

2015 Senate Committee on Public Safety Members

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SENATE COMMITTEE ON PUBLIC SAFETY
Monday, February 2, 2015

The Senate Committee on Public Safety held its first meeting of the 2015 Legislative Session on Monday, February 2, 2015 at 1:00 p.m. in Room 125 of the State Capitol.

MEMBERS PRESENT:

Sen. Harper (7th), Chairman
Sen. Albers (56th), Vice-Chairman
Sen. Dugan (30th), Secretary
Sen. Jones, II (22nd)
Sen. Seay (34th)
Sen. Watson (1st)
Sen. Williams (27th)

Chairman Harper (7th) called the meeting to order at 1:01 p.m.

The Committee Rules were presented, discussed, and voted on. Sen. Seay (34th) made a motion to **DO PASS** and Sen. Dugan (30th) seconded the motion. The vote was unanimous (6-0) by the members present. A copy of the Rules is attached.

The Committee Rules were approved as follows:

1. A quorum for the Committee shall be four (4) members.
2. The Chairman shall determine which bills and resolutions are to be considered and the order in which said measures are considered; the Chairman shall have the authority to call a bill, resolution, substitute, or amendment for debate and explanation only.
3. The Chairman shall have the authority to refer bills and resolutions to subcommittees for study. Such subcommittees in turn shall have the authority to make recommendations on such measures to the full Committee at such time as shall be designated by the Chairman.
4. The Committee shall convene, recess, and adjourn upon the order of the Chairman.
5. The Chairman reserves the right to delay action on substitutes and amendments not provided to the Chairman at least 24 hours prior to hearing.
6. Any member or members of the Committee who disagree with the majority report of the Committee shall be privileged to file a minority report in writing, setting forth concise reasons for their dissent.

7. These rules may be amended upon a motion duly made and subsequently approved by a quorum of the Committee, in a meeting called by the Chairman, provided that written notice has been given to the Committee 48 hours prior to the Committee meeting.
8. A bill, resolution, or other matter will be considered only after the presentation by its principal author or a legislator whom he or she designates to do so. In the event that more than one member of the General Assembly has signed a measure, the principle author shall be the one whose name appeared first in the list of authors.
9. The Rules of the Senate shall prevail in all matters not covered by these Committee Rules.

Chairman Harper (7th) asked all in attendance if there were any other concerns to be covered. Hearing none and having no further business, Chairman Harper (7th) adjourned the meeting at 1:03 p.m.

Respectfully submitted,

/s/ Sen. Dugan (30th), Secretary

/s/ Diana Hauser, Recording Secretary

2015 Senate Committee on Public Safety Rules

1. A quorum of the Committee shall be four (4) members.
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4. The Committee shall convene, recess, and adjourn upon the order of the Chairman.
5. The Chairman reserves the right to delay action on substitutes and amendments not provided to the Chairman at least 24 hours prior to hearing.
6. Any member or members of the Committee who disagree with the majority report of the Committee shall be privileged to file a minority report in writing, setting forth concise reasons for their dissent.
7. These Rules may be amended upon a motion duly made and subsequently approved by a quorum of the Committee, in a meeting called by the Chairman, provided that written notice has been given to the Committee 48 hours prior to the Committee meeting.
8. A bill, resolution, or other matter will be considered only after the presentation by its principal author or a legislator whom he or she designates to do so. In the event that more than one member of the General Assembly has signed a measure, the principle author shall be the one whose name appeared first in the list of authors.
9. The Rules of the Senate shall prevail in all matters not covered by these Committee Rules.

SENATE COMMITTEE ON PUBLIC SAFETY

Monday, February 11, 2015

The Senate Committee on Public Safety held its second meeting of the 2015 Legislative Session on Monday, February 11, 2015 at 1:00 p.m. in Room 310 of the Coverdell Legislative Office Building.

MEMBERS PRESENT:

Sen. Harper (7th), Chairman
Sen. Albers (56th), Vice-Chairman
Sen. Dugan (30th), Secretary
Sen. Jones, II (22nd)
Sen. Seay (34th)
Sen. Watson (1st)
Sen. Williams (27th)

Chairman Harper (7th) called the meeting to order at 1:04 p.m. and all members of the committee were present.

Sen. Williams (27th) opened the meeting with a prayer.

Chairman Harper (7th) created two Subcommittees: Law Enforcement, Fire, & Emergency Management along with General Welfare & Safety. After doing so, he placed bills in each Subcommittee.

[SB 72](#) (Sen. Mullis, 53rd) “Tanja’s Law”; provide measure of equivalency in punishment of crimes committed against police dogs in performance of their official duties.

