

**SENATE AMENDMENT TO HB 308****ADOPTED SENATE**

1 *Amend HB 308 (LC 39 4652S) by replacing line 8 with the following:*  
2 to provide a sentencing court with authority to order the installation of a device which limits  
3 the speed of a motor vehicle as part of the punishment for conviction of the offense of  
4 reckless stunt driving; to provide for procedures and conditions upon issuance of such orders;  
5 to provide for notification to the Department of Revenue; to provide for a penalty; to revise  
6 and provide for definitions; to provide that fingerprints shall not be obtained for offenses  
7 relating to operation of a motor vehicle with unauthorized levels of window or windshield  
8 tinting or unlawful installation of such; to revise and provide for a definition; to provide for  
9 the issuance of a refusal to sign citation; to provide for a penalty; to amend Code Section  
10 48-5-473 of the Official Code

11 *By replacing "such vehicles" with "miniature on-road vehicles" on line 11.*

12 *By inserting the following between lines 200 and 201:*

13 Said title is further amended in Code Section 40-6-390.1, relating to reckless stunt driving,  
14 by adding a new subsection to read as follows:

15 "(b.1)(1) As used in this subsection, the term 'intelligent speed assistance device' means  
16 a device designed to be installed within a motor vehicle to actively monitor and prevent  
17 the operator from exceeding a preset speed. Such term shall not include any technology  
18 provided by the motor vehicle manufacturer as a component of a motor vehicle that  
19 controls or affects the speed of a motor vehicle.

20 (2) Upon conviction of a violation of this Code section and in addition to the punishment  
21 provided for in subsection (a) of this Code section, a court shall be authorized to order  
22 the installation of an intelligent speed assistance device upon the motor vehicle operated

23 by the offender during such violation when the offender is the registered owner of such  
24 motor vehicle as shown in the records of the Department of Revenue. Such order shall  
25 set the maximum speed limit for an intelligent speed assistance device installed upon a  
26 motor vehicle at a speed limit of no greater than 20 percent above the posted speed limit.  
27 An intelligent speed assistance device shall be installed within ten days of the issuance  
28 of such order and remain on the vehicle for a period of time ordered by the court which  
29 shall be no less than six months. The costs relating to the installation of an intelligent  
30 speed assistance device upon a motor vehicle and any monitoring thereof shall be borne  
31 by the offender. Any court which orders an intelligent speed assistance device to be  
32 placed upon a motor vehicle pursuant to this subsection shall provide the Department of  
33 Revenue with a copy of such order. The records of the Department of Revenue shall  
34 contain a record reflecting that the motor vehicle shall only be operated when equipped  
35 with a functioning intelligent speed assistance device. The operation of a motor vehicle  
36 without an intelligent speed assistance device for which an order for installation of an  
37 intelligent speed assistance device has been issued pursuant to this subsection by the  
38 offender issued such order shall be punished as for a misdemeanor."

39 **SECTION 11.**

40 Said title is further amended in Code Section 40-8-73.1, relating to tinting of windows or  
41 windshields of motor vehicles, by revising subsection (h) as follows:

42 "(h) Any person who violates subsection (b) or (e) of this Code section shall be guilty of  
43 a misdemeanor; provided, however, that no fingerprints shall be obtained for a violation  
44 of this Code section."

45 **SECTION 12.**

46 Said title is further amended in Code Section 40-13-2.1, relating to signature on citations  
47 required, effect of failure to sign, exemption for out-of-state drivers, and electronic capture  
48 of signature, by revising subsection (a) as follows:

49 "(a) A person who is issued a citation as provided in this chapter or Code Section 17-6-11,  
50 relating to display of driver's license in lieu of bail, ~~shall~~ may sign the citation to  
51 acknowledge receipt of the citation and of his or her obligation to appear for trial. The  
52 officer shall advise the person that signing the citation is not an admission of guilt and that  
53 failure to sign will result in the person having to ~~post a cash bond~~ appear for trial. If the  
54 person refuses to sign the citation, it shall constitute reasonable cause to believe that the  
55 person will not appear at trial and the officer shall write 'Refusal to Sign' on such citation  
56 and shall give the citation to such person. The officer may bring the person before a  
57 judicial officer or traffic violations bureau to post a bond as is otherwise provided by law."

58

### SECTION 13.

59 *By renumbering the remaining sections of the bill accordingly.*