

Senate Bill 121

By: Senators Harbin of the 16th, Robertson of the 29th, Hatchett of the 50th, Dixon of the 45th, Burns of the 23rd and others

AS PASSED SENATE

A BILL TO BE ENTITLED
AN ACT

1 To amend Titles 33 and 40 of the Official Code of Georgia Annotated, relating to insurance
2 and motor vehicles and traffic, respectively, so as to increase the minimum coverage required
3 under a motor vehicle liability policy for an individual convicted of driving under the
4 influence; to provide for duration of coverage; to require proof of insurance; to provide for
5 a definition; to provide for related matters; to provide for an effective date and applicability;
6 to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Title 33 of the Official Code of Georgia Annotated, relating to insurance, is amended in
10 Chapter 7, relating to kinds of insurance, limits of risk, and reinsurance, by adding a new
11 Code section to read as follows:

12 "33-7-16.

13 (a) No individual who is convicted of driving under the influence of alcohol with a blood
14 alcohol concentration of 0.08 grams or higher, drugs, or other intoxicating substances in
15 violation of Code Section 40-6-391 or an equivalent law in another state shall operate any

16 motor vehicle in this state unless such individual has motor vehicle liability insurance that,
17 at a minimum, provides for:

18 (1) Bodily injury to or death of one person in any one accident, not less than \$50,000.00;

19 (2) Bodily injury to or death of all persons in any one accident, not less
20 than \$100,000.00; and

21 (3) Loss of, damage to, or destruction of property in any one accident, not less
22 than \$50,000.00.

23 (b) No individual who is convicted of a second offense of driving under the influence of
24 alcohol with a blood alcohol concentration of 0.08 grams or higher, drugs, or other
25 intoxicating substances in violation of Code Section 40-6-391 or an equivalent law in
26 another state shall operate any motor vehicle in this state unless such individual has motor
27 vehicle liability insurance that, at a minimum, provides for:

28 (1) Bodily injury to or death of one person in any one accident, not less than
29 \$100,000.00;

30 (2) Bodily injury to or death of all persons in any one accident, not less
31 than \$300,000.00; and

32 (3) Loss of, damage to, or destruction of property in any one accident, not less
33 than \$100,000.00.

34 (c) Any individual who is required to obtain the motor vehicle liability coverage provided
35 for in subsection (a) or (b) of this Code section shall maintain no less than such coverage
36 uninterrupted for a period of three years from the date of conviction.

37 (d) The coverages provided for in subsections (a) and (b) of this Code section shall be in
38 lieu of the minimum motor vehicle liability insurance coverage required under Code
39 Section 33-7-11.

40 (e) As used in this Code section, the term 'conviction' means a jury's finding of guilty, a
41 guilty plea, or a plea of nolo contendere."

42 **SECTION 2.**

43 Title 40 of the Official Code of Georgia, relating to motor vehicles and traffic, is amended
44 in Code Section 40-6-10, relating to insurance requirements for operation of motor vehicles
45 generally, by adding a new paragraph in subsection (a) to read as follows:

46 "(1.3) Any individual who is required to maintain increased liability coverage as
47 provided for in Code Section 33-7-16 shall keep proof or evidence of such coverage
48 during the operation of any motor vehicle. Such proof or evidence of such coverage may
49 be produced in either paper or electronic format, including a display of electronic images
50 on a mobile electronic device."

51 **SECTION 3.**

52 This Act shall become effective upon its approval by the Governor or upon its becoming law
53 without such approval and shall apply to any convictions on or after such date.

54 **SECTION 4.**

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