This bill establishes new crimes and punishments for harming or killing a law enforcement animal. (“Law enforcement animal” means a police dog, police horse, or any other animal trained to support a peace officer, fire department, or the state fire marshal in the performance of law enforcement duties.)

Chairman Harper (7th) called upon Sen. Mullis (53rd) to speak to the substitute for SB 72 (LC 41 0399S). After his introduction to the bill, Sen. Mullis (53rd) introduced Deputy Donnie Brown. Deputy Brown then recounted the events that led to his K9, Tanja, being shot in the line of duty, which resulted in Tanja’s death. A brief discussion followed.

Mr. Danny Porter, the Gwinnett County District Attorney, spoke in support of the bill.

Chairman Harper (7th) then brought to the Committee’s attention that line 103 should be changed to keep the language consistent throughout the bill. The Committee agreed by unanimous consent to change the language and create a new substitute.

Chairman Harper (7th) asked if anyone else wanted to speak to the bill. Having no others, he asked for a motion.

Vice-Chairman Albers (56th) moved **DO PASS BY SUBSTITUTE (LC 41 0406S)**. Sen. Dugan (30th) seconded the motion. The motion passed unanimously with a vote of 6-0.
SB 72 DO PASS BY SUBSTITUTE

Having no further business, Chairman Harper (7th) adjourned the meeting at 1:41 p.m.

Respectfully submitted,

/s/ Sen. Dugan (30th), Secretary

/s/ Diana Hauser, Recording Secretary

SENATE COMMITTEE ON PUBLIC SAFETY
Monday, February 18, 2015

The Senate Committee on Public Safety held its third meeting of the 2015 Legislative Session on Monday, February 18, 2015 at 1:00 p.m. in Room 310 of the Coverdell Legislative Office Building.

MEMBERS PRESENT:

Sen. Harper (7th), Chairman
Sen. Albers (56th), Vice-Chairman
Sen. Dugan (30th), Secretary
Sen. Jones, II (22nd)
Sen. Seay (34th)
Sen. Watson (1st)
Sen. Williams (27th)

Chairman Harper (7th) called the meeting to order at 1:05 p.m. and all members of the committee were present.

Sen. Albers (56th) opened the meeting with a prayer.

SB 100 (Sen. Harper, 7th) Motor Vehicles and Traffic; provide for applicability with current federal reg. in the safe operations of motor carriers and commercial motor vehicles

SB 100 creates new classifications of motor carriers and amends the registration and fee requirements to reflect the changes in motor carrier classification.

Chairman Harper (7th), the author of the bill, explained the specifics of the bill along with the motivation to reduce the burden on small business carriers and the Department of Public Safety. He stated that this is an annual legislation-update bill to keep state code in agreement with federal code for motor carriers and commercial motor vehicles.

Chairman Harper (7th) called upon Colonel Mark McDonough, Commissioner of the Department of Public Safety, and Major Johnny Jones, Commander of the Motor Carrier Compliance Division, to testify in support of the bill.

The 10,001-pound and the 10+-person limits were briefly discussed by Colonel McDonough and Vice-Chairman Albers (56th).

Sen. Williams (1st) then asked how taxis would be affected by the bill. Chairman Harper (7th) explained that the provisions in the bill will not affect any taxi service or similar service, including Uber and Lyft.

Vice-Chairman Albers (56th) made a motion **DO PASS BY SUBSTITUTE (LC 41 0417S)**.

Sen. Dugan (30th) seconded the motion. The motion passed unanimously with a vote of 6-0.

SB 100 DO PASS BY SUBSTITUTE

Having no further business, Chairman Harper (7th) adjourned the meeting at 1:15 p.m.

Respectfully submitted,

/s/ Sen. Dugan (30th), Secretary

/s/ Diana Hauser, Recording Secretary

SENATE COMMITTEE ON PUBLIC SAFETY

Monday, February 23, 2015

The Senate Committee on Public Safety held its fourth meeting of the 2015 Legislative Session on Monday, February 23, 2015 at 1:00 p.m. in Room 310 of the Coverdell Legislative Office Building.

MEMBERS PRESENT:

Sen. Harper (7th), Chairman
Sen. Albers (56th), Vice-Chairman
Sen. Dugan (30th), Secretary
Sen. Jones, II (22nd)
Sen. Seay (34th)
Sen. Watson (1st)

NOTE: Sen. Williams (27th) was absent.

Chairman Harper (7th) called the meeting to order at 1:06 p.m. Sen. Jones (22nd) opened the meeting with a prayer.

SR 282 (Sen. Albers, 56th) Create a Joint Police Officer and Firefighter Occupational Disease Study Committee

This resolution creates the nine-member Joint Peace Officer and Firefighter Occupational Disease Study Committee to examine the various hazards and occupational diseases that are involved when public safety personnel apply for workers' compensation. Three members will be appointed by the Senate President, another three by the Speaker, and the final three appointed by the Chair of the State Board of Workers' Compensation.

