MOTOR VEHICLES AND TRAFFIC Drivers' Licenses: Provide Training and Examination Requirements for Applicants; Change Provisions Regarding Instruction Permits, Graduated Licensing, and Relating Restrictions; Provide for Provisions Relating to Revocation of License of Persons Under Age 21 and Issuance of New License Following Revocation; Change Provisions Relating to Licensing Exemptions

Stephanie A. Everett

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MOTOR VEHICLES AND TRAFFIC

Drivers’ Licenses: Provide Training and Examination Requirements for Applicants; Change Provisions Regarding Instruction Permits, Graduated Licensing, and Relating Restrictions; Provide for Provisions Relating to Revocation of License of Persons Under Age 21 and Issuance of New License Following Revocation; Change Provisions Relating to Licensing Exemptions


BILL NUMBER: SB 1
ACT NUMBER: 30
GEORGIA LAWS: 2001 Ga. Laws 184

SUMMARY: The Act requires every driver’s license applicant to complete either a driver’s education course with twenty hours of supervised driving or complete at least forty hours of supervised driving and pass a comprehensive on-the-road driving test as a prerequisite for a Class D driver’s license. The Act mandates a 12:00 midnight to 6:00 A.M. curfew for all Class D license holders, eliminates any exceptions to the restricted driving times, and restricts the passengers of a Class D license holder to only family members for the first six months of licensure. The Act changes the restrictions for violating the DUI laws, obtaining four or more driving violation points, and violating certain traffic laws.

EFFECTIVE DATE: O.C.G.A. § 40-5-21, July 1, 2002; 1 § 40-5-22, July 1, 2001; 2 § 40-5-24, January 1, 2001

1. See 2001 Ga. Laws 184, § 4-1, at 191-92. The Act provides that the same language will become law on January 1, 2002, or on such date thereafter as the same provision, as amended by 2000 Ga. Laws 951, § 13-1, at 1073, becomes fully effective, whichever is later. See 2001 Ga. Laws 184, § 4-1, at 192.

History

“Teenagers . . . Please slow down!” reads a sign posted outside Tom Guckian’s insurance office in Marietta, Georgia. Despite community efforts to raise awareness over concern about the safety of teen drivers, the death toll from teenage driving accidents in Georgia continues to rise. According to the Governor’s Office of Highway Safety, automobile wrecks are the leading cause of death among teenagers in Georgia. The Georgia Department of Public Safety reported a total of seventy fatal accidents in the eighteen county metropolitan Atlanta areas involving fifteen- to nineteen-year-old drivers, with a total of eighty-seven fatalities. In 1998, ninety-three sixteen- and seventeen-year-old drivers died in Georgia traffic accidents, according to the Governor’s Office of Highway Safety. “Teen drivers are inexperienced, immature and have an almost universal streak of craziness that makes them the most dangerous drivers on the road, for both themselves and others.”

Georgia’s legislative push for tougher teen driving laws began in 1997 with the Teenage and Adult Driver Responsibility Act. The Teenage and Adult Driver Responsibility Act provided penalties for teenagers convicted of driving under the influence; suspended teen licenses for certain violations and for receiving four or more points on their driving record; restricted teen driving from 1:00 A.M. to 5:00 A.M.; limited the number of passengers allowed in the car; and allowed

