

House Bill 890

By: Representatives Watson of the 172nd, LaRiccia of the 169th, Pirkle of the 155th, and Corbett of the 174th

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 provide for notices of revocation and suspension by regular mail;
3 to provide for related matters; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

6 Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to drivers' licenses,
7 is amended by revising subsection (b) of Code Section 40-5-54.1, relating to denial or
8 suspension of license for noncompliance with child support order, as follows:

9 "(b) The department shall suspend, as provided in Code Sections 19-6-28.1 and 19-11-9.3,
10 the license of any driver upon receiving a record from the agency or a court of competent
11 jurisdiction stating that such driver is not in compliance with an order for child support.
12 The department shall send notice of any suspension imposed pursuant to this Code section.
13 Such notice ~~shall~~ may be sent via ~~certified~~ regular mail to the address reflected on its
14 records as the driver's mailing address. The mailing of such notice by the department shall
15 be deemed conclusively to be notice to such driver of the suspension of his or her driver's
16 license and shall be deemed to satisfy all notice requirements of law, and no further notice
17 to the driver shall be required for the suspensions provided for in this Code section."

18 style="text-align:center">**SECTION 2.**

19 Said chapter is further amended by revising subsection (a) of Code Section 40-5-56, relating
20 to suspension of license or driving privilege for failure to respond to citation and
21 reinstatement of license, as follows:

22 "(a) Notwithstanding any other provisions of this chapter or any other law to the contrary,
23 the department shall suspend the driver's license or privilege to operate a motor vehicle in
24 this state of any person who has failed to respond to a citation to appear before a court of
25 competent jurisdiction in this state or in any other state for a traffic violation other than a

26 parking violation. The department shall include language in the uniform traffic citation
27 stating that failure to appear and respond to such citation shall result in the suspension of
28 the violator's driver's license or nonresident driving privilege. The language reflected on
29 a uniform traffic citation issued in this state shall be sufficient notice of said suspension to
30 support a conviction for a violation of Code Section 40-5-121 if such person drives
31 subsequent to the imposition of such a suspension following his or her failure to appear.
32 Notwithstanding the foregoing, the department shall send notice of any suspension imposed
33 pursuant to this Code section. Such notice ~~shall~~ may be sent via ~~certified~~ regular mail to
34 the address reflected on its records as the person's mailing address. ~~Proof of receipt of said~~
35 ~~notice shall be admissible to support a conviction for a violation of Code Section 40-5-121~~
36 ~~if such person drives subsequent to the imposition of such a suspension following his or~~
37 ~~her failure to appear."~~

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SECTION 3.

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