

ADOPTED

Senator Hatchett of the 50th offered the following amendment #1:

1 *Amend the House substitute to SB 69 (LC 49 2394S) by inserting on line 23 after "short title;"*
 2 *the following:*

3 to amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles, so
 4 as to provide for admissibility of evidence related to seat safety belts;

5 *By replacing lines 458 through the end with following:*

6 **SECTION 4.**

7 Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles, is amended
 8 in Code Section 40-8-76.1, relating to use of safety belts in passenger vehicles, by revising
 9 subsection (d) as follows:

10 "(d)(1) The failure of an occupant of a motor vehicle to wear a seat safety belt in any seat
 11 of a motor vehicle which has a seat safety belt or belts shall not be considered evidence
 12 of negligence or causation, shall not otherwise be considered by the finder of fact on any
 13 question of liability of any person, corporation, or insurer, shall not be any basis for
 14 cancellation of coverage or increase in insurance rates, and shall not may be considered
 15 in any civil action as evidence admissible on the issues of negligence, comparative
 16 negligence, causation, assumption of risk, or apportionment of fault or for any other
 17 purpose and may be evidence used to diminish any recovery for damages arising out of
 18 the ownership, maintenance, occupancy, or operation of a motor vehicle; provided,
 19 however, that this paragraph shall not prevent a court from determining the admissibility
 20 of such evidence pursuant to Code Section 24-4-403 or any other statutory or common
 21 law rule of evidence.

22 (2) The failure of an occupant of a motor vehicle to wear a seat safety belt in any seat of
23 a motor vehicle which has a seat safety belt or belts shall not be any basis for a
24 cancellation of insurance coverage or an increase in insurance rate."

25 **SECTION 5.**

26 (a) Except as provided in subsections (b) and (c) of this section, this Act shall become
27 effective on January 1, 2026.

28 (b) Section 3 of this Act shall become effective upon its approval by the Governor or upon
29 its becoming law without such approval and shall apply to:

30 (1) Any civil action, administrative proceedings, legal claims, or other legal proceedings
31 commenced on or after the effective date of this Act; and

32 (2) Any contracts entered into on or after the effective date of this Act.

33 (c)(1) Section 4 of this Act shall become effective upon its approval by the Governor or
34 upon its becoming law without such approval.

35 (2) Section 4 of this Act shall not apply to causes of action pending on the effective date
36 of this Act. Section 4 of this Act shall apply only to causes of action commenced on or
37 after the effective date of this Act, and any causes of action commenced prior to the
38 effective date of this Act shall be governed by prior law.

39 **SECTION 6.**

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