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5. See 2001 Ga. Laws 184, § 4-1, at 191-92. The Act provides that the same language will become law on January 1, 2002, or on such date thereafter as the same provision, as amended by 2000 Ga. Laws 951 § 1-1, at 952 becomes fully effective, whichever is later. See 2001 Ga. Laws 184, § 4-1, at 191-92.
6. See Yolanda Rodriguez, Teen Driving: Mapping a Way to Safer Roads; Officials, Other Adults, Teen Drivers Have Varying Views on Barnes’ Proposal, ATLANTA J. CONST., Feb. 8, 2001, at 1JG.
7. See id.
8. See Taking a Wrong Turn; Thanks to Resistance from Some Misguided State Lawmakers, the Legislature Falls Short of Providing Real Protection for Teen Drivers and Those Who Share the Road with Them, ATLANTA J. CONST., Mar. 23, 2001, at 20A.
10. See id.
11. Id.
teen drivers to have their licenses suspended for certain school offenses. The Act resulted in the suspension of almost 70,000 teen drivers’ licenses and has improved the state’s fatal driver crash rate for sixteen- and seventeen-year-old drivers. Despite the law’s success, legislators still believed there was a need for additional laws restricting teen driving.

During the 2000 General Assembly, Senator Phillip Gingrey introduced SB 233, a bill that, among other things, would have raised the driving age to seventeen. Although the General Assembly failed to pass the initiative, SB 233 may have set the stage for the 2001 General Assembly version. Speaking before the Senate, Senator Gingrey acknowledged that “[the Senate was] attentive that the time was not right last year, but lots of things have happened since last year . . . I think that this bill is all about timing, and I think the timing is indeed here.”

This bill received a great deal of attention in the media and had communities throughout Georgia talking about the issue of teen driving. For example, the North Fulton County Council of PTAs held a forum to encourage legislators to pass tougher driving laws and mandatory driver’s education. The Salem High School PTA held an informational meeting to discuss the issue. When speaking on behalf of the bill before the Senate, Senator Gingrey distributed a picture from the Atlanta Journal-Constitution taken during the Senate Committee on Public Safety’s meeting on the bill. The picture showed a crowd of people who had lost children in automobile accidents lined up to speak on behalf of the bill. Senator Gingrey read letters from constituents who

15. See Monroe, supra note 9, at 66; see also Senate Audio, supra note 14 (remarks by Sen. Jack Hill).
18. Id.
19. See Jennifer Brett, Teen Driving: Youths Nearing 16 Have Qualms; Lawmakers: Tougher Driving Tests Needed as Well as the Proposed Higher Age, ATLANTA J. CONST., Feb. 8, 2001, at 1JH.
22. See id.
wrote him asking the General Assembly to do something about the teen driving issue.\textsuperscript{23}

Senator Gingrey recognized that lack of experience and impulsive behavior are the two main causes of accidents involving teenage drivers.\textsuperscript{24} According to Gingrey, the current law does not protect novice drivers who are allowed to drive on their own after taking a weak driving test, administered in a parking lot between orange cones.\textsuperscript{25} The current law does not require driver's education or mandatory hours of driving experience monitored by parents and allows a sixteen-year-old driver to go out alone on the highway until almost 1:00 A.M. with up to three teenage passengers.\textsuperscript{26} "We know that this is a recipe for disaster because [the teenage drivers] have not had the experience—they are novices, they are excited, they are still in the thrill phase of driving. We need to get them beyond that in a safer set of circumstances."\textsuperscript{27}

In drafting the bill, Senators focused on what national safety organizations consider to be the most important risk factors for teen drivers: experience, time of day, speed, and number of passengers.\textsuperscript{28} The drafters did not advocate raising the minimum driving age to seventeen, but focused on ensuring that every sixteen-year-old driver is properly trained, driving in safer conditions, and aware that the penalties for violating the traffic law are severe in order to encourage safer driving habits from the onset of their driving career.\textsuperscript{29}

