

House Bill 974

By: Representatives Oliver of the 82nd, Abrams of the 89th, Rice of the 95th, Tanner of the 9th, and Thomas of the 39th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 40-5-26 of the Official Code of Georgia Annotated, relating to
2 applications of minors, so as to provide for specific individuals who may sign an application
3 for an instructional permit or driver's license for a minor; to amend Chapter 1 of Title 51 of
4 the Official Code of Georgia Annotated, relating to general provisions for torts, so as to
5 provide for certain immunity for individuals who sign an application for an instructional
6 permit or driver's license for a minor; to provide for related matters; to repeal conflicting
7 laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 SECTION 1.

10 Code Section 40-5-26 of the Official Code of Georgia Annotated, relating to applications of
11 minors, is amended by revising subparagraph (a)(1)(A) as follows:

12 "(A) Signed and verified by the father, mother, or guardian of the applicant before a
13 person authorized to administer oaths or, in the event there is no parent or guardian, by
14 another responsible adult, or for an applicant committed to the care, custody, or control
15 of the Department of Human Services, by an employee of the Division of Family and
16 Children Services of the Department of Human Services, an employee of a child-caring
17 institution or a group-care facility, as such terms are defined in Code Section 49-5-3,
18 or a caregiver, as such term is defined in Code Section 49-5-3; or"

19 SECTION 2.

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

22 "51-1-55.

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

24 (1) 'Caregiver' shall have the same meaning as set forth in Code Section 49-5-3.

25 (2) 'Child-caring institution' shall have the same meaning as set forth in Code Section
26 49-5-3.

27 (3) 'Group-care facility' shall have the same meaning as set forth in Code Section 49-5-3.

28 (b) An employee of the Division of Family and Children Services of the Department of
29 Human Services, a child-caring institution, or a group-care facility or a caregiver who is
30 under contract with the Department of Human Services who makes a careful and sensible
31 decision that maintains the safety and best interests of a minor shall not be subject to any
32 civil liability, penalty, licensing sanction, or other detrimental action for signing an
33 application for such minor's instructional permit or driver's license as provided for in Code
34 Section 40-5-26."

35 **SECTION 3.**

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