

The House Committee on Judiciary, Non-Civil offers the following substitute to HB 1390:

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 upon conviction of any such  
4 offense; to provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **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~~ convicted of a  
11 violation of this Code section is declared to be contraband and subject to forfeiture in  
12 accordance with the 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21 All laws and parts of laws in conflict with this Act are repealed.