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\textsuperscript{23} See id.
\textsuperscript{24} See Monroe, supra note 9, at 67.
\textsuperscript{25} See Senate Audio, supra note 14 (remarks by Sen. Phillip Gingrey).
\textsuperscript{26} See id.
\textsuperscript{27} Id.; see also Electronic Mail Interview with Sen. Jack Hill, Senate District No. 4 (Apr. 23, 2001) [hereinafter Hill Interview] (stating that the purpose of the legislation was to "address teen driving accidents and fatalities").
\textsuperscript{28} See Senate Audio, supra note 14 (remarks by Sen. Jack Hill).
\textsuperscript{29} See id. (remarks by Sen. Phillip Gingrey). Governor Barnes supported a Senate Committee Substitute to HB 385, which would have banned sixteen-year-old drivers from driving in eighteen metropolitan Atlanta counties. See HB 385 (SCSFA), 2001 Ga. Gen. Assem. A Conference Committee deleted this language from the final version. However, HB 385 did create the Blue Ribbon Young Driver and DUI Study Commission to study special problems related to young drivers and drivers who drive under the influence of intoxicants. See HB 385 (CCS), 2001 Ga. Gen. Assem.; State of Georgia Final Composite Status Sheet, HB 385, Mar. 21, 2001; see also David Pendered, No-Drive Zone for Metro Teens Fails; Legislature Just Says 'No' to Barnes' Idea, ATLANTA J. CONST., Mar. 22, 2001, at 1A.
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SB 1

Introduction

Senators Jack Hill, Phillip J. Gingrey, Terrell Starr, Charlie Walker, and Greg Hecht of the 4th, 37th, 44th, 22nd, and 34th Districts, respectively, sponsored SB 1. Senator Gingrey introduced the bill on the Senate floor on January 9, 2001. The Senate assigned the bill to its Public Safety Committee, which favorably reported the bill, as substituted. The Senate adopted the Committee substitute, adopted two floor amendments, and passed the bill on January 25, 2001.

The House assigned SB 1 to its Motor Vehicles Committee, which created its own substitute and favorably reported the bill on March 1, 2001. The House adopted the Committee substitute, adopted floor amendments, and passed the bill on March 13, 2001. The bill returned to the Senate on March 19, 2001, but the Senate refused to adopt the House amendments. The House insisted on the amendments on March 21, 2001, and a Conference Committee was appointed the same day. Both the House and Senate adopted the Conference Committee report on March 21, 2001. The General Assembly forwarded the bill to Governor Roy Barnes, who signed SB 1 on April 11, 2001.

Consideration by the Senate Public Safety Committee

After introduction, the Senate assigned the bill to its Public Safety Committee. The Public Safety Committee favorably reported the bill, as substituted, on January 23, 2001. As introduced, the bill would have amended Code section 40-5-22, requiring a new driver to complete a

33. See Georgia Senate Voting Record, SB 1 (Jan. 25, 2001); State of Georgia Final Composite Status Sheet, SB 1, Mar. 21, 2001.
37. See id.
38. See Georgia House of Representatives Voting Record, SB 1 (Mar. 21, 2001); Georgia Senate Voting Record, SB 1 (Mar. 21, 2001).
41. See id.
cumulative total of at least forty hours of driving a motor vehicle under supervision, including at least six nighttime hours.\(^{42}\) Additionally, written verification of the hours would have been required, including the signature of a parent or guardian who was at least eighteen years of age before a person authorized to administer oaths.\(^{43}\) As introduced, the bill did not require enrollment or completion of a driver education course, but allowed experience acquired during such a course to be applied toward the required supervised hours.\(^{44}\)

The Committee substitute added a second option that would have allowed a new driver to complete an approved driver education course in a private or public driver training school in addition to twenty hours of other supervised training, including at least six hours at night.\(^{45}\) The Committee believed that the bill engaged the parent as the person responsible for preparing a young driver for full driving privileges by requiring them to certify the amount of supervised driving hours completed.\(^{46}\) Additionally, the Committee thought that adding the second option for less supervised hours if the driver completed a course would encourage young drivers to participate in driver’s education courses.\(^{47}\) The Committee also added a provision that would have allowed the commissioner to establish rules and regulations for approval of any driver education course designating itself as providing education to young drivers about safe driving practices and Georgia traffic laws.\(^{48}\)

