to clarify provisions relating thereto; to provide for training requirements; to
15 provide for related matters; to repeal conflicting laws; and for other purposes.

16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

17 **PART I**
18 **SECTION 1-1.**

19 Part 5 of Article 22 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
20 relating to school buses, is amended by revising Code Section 20-2-1127, which is reserved,
21 as follows:

22 "20-2-112.

23 (a) Each local board of education employing or using persons as school bus drivers shall
24 submit to the Department of Public Safety the full name and driver's license number of
25 every person who is to be employed or used as a school bus driver prior to authorizing such

26 person to operate a school bus. Such local board of education shall provide an updated list
27 to the Department of Public Safety twice within a calendar year as provided for in rules and
28 regulations promulgated by the commissioner of public safety.

29 (b) The Department of Public Safety shall operate and maintain a data base of the names
30 and license information of the persons provided for in subsection (a) of this Code section
31 and, in coordination with the Georgia Technology Authority and the Department of Driver
32 Services for immediate electronic furnishing of information, shall confirm or verify the
33 status of each such person's driver's license and provide notification to the appropriate local
34 board of education if such person's driver's license or driving privileges have expired or
35 been canceled, suspended, or revoked.

36 (c)(1) Upon notice that a person's driver's license or driving privileges have expired or
37 been canceled, suspended, or revoked, the local board of education shall suspend or
38 revoke the authorization it has given to such person to drive a school bus and inform such
39 person of, and reason for, the suspension or revocation.

40 (2) Any person authorized to drive a school bus by a local board of education shall notify
41 the local board of education if such person's driver's license or driving privileges have
42 expired or been canceled, suspended, or revoked.

43 (3) A person's whose authorization to drive a school bus has been suspended or revoked
44 by a local board of education pursuant to this Code section may request a new
45 authorization to drive a school bus upon the reinstatement of his or her driver's license
46 or driving privileges. Reserved."

47 SECTION 1-2.

48 Code Section 50-18-72 of the Official Code of Georgia Annotated, relating to when public
49 disclosure not required, is amended by adding a new paragraph to read as follows:
50 "(25.2) Records of a person's name and driver's license information collected and
51 maintained for purposes of Code Section 20-2-1127."

52 PART II

53 SECTION 2-1.

54 Article 23 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to
55 traffic safety, is amended by revising Code Section 20-2-1131, relating to direction of traffic
56 by school-crossing guards, as follows:

57 "20-2-1131.

58 Any person who is a ~~school-crossing guard~~ designated by a local law enforcement agency
59 as set forth in Code Section 35-1-11 shall be authorized to direct and regulate the flow of

60 traffic at school crossings or within a reduced speed school zone during the time when such
61 ~~school-crossing guard~~ he or she is on duty."

62 **SECTION 2-2.**

63 Chapter 1 of Title 35 of the Official Code of Georgia Annotated, relating to general
64 provisions for law enforcement officers and agencies, is amended by revising Code Section
65 35-1-11, relating to police volunteers for traffic control, as follows:

66 "35-1-11.

67 ~~A police chief~~ An elected sheriff or police chief of a local law enforcement agency or fire
68 chief of a local fire department, with the approval of the local governing authority, shall
69 be authorized to designate, and equip police, and train nonsworn law enforcement
70 employees and firefighters and volunteers and to provide training to such police volunteers
71 in the area and manner of to assist in traffic control, provided that such individuals have
72 successfully completed at least one hour of a traffic control training program approved by
73 the Georgia Peace Officer Standards and Training Council. With the approval of the
74 sheriff or police chief of a local law enforcement agency or fire chief of a local fire
75 department, ~~a police volunteer~~ such individuals shall be authorized to direct and regulate
76 the flow of traffic, ~~in the event of a fire, explosion, hurricane, tornado, or other emergency~~
77 situation. ~~A police volunteer~~ Any such individual who is not certified pursuant to the
78 requirements of Chapter 8 of this title shall not have the power of arrest provided to peace
79 officers."

80 **SECTION 2-3.**

81 Article 1 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to
82 general provisions regarding the uniform rules of the road, is amended by revising Code
83 Section 40-6-2, relating to obedience to authorized persons directing traffic, as follows:

84 "40-6-2.

85 No person shall fail or refuse to comply with any lawful order or direction of any police
86 officer, law enforcement officer or firefighter, police nonsworn employee or volunteer
87 authorized under Code Section 35-1-11, or school-crossing guard individual designated by
88 a local law enforcement agency invested by law under Code Section 20-2-1131 with the
89 authority to direct, control, or regulate traffic."

90 **PART III**
91 **SECTION 3-1.**

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