Vice-Chairman Albers (56th) began by explaining the resolution. Sen. Seay (34th) asked how someone from the community could become part of the proposed study committee. Vice-Chairman Albers (56th) explained the placement process.

Clayton County Fire Chief Landry Merkison spoke in support of the resolution and stated his desire to help with this study. Vice-Chairman Albers (56th) commended Chief Merkison on his duties and thanked him for testifying.

Chairman Harper (7th) asked if anyone else wanted to speak to the resolution. Sen. Seay (34th) made a motion to **DO PASS (LC 21 3663)**. Sen. Dugan (30th) seconded the motion. The motion passed unanimously with a vote of 5-0.

SR 282 DO PASS

Having no further business, Chairman Harper (7th) adjourned the meeting at 1:14 p.m.

Respectfully submitted,

/s/ Sen. Dugan (30th), Secretary

/s/ Diana Hauser, Recording Secretary

SENATE COMMITTEE ON PUBLIC SAFETY
Wednesday, February 25, 2015

The Senate Committee on Public Safety held its fifth meeting of the 2015 Legislative Session on Wednesday, February 25, 2015 at 1:00 p.m. in Room 310 of the Coverdell Legislative Office Building.

MEMBERS PRESENT:

Sen. Harper (7th), Chairman
Sen. Albers (56th), Vice-Chairman
Sen. Dugan (30th), Secretary
Sen. Jones, II (22nd)
Sen. Seay (34th)
Sen. Watson (1st)
Sen. Williams (27th)

Chairman Harper (7th) called the meeting to order at 11:49 a.m. due to the impending bad weather. All members of the Committee were present.

Vice-Chairman Albers (56th) opened the meeting with a prayer.

SB 160 (Sen. Williams, 27th) Alcoholic Beverages; revise penalties for a violation of Code Section 3-3-23

SB 160 requires a law enforcement officer to issue a citation, as opposed to making a custodial arrest, to a person accused of furnishing alcoholic beverages to a person under 21 or purchasing, attempting to purchase, or possession of alcoholic beverages by a person under 21.

Sen. Williams (27th) began by requesting that his bill not be voted on since the bill needed some more refining. The Senator continued with an explanation of the bill.

Chairman Harper (7th) stated that SB 160 would not be voted on in the current meeting, but at the next Public Safety Committee meeting, allowing additional time to perfect the language of the bill.

SB 160 HEARING ONLY

SB 134 (Sen. Stone, 23rd) Speed Detection Devices; provide for a rebuttable presumption for law enforcement agencies' use of speed detection devices

SB 134 requires all speeding fine amounts to be calculated when determining whether a law enforcement agency is employing speed detection devices to raise revenue. Under current law, there exists a rebuttable presumption that a law enforcement agency is employing speed detection devices for purposes other than the promotion of the public health, welfare, and safety if the fines levied based on the use of speed detection devices are equal to or greater than

40 percent of that agency's budget. When determining this calculation, current law exempts all fines for speeding violations exceeding 17 miles per hour over the speed limit. This legislation repeals that exemption and requires all fine amounts to be calculated.

Sen. Stone (23rd), the author of SB 134, opened by explaining that this bill would close a loophole in the anti-speeding trap law by removing the exemption of fines for speeding violations exceeding 17 miles per hour over the established speed limit when calculating total speeding fine revenue for the agency. A brief discussion followed.

Mr. Rusi Patel testified on behalf of the Georgia Municipal Association (GMA), saying that they had no position on this bill.

Mr. Terry Norris, the Executive Vice-President of the Georgia Sheriffs' Association, testified in support of the bill. Mr. Norris told the committee that the sheriffs would rather change the percentage inside of the bill (40%) while keeping the loophole, but that was simply a preference and the sheriffs were not against the bill in its current state.

Sen. Watson (1st) made a motion to **DO PASS (LC 39 0907)** and Sen. Dugan (30th) seconded the motion. A vote was taken and the motion passed unanimously with a 6-0 vote.

SB 134 DO PASS

SB 100 (Sen. Harper, 7th) Motor Vehicles and Traffic; provide for applicability with current federal reg. in the safe operations of motor carriers and commercial motor vehicles

Chairman Harper (7th) explained that this bill had recently passed through the Committee, but was recommitted so as to add another section to the bill that related to motor vehicle and traffic services.

The new part of the bill states that drivers' licenses would be suspended only in the instances related to vehicular violations. A brief discussion followed regarding the clause of the bill dealing with child support, which is the only exception to the license suspension, so that these adults could continue driving to work to earn money to pay their child support obligation.