As introduced, the bill would have amended Code section 40-5-24 to prohibit any Class D license holder from driving on Georgia’s public roads, streets, or highways between the hours of 12:00 midnight and 6:00 A.M.\(^{49}\) The Committee amended the bill to apply the 12:00

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42. See SB 1, as introduced, 2001 Ga. Gen. Assem.
43. See id.
44. See id.
47. See id. Sen. Hill also noted the financial incentives for parents to purchase commercial training for their children including an auto insurance discount and a $150 Georgia income tax credit. See id.
49. See SB 1, as introduced, 2001 Ga. Gen. Assem. A Class C license is defined as

Any single vehicle with a gross vehicle weight rating not in excess of 26,000 pounds or any such vehicle towing a vehicle with a gross vehicle weight rating not in excess of 10,000 pounds and any self-propelled or towed vehicle that is equipped to serve as temporary living quarters for recreational, camping, or travel purposes and is used solely as a family or personal conveyance; Class D-provisional license applicable to noncommercial Class C vehicles for which an applicant desires a driver’s license but is not presently licensed to drive.

midnight to 6:00 A.M. curfew times only to Class D license holders who are at least seventeen years of age.\(^{50}\) The Committee added a stricter curfew for sixteen-year-old drivers, prohibiting them from driving between the hours of 10:00 P.M. and 6:00 A.M.\(^{51}\) The Committee listed no exceptions for the curfew times, believing that the times were workable and that exceptions could easily undermine the goal of keeping young drivers from driving during more dangerous time periods.\(^{52}\)

As introduced, SB 1 would have limited the number of passengers for a driver under seventeen years of age to one other passenger who is not a member of the driver’s immediate family and is less than twenty-one years of age.\(^{53}\) The Committee substitute extended the passenger limit to all Class D drivers regardless of age, thus applying to both sixteen- and seventeen-year-old drivers.\(^{54}\)

The Committee stiffened the requirements for a Class D license holder to be eligible to receive a Class C license. As introduced, the bill would have prohibited a Class D license holder from receiving a Class C license if the driver had four or more points on his driving record; was less than eighteen years of age; had been convicted of a violation of hit-and-run or leaving the scene of an accident, racing on highways or streets, using a motor vehicle in fleeing or attempting to elude an officer, reckless driving, or violating Code Section 40-6-391 (DUI laws).\(^{55}\) The Committee substitute increased the eligibility requirements by prohibiting a Class D driver from receiving two or more points on his driving record.\(^{56}\) Additionally, the Committee added a requirement that any driver under the age of sixteen at the time of committing any offense with a penalty of two or more points on a person’s driving record or conviction of the offenses listed above would have his license revoked.\(^{57}\) The Committee wanted to make a vivid impression on young drivers by proposing stronger sanctions for inexperienced drivers.\(^{58}\) Strengthening
the requirements for a Class C license would encourage young drivers to drive more carefully and avoid possible violations such as speeding.\footnote{See id.}


\textit{Consideration by the Senate}

The Senate passed SB 1, as substituted with floor amendments, on January 25, 2001.\footnote{See Georgia Senate Voting Record, SB 1 (Jan. 23, 2001); State of Georgia Final Composite Status Sheet, SB 1, Mar. 21, 2001; Senate Audio, \textit{supra} note 14, (vote on amendments).} The Senate floor amendments made both the curfew and passenger violations secondary violations instead of weighting one more than the other.\footnote{Compare SB 1 (SCS), 2001 Ga. Gen. Assem., with SB 1 (SCSFA), 2001 Ga. Gen. Assem.} The floor amendment imposed the same restriction—license revocation—for seventeen-year-olds who receive more than two points in driving violations as a Class D license holder.\footnote{Compare SB 1 (SCS), 2001 Ga. Gen. Assem., with SB 1 (SCSFA), 2001 Ga. Gen. Assem.} The amendment addressed young drivers who might wait until they are seventeen to get their licenses and thus, even though they are older, are still in their first year of driving.\footnote{See Senate Audio, \textit{supra} note 14 (remarks by Sen. Billy Ray of the 48th District). Sen. Ray noted that in 1999 there were 123 deaths of seventeen-year-old drivers and 90 deaths of sixteen-year-old drivers and that this amendment added consistency and logic by treating sixteen-and seventeen-year-olds similarly. \textit{See id.}}

