

House Resolution 449

By: Representatives Smith of the 18th, Gunter of the 8th, Kelley of the 16th, Reeves of the 99th, and Roberts of the 52nd

A RESOLUTION

1 Creating the House Study Committee on Modernization of the Traffic Violations Bureau; and
2 for other purposes.

3 WHEREAS, the state's traffic violations bureau (TVB) laws, a system that allows drivers
4 accused of certain traffic violations to pay their fines online or by mail and never appear in
5 a courtroom, is a great convenience to both motorists and the courts, but, as written, these
6 laws can allow drivers who commit dangerous acts on our streets and highways to totally
7 avoid both prosecutorial and judicial supervision; and

8 WHEREAS, persons injured in, or who have damages brought upon them, due to traffic
9 accidents can be deprived of their rights to make victim impact statements; and

10 WHEREAS, enacted in March, 1966, the TVB system is likely unconstitutional as there is
11 no requirement that defendants be advised of their rights as were created by the *Miranda v.*
12 *Arizona*, 384 U.S. 436 (1966) decision, rendering the system outdated, confusing, and
13 fraught with danger to drivers who pay fines using the TVB system; and

14 WHEREAS, a study should be undertaken to determine what actions could be taken to
15 examine the TVB system and draft statutes that would modernize the system for our state's
16 traffic courts.

17 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES:

18 (1) **Creation of House study committee.** There is created the House Study Committee
19 on the Modernization of the Traffic Violations Bureau.

20 (2) **Members and officers.** The committee shall be composed of eleven members as
21 follows:

22 (A) The chairperson of the House Judiciary Non-Civil Committee;

23 (B) Two members of the House of Representatives appointed by the Speaker of the
24 House of Representatives, one of whom shall be designated as chairperson of the
25 committee;

26 (C) The chairperson of the Prosecuting Attorneys' Council (PAC) or his or her
27 designee;

28 (D) The president of the Georgia Association of Solicitors-General or his or her
29 designee;

30 (E) The president of the Georgia Association of Criminal Defense Lawyers (GACDL)
31 or his or her designee;

32 (F) The president of the Georgia Association of Chiefs of Police or his or her designee;

33 (G) The president of the Georgia Sheriffs' Association or his or her designee;

34 (H) The president of the Council of Municipal Court Judges of Georgia or his or her
35 designee;

36 (I) The president of the Council of Magistrate Court Judges or his or her designee; and

37 (J) The president of the Council of Probate Court Judges of Georgia or his or her
38 designee.

39 (3) **Powers and duties.** The committee shall undertake a study of the conditions, needs,
40 issues, and problems mentioned above or related thereto and recommend any action or
41 legislation which the committee deems necessary or appropriate.

42 (4) **Meetings.** The chairperson shall call all meetings of the committee. The committee
43 may conduct such meetings at such places and at such times as it may deem necessary or
44 convenient to enable it to exercise fully and effectively its powers, perform its duties, and
45 accomplish the objectives and purposes of this resolution.

46 (5) **Allowances, expenses, and funding.**

47 (A) The legislative members of the committee shall receive the allowances provided
48 for in Code Section 28-1-8 of the Official Code of Georgia Annotated.

49 (B) Members of the committee who are state officials, other than legislative members,
50 or who are state employees shall receive no compensation for their services on the
51 committee, but they may be reimbursed for expenses incurred by them in the
52 performance of their duties as members of the committee in the same manner as they
53 are reimbursed for expenses in their capacities as state officials or employees.

54 (C) Members of the committee who are not legislators, state officials, or state
55 employees shall receive a daily expense allowance in an amount the same as that
56 specified in subsection (b) of Code Section 45-7-21 of the Official Code of Georgia
57 Annotated, as well as the mileage or transportation allowance authorized for state
58 employees.

59 (D) The allowances and expenses authorized by this resolution shall not be received
60 by any member of the committee for more than five days unless additional days are
61 authorized. Funds necessary to carry out the provisions of this resolution shall come
62 from funds appropriated to the House of Representatives; except that funds for the
63 reimbursement of the expenses of state officials, other than legislative members, and
64 state employees shall come from funds appropriated to or otherwise available to their
65 respective agencies.

66 (6) **Report.**

67 (A) In the event the committee adopts any specific findings or recommendations that
68 include suggestions for proposed legislation, the chairperson shall file a report of the
69 same prior to the date of abolishment specified in this resolution, subject to
70 subparagraph (C) of this paragraph.

71 (B) In the event the committee adopts a report that does not include suggestions for
72 proposed legislation, the chairperson shall file the report, subject to subparagraph (C)
73 of this paragraph.

74 (C) No report shall be filed unless the same has been approved prior to the date of
75 abolishment specified in this resolution by majority vote of a quorum of the committee.
76 A report so approved shall be signed by the chairperson of the committee and filed with
77 the Clerk of the House of Representatives. Any member of the committee may file a
78 minority report that shall accompany the majority report.

79 (D) In the absence of an approved report, the chairperson may file with the Clerk of the
80 House of Representatives a copy of the minutes of the meetings of the committee in
81 lieu thereof.

82 (7) **Abolishment.** The committee shall stand abolished on December 1, 2025.