

House Bill 1390

By: Representatives Willis of the 55th, Schofield of the 63rd, McQueen of the 61st, Berry of the 56th, Holland of the 54th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 40-6-390.1 of the Official Code of Georgia Annotated, relating to
2 reckless stunt driving, so as to declare motor vehicles used in the commission of reckless
3 stunt driving offenses contraband and authorize forfeiture; to provide for related matters; to
4 repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Code Section 40-6-390.1 of the Official Code of Georgia Annotated, relating to reckless
8 stunt driving, is amended by revising subsection (c) as follows:

9 "(c)(1) Any motor vehicle operated by a person ~~who has been previously convicted of~~
10 ~~a violation of this Code section and~~ who is arrested and charged with a violation of this
11 Code section is declared to be contraband and subject to forfeiture in accordance with the
12 procedures set forth in Chapter 16 of Title 9.

13 (2) In any case where a vehicle which is the only family vehicle is determined to be
14 subject to forfeiture, the court may, if it determines that the financial hardship to the
15 family as a result of the forfeiture and sale outweighs the benefit to the state from such
16 forfeiture, order the title to the vehicle transferred to such other family member who is

17 a duly licensed operator and who requires the use of such vehicle for employment or
18 family transportation purposes. Such transfer shall be subject to any valid liens and shall
19 be granted only once."

20 **SECTION 2.**

21 All laws and parts of laws in conflict with this Act are repealed.