\textit{Consideration by the House Motor Vehicles Committee}

After introduction, the House assigned the bill to its Motor Vehicles Committee.\footnote{See State of Georgia Final Composite Status Sheet, SB 1, Mar. 21, 2001.} The Motor Vehicles Committee favorably reported SB 1, as substituted, on March 1, 2001.\footnote{See id.} The House Committee added an amendment to Code section 40-5-1, requiring an alien to present documented proof of legal authorization from the United States Immigration and Naturalization Service (INS) in order to be considered a resident of Georgia for purposes of this Code section.\footnote{Compare SB 1 (SCSFA), 2001 Ga. Gen. Assem., with SB 1 (HCS), 2001 Ga. Gen. Assem.}
The House Committee substitute added an additional option for obtaining a Class D license by allowing young drivers to complete an approved distant learning driver education course, as well as thirty hours of supervised driving, including at least six nighttime hours.\(^{69}\) Additionally, the Committee substitute offered the following requirements for any driver education school offering distant learning instruction: (1) the school must have an office in Georgia open to the public during normal business hours and shall have been licensed for a continuous period of at least five years; (2) the school shall remit a $10.00 administrative fee for each enrolled student within thirty days of enrollment to the department; (3) the school shall maintain a local or toll-free telephone number for an enrolled applicant to obtain technical assistance with the program twenty-four hours per day; (4) the school must provide each person who successfully completes the program a numbered completion certificate; and (5) the school shall provide the department with access to the stored data on applicants who have enrolled in the course.\(^{70}\) The House Committee substitute defined "distance learning" as the use of the Internet or other electronic delivery system or programs providing information or instruction to students.\(^{71}\)

The House Committee substitute required all Class D applicants to complete some form of driver education course unless they are at least seventeen years old and reside in a county with a population under 500,000; any such applicants could apply after completing forty hours of supervised driving, including at least six hours at night.\(^{72}\)

The House Committee substitute amended Code section 40-5-24 by eliminating the behind-the-wheel road test requirement needed for an applicant to obtain a Class D driver’s license.\(^{73}\) The Committee substitute eliminated the 10:00 P.M. to 6:00 A.M. curfew for sixteen-year-old drivers and instead would have applied the 12:00 midnight to 6:00 A.M. curfew to all Class D license holders.\(^{74}\) Additionally, the Committee substitute would have maintained the following exceptions to the curfew: going to or from a place of business where the driver is actually employed on a regularly scheduled basis; going to or from a school-sponsored event where the driver is enrolled as a student; going


to or from an event sponsored by a religious organization; or for the purpose of a medical, fire, or law enforcement related emergency. The Committee substitute would have restricted any Class D license holder’s passengers to members of the driver’s immediate family for the first ninety days following issuance of the license. Finally, the House Committee substitute would have allowed a Class D driver’s license holder to receive no more than four points in driving violations to still be eligible for a Class C license. The substitute further clarified that a driver cannot be charged for too many passengers as a sole offense, but that ancillary charge may be added to any other traffic offense.

The House Committee substitute added a provision in Code section 40-5-27 allowing any driver training instructor licensed under Chapter 13 of Title 43 to act as a driver’s license examiner on behalf of the department and allowed them to charge the driver’s license applicant a fee not exceeding $50.00 for providing the service.

