

The House Committee on Motor Vehicles offers the following substitute to HB 939:

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 5 of Title 40 of the Official Code of Georgia Annotated,
2 relating to cancellation, suspension, and revocation of drivers' licenses, so as require
3 submission of proof of completion of a DUI Alcohol or Drug Use Risk Reduction Program
4 by certain applicants to obtain limited driving permits; to provide for an effective date and
5 applicability; to provide for related matters; to repeal conflicting laws; and for other
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 3 of Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to
10 cancellation, suspension, and revocation of drivers' licenses, is amended in Code
11 Section 40-5-64, relating to limited driving permits for certain offenders, by revising
12 subsection (a) as follows:

13 **"(a) To whom issued.**

14 (1) Notwithstanding any contrary provision of this Code section or Code Section
15 40-5-57, 40-5-57.2, 40-5-63, 40-5-75, 40-5-121, or 42-8-111, any person who has not
16 been previously convicted or adjudicated delinquent for a violation of Code Section

17 40-6-391 within five years, as measured from the dates of previous arrests for which
18 convictions were obtained or pleas of nolo contendere were accepted to the date of the
19 current arrest, may apply for a limited driving permit when that person's driver's license
20 has been suspended in accordance with:

21 (A) Code Section 40-5-54.1 and upon receipt of a record of such from a court or the
22 agency within the Department of Human Services which is responsible for enforcing
23 orders for child support;

24 (B) Subsection (d) of Code Section 40-5-57;

25 (C) Paragraph (1) of subsection (a) of Code Section 40-5-57.2;

26 (D) Paragraph (1) of subsection (a) of Code Section 40-5-63;

27 (E) Paragraph (1) of subsection (a) of Code Section 40-5-67.2 and upon submission of
28 proof of completion of a DUI Alcohol or Drug Use Risk Reduction Program certified
29 by the Department of Driver Services;

30 (F) Subsection (a) of Code Section 40-5-57.1, when the person is 18 years of age or
31 older and his or her license was suspended for exceeding the speed limit by 24 miles
32 per hour or more but less than 34 miles per hour, and the sentencing judge, in his or her
33 discretion, decides it is reasonable to issue a limited driving permit; or

34 (G) Paragraph (1) of subsection (a) of Code Section 40-5-75.

35 (2) No person who has been granted an exemption from the ignition interlock device
36 requirements of Article 7 of Chapter 8 of Title 42 due to undue financial hardship under
37 Code Section 42-8-111 shall be eligible for a limited driving permit, an ignition interlock
38 device limited driving permit, or any other driving privilege for a period of one year.

39 (3) To the extent a person is subject to more than one suspension for which a limited
40 driving permit may be issued, the department shall not issue such permit unless the
41 suspensions are for a conviction for driving under the influence in violation of Code
42 Section 40-6-391 imposed pursuant to Code Section 40-5-63 and an administrative

43 suspension imposed pursuant to paragraph (1) of subsection (a) of Code Section
44 40-5-67.2 arising from the same incident.”

45 **SECTION 2.**

46 This Act shall become effective on July 1, 2024, and shall apply to offenses committed on
47 or after that date.

48 **SECTION 3.**

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