

The House Committee on Motor Vehicles offers the following substitute to HB 585:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 34 of Title 33 and Chapter 6 of Title 40 of the Official Code of Georgia
2 Annotated, relating to motor vehicle accident reparations and uniform rules of the road,
3 respectively, so as to provide for named driver exclusions under motor vehicle insurance
4 policies; to require an insurer to identify any excluded drivers in notice to the Department
5 of Revenue; to provide a penalty for the operation of a motor vehicle by an excluded driver;
6 to provide for a penalty to an owner who knowingly authorizes an excluded driver to operate
7 a motor vehicle; to provide for definitions; to provide for related matters; to provide for an
8 effective date and applicability; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Chapter 34 of Title 33 of the Official Code of Georgia Annotated, relating to motor vehicle
12 accident reparations, is amended in Code Section 33-34-5, which is designated as reserved,
13 as follows:

14 "33-34-5.

15 (a) As used in this Code section, the term:

16 (1) 'Excluded driver' means an individual expressly designated as excluded from
 17 coverage under a motor vehicle insurance policy.

18 (2) 'Motor vehicle insurance policy' means an automobile liability policy or motor
 19 vehicle liability policy issued, delivered, or issued for delivery in this state to the owner
 20 of a motor vehicle which provides at least the minimum coverage required by this
 21 chapter.

22 (b) An insurer may exclude a named individual from coverage under a motor vehicle
 23 insurance policy, provided that such insurer identifies such named individual as an
 24 excluded driver to the Department of Revenue as provided in Code Section 40-6-10.2.
 25 Such insurer shall notify the Department of Revenue when such named individual is no
 26 longer an excluded driver under such policy. Reserved."

27 **SECTION 2.**

28 Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to uniform rules
 29 of the road, is amended in Article 1, relating to general provisions, by adding a new Code
 30 section to read as follows:

31 "40-6-10.2.

32 (a) As used in this Code section, the term:

33 (1) 'Excluded driver' means an individual expressly designated as excluded from
 34 coverage under a motor vehicle insurance policy.

35 (2) 'Motor vehicle insurance policy' means an automobile liability policy or motor
 36 vehicle liability policy issued, delivered, or issued for delivery in this state to the owner
 37 of a motor vehicle which provides at least the minimum coverage required by Chapter 34
 38 of Title 33.

39 (b) When an insurer excludes a named individual from coverage under a motor vehicle
 40 insurance policy as provided in Code Section 33-34-5, such insurer shall identify such
 41 named individual as an excluded driver under such policy in a notice to the Department of

42 Revenue. Insurance coverage information included in such notice of exclusion shall be
43 limited to the name and contact information of the insurer, the vehicle identification
44 number, the make and year of the insured motor vehicle, the policy effective date, and the
45 name of the excluded driver.

46 (c) When a law enforcement officer of this state determines that the operator of a motor
47 vehicle is an excluded driver under the motor vehicle insurance policy for such vehicle and
48 such operator does not have proof of effective insurance, such law enforcement officer
49 shall issue a uniform traffic citation for operating a motor vehicle without proof of
50 insurance as provided in Code Section 40-6-10.

51 (d) An owner who knowingly authorizes an individual to operate a motor vehicle when
52 such individual is an excluded driver under the motor vehicle insurance policy for such
53 vehicle and such owner knows such individual does not have other effective insurance shall
54 be guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine of not
55 less than \$200.00 nor more than \$1,000.00 or imprisonment for not more than 12 months,
56 or both."

57 **SECTION 3.**

58 This Act shall become effective on July 1, 2027, and shall apply to all motor vehicle
59 insurance policies issued, delivered, issued for delivery, or renewed in this state on or after
60 such date.

61 **SECTION 4.**

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