The House Committee substitute also amended Code section 40-5-57.1 by allowing a driver under twenty-one years of age who is convicted of certain driving offenses to have his license suspended, not revoked without any chance of having his license reinstated. The substitute added a provision allowing a person with a suspended license under this section to be eligible for a Class P instruction permit during the last sixty days of the suspension period. The substitute further clarified the requirements of applying for reinstatement and attempted to make the current law consistent with the DUI laws.

Finally, the House Committee on Motor Vehicles substitute added an provision for either the Department of Public Safety or the Department of Motor Vehicle Safety to study the effectiveness of the driver training alternatives provided in Code section 40-5-22 and report its findings and recommendations to the General Assembly no later than January 31, 2003.

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Consideration by the House

The House passed SB 1, as substituted with floor amendments, on March 13, 2001.\(^{83}\) The House floor amendments changed the passenger restrictions to allow only two persons of the same gender including the driver, to be in the car at the same time.\(^{84}\) The floor amendments also extended the time the Department of Public Safety or the Department of Motor Vehicle Safety would have to report their findings to 2004.\(^{85}\)

Conference Committee

The Senate rejected the House version of the bill on March 19, 2001.\(^{86}\) The House insisted on its changes on March 21, 2001, and the bill was referred to a Conference Committee the same day.\(^{87}\) The Conference Committee substitute deleted the requirement that an alien provide documented proof of legal authorization from the INS in order to be a resident of Georgia.\(^{88}\) The final version provided that a driver must either complete twenty hours of supervised driving, with at least six at night, if the driver completed an approved driver education course or forty hours of supervised driving, with at least six at night.\(^{89}\) The Conference Committee eliminated a third option that would have allowed young drivers to take a distance learning course.\(^{90}\) Additionally, the Committee did not force all sixteen-year-old drivers in counties with 500,000 people or more to take a driver education course.\(^{91}\) The substitute eliminated all exceptions from the curfew times for Class D license holders and retained the current passenger restriction of no more than three other passengers in the vehicle who are not family members.\(^{92}\) The substitute retained the on-the-road driving test, but provided that the

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83. See Georgia House of Representatives Voting Record, SB 1 (Mar. 13, 2001); State of Georgia Final Composite Status Sheet, SB 1, Mar. 21, 2001; House Audio, supra note 81 (vote on amendments).
86. See State of Georgia Final Composite Sheet, SB 1, Mar. 21, 2001.
87. See id.
road test would not apply to Class C applicants who were required to take the test before receiving a Class D license.  

The Conference Committee deleted a provision that would have allowed a driver training instructor to act as a driver’s license examiner on behalf of the state.93 The Conference Committee added a provision under Code section 40-5-57.1, making any driver convicted of driving under the influence of alcohol ineligible for a limited driving permit.94 Finally, the Conference Committee deleted a provision that would have mandated that the Department of Public Safety conduct a study on the effectiveness of the bill and report back to the General Assembly in 2004.95 The House and the Senate adopted the Conference Committee substitute on March 21, 2001.96 Governor Roy Barnes signed the bill into law on April, 11, 2001.97

The Act

Code Section 40-5-22

The Act amends Code section 40-5-22 by adding a new subsection that defines driver education requirements for any person applying for an initial Class D driver’s license.98 Specifically, the Act requires all applicants to either complete a driver education course in addition to a cumulative total of at least twenty hours of other supervised driving experience, including at least six at night; or, complete a cumulative total of at least forty hours of supervised driving experience, including at least six at night.99 All driving hours must be verified in writing and signed under oath by the applicant’s parent or guardian.100 The Act further defines that the supervisor must be at least twenty-one years old, have a Class C license, be capable of exercising control over a vehicle, and be seated beside the driver.101 Additionally, the Act allows the

96. See Georgia House of Representatives Voting Record, SB 1 (Mar. 21, 2001); Georgia Senate Voting Record, SB 1 (Mar. 21, 2001); State of Georgia Final Composite Status Sheet, SB 1, Mar. 21, 2001.
commissioner to establish standards for any driver education course that would be designated as one that provides education to young drivers about Georgia’s traffic laws and safe vehicle operation.\textsuperscript{102}