Sen. Williams (27th) called attention to parts of the bill that referenced and conflicted with Code Section 3-3-23.1. Mr. Julius Tolbert from Legislative Counsel suggested that this could be remedied by striking all of paragraph 3 from that particular code section.

Colonel Mark McDonough, Commissioner of the Department of Public Safety, testified that DPS was in support of the bill.

Vice-Chairman Albers (56th) voiced his opposition to this bill due to his belief that minors should still be subject to license suspension for various offenses. Chairman Harper (7th) said he would be willing to work with Vice-Chairman Albers (56th) to refine the language to something he could accept.

Sen. Dugan (30th) moved to adopt language suggested by Mr. Tolbert (paragraph 3 removed). Sen. Seay (34th) seconded the motion. This motion was passed unanimously.

Sen. Williams (27th) made a motion to **DO PASS BY SUBSTITUTE (LC 41 0452S)** and Sen. Jones, II (22nd) seconded the motion. The motion passed by a 5-1 vote. The yea votes were Sen. Dugan (30th), Sen. Jones, II (22nd), Sen. Seay (34th), Sen. Watson (1st), and Sen. Williams (27th). The nay vote was Senator Albers (56th).

SB 100 DO PASS BY SUBSTITUTE

Having no further business, Chairman Harper (7th) adjourned the meeting at 12:54 p.m.

Respectfully submitted,

/s/ Sen. Dugan (30th), Secretary

/s/ Diana Hauser, Recording Secretary

SENATE COMMITTEE ON PUBLIC SAFETY

Monday, March 2, 2015

The Senate Committee on Public Safety held its sixth meeting of the 2015 Legislative Session on Monday, March 2, 2015 at 1:00 p.m. in Room 310 of the Coverdell Legislative Office Building.

MEMBERS PRESENT:

Sen. Harper (7th), Chairman
Sen. Albers (56th), Vice-Chairman
Sen. Dugan (30th), Secretary
Sen. Jones, II (22nd)
Sen. Watson (1st)
Sen. Williams (27th)

NOTE: Sen. Seay (34th) was absent.

Chairman Harper (7th) called the meeting to order at 1:08 p.m. Sen. Williams (27th) opened the meeting with a prayer.

SB 160 (Sen. Williams, 27th) Alcoholic Beverages; revise penalties for a violation of Code Section 3-3-23

Under current law, a law enforcement officer may arrest by issuance of a citation, summons, or accusation a person accused of violating any provision of Code Section 3-3-23 relating to furnishing alcoholic beverages to a person under 21, or purchasing, attempting to purchase, or possession of alcoholic beverages by a person under 21. This legislation requires the officer to simply issue a citation to the accused.

Sen. Williams (27th) began by saying that he and his office were still working on refining the bill's language, so he asked that the bill not have a vote until a future meeting.

Houston Gaines and Megan Ernst, UGA students representing their Student Government Association, spoke in support of the bill.

SB 160 HEARING ONLY

SB 76 (Sen. Jackson, 24th) "Motorcycle Mobility Safety Act"; safe operation of a motorcycle; inoperative traffic-control signal

Sen. Jackson (24th) began by explaining the bill and the reasoning for its creation. Motorcycles often do not weigh enough to trigger the light-changing sensors.

Joey Brush of the ABATE group, American Bikers Aimed Towards Education, spoke in support of the bill.

Mr. Greg Alspach, also a member of ABATE, testified in support of the bill, explaining the problems encountered when traffic lights do not function properly and how this has been a recurring issue in the motorcycling community since the 1990s.

Cathy Woolard, of Georgia Bikes, was the next supporter of the bill who testified regarding bicycle safety issues, as well.

Ms. Natalie Dale of GDOT, Georgia Department of Transportation, spoke in opposition to the bill. Her main concern was the 60-second stipulation for the amount of time to wait before advancing through a red light. According to Ms. Dale, on average, it takes traffic lights in Georgia 150 seconds to complete a cycle. Vice-Chairman Albers (56th) asked Ms. Dale what the GDOT suggests for the length of time that the motorcycles should wait, to which she responded that a case study should be performed to know the proper amount of time to wait.

Chairman Harper (7th) decided to **TABLE** the bill to allow for the language to be perfected.

SB 76 TABLED

Having no further business, Chairman Harper (7th) adjourned the meeting at 1:50 p.m.

Respectfully submitted,

/s/ Sen. Dugan (30th), Secretary

/s/ Diana Hauser, Recording Secretary

SENATE COMMITTEE ON PUBLIC SAFETY
Wednesday, March 4, 2015

The Senate Committee on Public Safety held its seventh meeting of the 2015 Legislative Session on Wednesday, March 4, 2015 at 1:00 p.m. in Room 310 of the Coverdell Legislative Office Building.

