

House Bill 275

By: Representatives Powell of the 33<sup>rd</sup>, Corbett of the 174<sup>th</sup>, Jasperse of the 11<sup>th</sup>, and Pirkle of the 169<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 1 of Title 51 of the Official Code of Georgia Annotated, relating to  
2 general provisions relative to torts, so as to limit liability relating to employers and insurance  
3 providers of commercial motor vehicle operators based upon history of driving incidents; to  
4 provide for definitions; to provide for related matters; to repeal conflicting laws; and for  
5 other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 1 of Title 51 of the Official Code of Georgia Annotated, relating to general  
9 provisions relative to torts, is amended by adding a new Code section to read as follows:

10 "51-1-34.1.

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

12 (1) 'Department' means the Department of Driver Services.

13 (2) 'Driver's record' means investigation of a driver's safety performance history through  
14 an enumeration of accidents and convictions of moving traffic violations as provided by  
15 the department pursuant to Code Section 40-5-2.

H. B. 275

16 (3) 'Federal requirements' means the number of years of a commercial motor vehicle  
17 operator's driver's record that a motor carrier or the department is required to investigate  
18 pursuant to federal law.

19 (b) For purposes of establishing liability of any employer or insurance provider in a civil  
20 action relating to the holder of a commercial driver's license, use of:

21 (1) The driver's record shall be limited to federal requirements; and

22 (2) Any vehicle global positioning system data or video shall be limited to the date an  
23 accident or moving violation occurred."

24 **SECTION 2.**

25 All laws and parts of laws in conflict with this Act are repealed.