

House Bill 1395

By: Representatives Mathis of the 133rd, Crowe of the 118th, Washburn of the 144th, Barrett of the 24th, Powell of the 33rd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to
2 drivers' licenses, so as to require the intervention component for DUI Alcohol or Drug Use
3 Risk Reduction Programs be conducted in person; to provide for related matters; to repeal
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to drivers' licenses,
8 is amended in Code Section 40-5-1, relating to definitions, by revising paragraph (10) as
9 follows:

10 "(10) 'Intervention component' means a program which delivers in-person therapeutic
11 education about alcohol and drug use and driving and peer group counseling concerning
12 alcohol and drug use over a period of 20 hours utilizing a methodology and curriculum
13 approved and certified by the department for the DUI Alcohol or Drug Use Risk
14 Reduction Programs under subsection (e) of Code Section 40-5-83."

SECTION 2.

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16 Said chapter is further amended in Code Section 40-5-83, relating to approval and operation
17 of driver improvement clinics, criteria for defensive driving courses, alcohol and drug
18 courses, and driving under the influence risk reduction programs, by revising paragraph (1)
19 of subsection (e) as follows:

20 "(e)(1) The department is designated as the agency responsible for establishing criteria
21 for the certification of DUI Alcohol or Drug Use Risk Reduction Programs. An applicant
22 shall meet the certification criteria promulgated by the department through its standards
23 and shall provide assessment component services and intervention component services.
24 A certified DUI Alcohol or Drug Use Risk Reduction Program shall require that a risk
25 assessment component be conducted prior to administering the intervention component
26 of such program. A certified DUI Alcohol or Drug Use Risk Reduction Program may
27 include a clinical evaluation component after an individual completes risk assessment and
28 intervention services. Only clinical evaluators licensed by the Department of Behavioral
29 Health and Developmental Disabilities shall be qualified to conduct clinical evaluations.
30 The department is designated as the agency responsible for establishing rules and
31 regulations concerning the contents and duration of the components of DUI Alcohol or
32 Drug Use Risk Reduction Programs, qualifications of instructors, attendance
33 requirements for students, examinations, and program evaluations; provided, however,
34 that intervention components of such courses shall be conducted in person and online
35 courses or remote participation platforms which provide in-person instruction shall be
36 prohibited. Qualified instructors shall be certified for periods of four years each, which
37 may be renewed."

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SECTION 3.

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