MEMBERS PRESENT:

Sen. Harper (7th), Chairman
Sen. Albers (56th), Vice-Chairman
Sen. Dugan (30th), Secretary
Sen. Jones, II (22nd)
Sen. Seay (34th)
Sen. Watson (1st)
Sen. Williams (27th)

Chairman Harper (7th) called the meeting to order at 1:06 p.m. and opened the meeting with a prayer.

[SB 76 \(Sen. Bill Jackson, 24th\) “Motorcycle Mobility Safety Act”; safe operation of a motorcycle; inoperative traffic-control signal](#)

Under certain conditions, a stop light may fail to change to green because a motorcycle or other lightweight vehicle is unable to trigger the light’s sensor embedded under the roadway. SB 76 allows the operator of such motorcycles and vehicles to disregard or disobey a traffic signal if the operator has a reasonable belief* that the signal is inoperative due to the lightweight design of the motorcycle or vehicle and proceed through the intersection only if:

- There is no other motor vehicle within 500 feet approaching or entering the intersection from a different direction; and
- The driver cautiously proceeds through the intersection with reasonable care and consideration for all other applicable rules of the road.

Nothing in this legislation restricts the permissibility of a driver to make a right turn on red.

* Reasonable belief is defined as “the belief of a reasonable person in consideration of his or her motor vehicle design and the conditions of his or her stop, including but not limited to the type and general understanding of a lightweight nature of his or her motor vehicle and the number of seconds he or she has been stopped or the number of signal changes he or she has observed of the traffic-control device or signal which did not include a change of instruction to him or her.”

Sen. Bill Jackson (24th) and Joey Brush of the ABATE group, American Bikers Active Toward Education, came before the committee once again. Sen. Jackson (24th) began by saying that the language was perfected in a new substitute.

Jill Goldberg spoke on behalf of GDOT stating that their only concern was the distance that the motorcycle would have to take crossing the intersection, especially if it was a large intersection.

Sen. Dugan (30th) made a motion to **DO PASS BY SUBSTITUTE (LC 41 0467S)** and Sen. Albers (56th) seconded the motion. The motion passed unanimously with a 6-0 vote.
SB 76 DO PASS BY SUBSTITUTE

SB 160 (Sen. Williams, 27th) Alcoholic Beverages; revise penalties for a violation of Code Section 3-3-23

SB 160 requires a law enforcement officer to issue a citation, as opposed to making a custodial arrest, to a person accused of furnishing alcoholic beverages to a person under 21 or purchasing, attempting to purchase, or possession of alcoholic beverages by a person under 21.

Sen. Williams (27th) described the changes in the substitute of the bill. The main difference is that a minor who is caught drinking would be arrested by citation only if no other charges were placed and if the individual proves to not be endangering themselves or others.

Douglas County Prosecuting Attorney Matthew Krull spoke in support of the bill.

Secretary Dugan (30th) made a motion to **DO PASS BY SUBSTITUTE (LC 41 0471S)** and Sen. Albers (56th) seconded the motion. The motion passed unanimously with a 6-0 vote.

SB 160 DO PASS BY SUBSTITUTE

Having no further business, Chairman Harper (7th) adjourned the meeting at 1:29 p.m.

Respectfully submitted,

/s/ Sen. Dugan (30th), Secretary

/s/ Diana Hauser, Recording Secretary

SENATE COMMITTEE ON PUBLIC SAFETY
Wednesday, March 18, 2015

The Senate Committee on Public Safety held its eighth meeting of the 2015 Legislative Session on Wednesday, March 18, 2015 at 1:00 p.m. in Room 310 of the Coverdell Legislative Office Building.

MEMBERS PRESENT:

Sen. Harper (7th), Chairman
Sen. Jones, II (22nd)
Sen. Seay (34th)
Sen. Watson (1st)
Sen. Williams (27th)

NOTE: Sen. Albers (56th) and Sen. Dugan (30th) were absent.

Chairman Harper (7th) called the meeting to order at 1:07 p.m.

HB 210 (Rep. Rogers, 10th) Drivers' licenses; provide for dissemination of certain information by the Department of Driver Services; provisions

HB 210 allows persons applying for a State ID card to also become an organ donor at the time of application; requires the application form for a State ID card to include language permitting the applicant to make a voluntary contribution of \$1.00 to be used for purposes of preventing blindness; and clarifies how organ donation information is provided to a procurement organization or secure data center.

Rep. Terry Rogers (10th) explained that this bill was to correct a previous error with ID cards. When an individual applied for an ID card and signed up to be an organ donor, although their card indicated they were to be a donor, their information was never entered into Georgia's state donor system as it is done for a driver's license. Rep. Rogers (10th) added that this legislation was needed to fix the problem.