**Code Section 40-5-24**

The Act amends Code section 40-5-24 by requiring that an applicant for a Class D license must meet all applicable requirements instead of simply passing a behind-the-wheel road test.\textsuperscript{103} The Act changes the curfew times for all Class D license holders from 1:00 A.M. to 5:00 A.M. to 12:00 midnight to 6:00 A.M and eliminates exceptions from the restricted driving times.\textsuperscript{104} Additionally, the Act restricts the passengers to members of the driver’s immediate family for the first six months immediately following issuance of a Class D license.\textsuperscript{105} The Act also specifies that the passenger violation cannot be cited independently but can only be given in addition to another traffic offense.\textsuperscript{106}

**Code Section 40-5-27**

The Act amends Code section 40-5-27 by requiring a comprehensive on-road driving test for every driver’s license applicant.\textsuperscript{107} The Act allows an exception for the driving test if the applicant already took the test while applying for a Class D driver’s license.\textsuperscript{108} The Act provides that this Code section shall be effective six months after the effective date of appropriation by the General Assembly of sufficient funds for this program.\textsuperscript{109}

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Code Section 40-5-21

The Act amends Code section 40-5-21 by requiring all fifteen-year-old drivers taking in-car training to do so under the supervision of a trainer who is licensed by the Department of Public Safety in accordance with the Driver Training License Act.\textsuperscript{110} The Act eliminates an exemption for instruction programs offered by public high schools through the State Department of Education.\textsuperscript{111}

Code Section 40-5-57.1

The Act amends Code section 40-5-57.1 by mandating a license suspension, not revocation, when a driver under twenty-one years old is convicted of a hit-and-run, leaving the scene of an accident, racing on highways or streets, using a vehicle to flee or attempt to elude an officer, reckless driving, or any offense for which four or more points are assessed on the driver's record.\textsuperscript{112} Further, the Act provides for the suspension of a license if a driver under eighteen years of age accumulates four or more points on their driving record during a one year period.\textsuperscript{113} The Act allows a driver to apply for license reinstatement six months after having his license suspended and after completing a comprehensive on-road driving test and paying a fee.\textsuperscript{114} If a driver's license is suspended twice, the driver must wait twelve months after the suspension before applying for a license reinstatement.\textsuperscript{115}

The Act adds new provisions for drivers convicted of blood alcohol concentration violations.\textsuperscript{116} If the driver is convicted of driving under the influence of alcohol or of having an unlawful blood alcohol concentration and is subject to the provisions of paragraph 1 of Code section 40-5-63, the driver is ineligible for a limited driving permit.\textsuperscript{117}

The Act further amends the Code section by requiring a driver with a blood alcohol concentration of less than 0.08 percent at the time of the offense, to be ineligible for a license reinstatement until six months following the offense and a driver with a blood alcohol concentration greater than 0.08 percent to be ineligible for twelve months after the license suspension.\textsuperscript{118} The Act requires any driver with a license suspension due to alcohol concentration to again pass a comprehensive on-road driving test.\textsuperscript{119} Additionally, the Act eliminates the requirements a driver would have had to complete for a license revocation.\textsuperscript{120}

The Act provides that the effective date for the amendments to this Code section shall be on July 1, 2001.\textsuperscript{121} The Act includes a grandfather clause, which makes the same language of the Act law on January 1, 2002, or when the same provision, as amended by an Act approved April 28, 2000,\textsuperscript{122} becomes fully effective pursuant to Section 13-1 of that 2000 Act.\textsuperscript{123}

*Stephanie A. Everett*

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\item[121.] See 2001 Ga. Laws 184, § 4-1, at 191-92.
\item[122.] See 2000 Ga. Laws 951, § 1, at 951.
\item[123.] See 2001 Ga. Laws 184, § 4-1, at 192.
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