After a brief discussion, Sen. Seay (34th) made a motion to **DO PASS (LC 39 0957S)** and Sen. Williams (27th) seconded the motion. The motion passed unanimously. Sen. Watson (1st) will be the Senate sponsor.

HB 210 DO PASS

NOTE: Sen. Albers (56th) and Sen. Dugan (30th) arrived.

HB 123 (Rep. Yates, 73rd) Motor vehicles; use of safety chain or cable when operating a motor vehicle drawing a trailer; provide

Current law requires all loads (cargo) on a motor vehicle to be adequately secured to prevent the dropping or shifting of such load onto the roadway in such a manner as to create a safety hazard. This legislation requires registered trailers to be adequately secured as well.

Rep. John Yates (73rd) presented **HB 123, LC 41 0474S**.

Rep. Yates (73rd) explained that the bill specifies that any load being pulled by a vehicle must have an extra safety chain installed to insure that the load cannot become detached from the vehicle while in motion.

Vice-Chairman Albers (56th) made a motion to **DO PASS (LC 41 0474S)** and Sen. Jones, II (22nd) seconded the motion. The motion passed unanimously with a 6-0 vote. Sen. Jeffares (17th) will be the Senate sponsor.

HB 123 DO PASS

HB 206 (Rep. Harrell, 106th) Uniform rules of the road; procedure for passing sanitation vehicles; provide

Rep. Brett Harrell (106th) explained that a version of this bill was passed last year in the House, but did not make it to the Senate floor for a vote. He began by comparing the previous year's bill to the current bill. Secretary Dugan (30th) raised a question about law uniformity, which was quickly addressed.

Sen. Watson (1st) brought up a specific situation where there is a single-lane road with a speed limit of 10 miles per hour. In this case, a requirement to reduce speed by at least 10 miles per hour would not be possible without stopping the vehicle.

Sen. Watson (1st) proposed a change to the bill to state that the speed should be reduced by either 5 miles or 10 miles per hour, whichever was more, while keeping the vehicle moving.

Vice-Chairman Albers (56th) made a motion to **DO PASS BY SUBSTITUTE (LC 41 0488S)** which would include the above change proposed by Sen. Watson (1st). Sen. Dugan (30th) seconded the motion. The motion passed unanimously with a 6-0 vote. Vice-Chairman Albers (56th) will be the Senate sponsor.

HB 206 DO PASS BY SUBSTITUTE

HB 393 (Rep. Martin, 49th) Motor vehicles fair practices; restrictions on ownership, operation, or control of dealerships by manufacturers and franchisors; provide exception

HB 393 allows manufacturers of zero emission vehicles that were doing business prior to January 1, 2015, to sell factory-direct to consumers through no more than five physical dealerships within Georgia. The manufacturers are also allowed to operate any number of facilities that engage exclusively in the repair of such manufacturers' makes of motor vehicles.

This was to be a hearing only for HB 393 and Rep. Chuck Martin (49th) began by explaining the bill. A lengthy discussion followed.

Eric Henning of General Motors and Ragen Marsh, representing GM, requested that the bill be tabled, stating that they hadn't been involved in the development of the bill.

Bruce Bowers, the lobbyist for Tesla Motors, testified in support of the bill. Mr. Bowers pointed out that the Alliance of Automobile Manufacturers had no position on the bill.

Lea Kirchner from the Georgia Automobile Dealers Association also spoke in support of the bill.

Having no further questions from the committee members, the discussion ended.

Chairman Harper (7th) said that a vote would be taken on the bill at the next meeting of the Public Safety Committee, allowing more time for any adjustments to the bill to be made.

HB 393 HEARING ONLY

Chairman Harper (7th) adjourned the meeting at 2:25 p.m.

Respectfully submitted,

/s/ Sen. Dugan (30th), Secretary

/s/ Diana Hauser, Recording Secretary

SENATE COMMITTEE ON PUBLIC SAFETY
Friday, March 20, 2015

The Senate Committee on Public Safety held its ninth meeting of the 2015 Legislative Session on Friday, March 20, 2015 upon adjournment of the Senate Committee on Rules in Room 310 of the Coverdell Legislative Office Building.

MEMBERS PRESENT:

Sen. Harper (7th), Chairman
Sen. Dugan (30th), Secretary
Sen. Jones, II (22nd) (Arrived late)
Sen. Seay (34th)
Sen. Watson (1st)
Sen. Williams (27th)

NOTE: Sen. Albers (56th), Vice-Chairman was absent.

Chairman Harper (7th) called the meeting to order at 3:05 p.m. Sen. Watson (1st) opened the meeting with a prayer.

HB 393 (Rep. Martin, 49th) Motor vehicles fair practices; restrictions on ownership, operation, or control of dealerships by manufacturers and franchisors; provide exception

Rep. Chuck Martin (49th) gave a brief description of HB 393, since a full discussion took place at the previous meeting of the committee. No additional testimony was heard.

Sen. Williams (27th) made a motion HB 393 **DO PASS** and Sen. Dugan (30th) seconded the motion. The motion passed unanimously with a 4-0 vote. Sen. Watson (1st) will be the Senate sponsor.

HB 393 DO PASS

Chairman Harper (7th) asked that the record show that Vice-Chairman Albers (56th) proposed an amendment within 24 hours of the committee meeting; however, Chairman Harper (7th) exercised his right to not hear the amendment since it was received too late.

HB 325 (Rep. Hitchens, 161st) Safety belts; definition of term passenger vehicle; modify

NOTE: Sen. Jones, II (22nd) arrived at the meeting.

Rep. William Hitchens (161st) began by explaining that the bill would mandate young children to use seat belts in larger vans (10-15 passengers), which are statistically more dangerous.

Jamila Pope, the lobbyist representing Children's Healthcare of Atlanta, stated their support of the bill.

Following a brief discussion, Sen. Seay (34th) made a motion **HB 325 DO PASS (LC 39 0965S)** and Sen. Williams (27th) seconded the motion. The motion passed unanimously with a 5-0 vote. Sen. Butch Miller (49th) will be the Senate sponsor.

HB 325 DO PASS

HB 114 (Rep. Tanner, 9th) Drivers' licenses; provide for use of paper eye charts for testing of noncommercial driver's vision; provisions

This legislation makes various changes to provisions related to drivers' licenses and permits. Significant changes include:

- Authorizes DDS to issue a limited driving permit to an applicant whose license is currently under suspension or revocation in another jurisdiction;
- Waives any knowledge test fees for written tests administered at driver training schools as well as public and private schools;
- Requires DDS to notify an individual whose driver's license has been suspended due to failing to pay child support, by first-class mail instead of by certified mail, to the mailing address in the department's records;
- Proof of mailing the first-class mail will be deemed conclusive for notice of the license suspension;
- Treats a nolo contendere plea for reckless driving by drivers under 21 years of age as a conviction; and
- Current law allows drivers issued a limited driving permit or ignition interlock device to commute to work. This legislation also allows such drivers to operate their vehicle to perform the normal duties of their employment.

Sections 7 and 13, relating to issuing notices for failing to appear in court for a traffic violation, become effective on July 1, 2016. All other sections become effective on July 1, 2015.

Rep. Kevin Tanner (9th), along with Mike Mitchell, Legislative Liaison of the Department of Drivers Services, spoke about the various changes that the bill underwent while on the House floor and the reasoning behind them. The discussion continued regarding various parts of the bill as listed above.

Judge Gary Jackson, of the Council of Municipal Court Judges, and Judge Wayne Purdom, the President-elect of the Council of State Court Judges, spoke in support of the bill, but were opposed to the unfunded mandate to use certified mail for various notices, as added in a House floor amendment.

Douglas County Prosecuting Attorney Matthew Krull gave suggestions to the Committee on how to make the bill achieve its purpose, while satisfying the objection of the judges.

Rep. Tanner (9th) and Mr. Mitchell agreed on language to perfect the bill and Legislative Counsel agreed to prepare a new substitute to be considered at a future Public Safety Committee meeting.

HB 114 HEARING ONLY

NOTE: Sen. Williams (27th) left the meeting.

HB 118 (Rep. Tanner, 9th) Drivers' licenses; issuance of commercial licenses and instruction permits to comply with federal law; amend certain provisions

This is a Department of Drivers Services bill written to bring state code in alignment with changes in federal regulations.

After a brief discussion, Sen. Watson (1st) made a motion HB 118 **DO PASS** and Sen. Dugan (30th) seconded the motion. The motion passed unanimously with a 4-0 vote. Chairman Harper (7th) will be the Senate sponsor.

HB 118 DO PASS

HB 278 (Rep. Clark, 98th) Public Employee Hazardous Chemical Protection and Rights to Know Act of 1988; transfer responsibility to Safety Fire Commissioner; provisions

This legislation transfers the enforcement of the "Public Employee Hazardous Chemical Protection and Rights to Know Act" from the Department of Labor to the Office of the Safety Fire Commissioner. This legislation also repeals certain provisions made redundant by subsequent state and federal statutes and regulations, while making other clarifying changes.

After a brief discussion, Sen. Dugan (30th) made a motion HB 278 **DO PASS** and Sen. Jones, II (22nd) seconded the motion. The motion passed unanimously with a 4-0 vote. Sen. Dugan (30th) will be the Senate sponsor.

HB 278 DO PASS

Having no further business, Sen. Harper (7th) adjourned the meeting at 3:49 p.m.

Respectfully submitted,

/s/ Sen. Dugan (30th), Secretary

/s/ Diana Hauser, Recording Secretary

SENATE COMMITTEE ON PUBLIC SAFETY
Monday, March 23, 2015

The Senate Committee on Public Safety held its tenth meeting of the 2015 Legislative Session on Monday, March 23, 2015 at 1:00 p.m. in Room 310 of the Coverdell Legislative Office Building.

MEMBERS PRESENT:

Sen. Harper (7th), Chairman
Sen. Albers (56th), Vice-Chairman
Sen. Dugan (30th), Secretary
Sen. Jones, II (22nd)
Sen. Seay (34th)
Sen. Watson (1st)
Sen. Williams (27th)

Chairman Harper (7th) called the meeting to order at 1:06 p.m. and Vice-Chairman Albers (56th) opened the meeting with a prayer.

[HB 375 \(Rep. Powell, 171st\) Motor vehicles; driving with suspended, canceled or revoked registration; change provisions relating to plea of nolo contendere](#)

HB 375 allows a county tag agent to issue a one-time, 30-day, temporary operating permit for any vehicle that fails to meet federal emissions standards; and removes the presumption that a plea of nolo contendere is considered a conviction on the record of for the first offense of anyone charged with driving with a suspended, canceled, or revoked vehicle registration.

Rep. Jay Powell (171st) briefly explained the content of the bill. Vice-Chairman Albers (56th) made a motion HB 375 **DO PASS** and Sen. Dugan (30th) seconded the motion. The motion passed unanimously with a 6-0 vote. Chairman Harper (7th) will be the Senate sponsor.

HB 375 DO PASS

[HB 48 \(Rep. Coleman, 97th\) Special license plates; include surviving spouse of a sibling of a service member killed in action; extend eligibility](#)

HB 48 creates a special license plate for first responders suffering major injury in the line of duty; clarifies the requirements for free motor vehicle license plates issued to disabled veterans; permits the issuance of prestige plates for motorcycles; allows the surviving spouse of a service member's sibling to retain a special veteran's license plate or Gold Star license plate; and amends the current Code allowing disabled veterans to receive ad valorem tax exemptions to allow for unmarried surviving spouses or minor children to receive the exemption.

Rep. Brooks Coleman (97th) briefly explained each section of the bill.

Vice-Chairman Albers (56th) made a motion HB 48 **DO PASS** and Sen. Watson (1st) seconded the motion. The motion passed unanimously with a 6-0 vote. Sen. Dugan (30th) will be the Senate sponsor.

HB 48 DO PASS

HB 147 (Rep. Powell, 32nd) Motor Vehicles; initial two-year registration period for certain vehicles; provide

This legislation allows *new passenger motor vehicles to be initially registered for a two-year period. The owner must submit a fee of \$40 at the time of registration. The vehicle will be required to be registered annually following the two-year initial registration period.

* “**New motor vehicle**” is defined as any motor vehicle which is not a demonstrator and has never been the subject of a sale at retail to the general public. “**Passenger car**” is defined as every motor vehicle designed for carrying ten passengers or less and used for the transportation of persons. The term excludes all-terrain vehicles, motorcycles, motor driven cycles, multipurpose off-highway vehicles, personal transportation vehicles, and low-speed vehicles.

Rep. Alan Powell (32nd) explained the bill, saying that it would allow an owner of a passenger car to register the vehicle for an initial period of two years instead of one.

NOTE: Sen. Jones, II (22nd) left the meeting.

Sen. Watson (1st) moved HB 147 **DO PASS** and Vice-Chairman Albers (56th) seconded the motion. The motion passed unanimously with a 5-0 vote. Sen. Jeff Mullis (53rd) will be the Senate sponsor.

HB 147 DO PASS

HB 310 (Rep. Powell, 32nd) Penal institutions; create Board of Community Supervision, Department of Community Supervision, and Governor’s Office of Transition, Support, and Reentry; provisions

NOTE: Sen. Jones, II (22nd) returned to the meeting.

Rep. Alan Powell (32nd) explained that the purpose of this bill is to join three current departments into one agency, the Department of Community Supervision, to help streamline the Corrections, Juvenile Justice, and Pardons and Paroles processes. He emphasized that this bill would not expand the powers of the police or the governor; it only changes the organizational structure of existing departments to be more efficient. It also codifies The Governor’s Office of Transition, Support and Reentry (GOTSR) established by the Governor in 2014. A lengthy discussion followed.

Chairman Harper (7th) pointed out a technical error on line 621 and suggested changing the number of sections from “7” to “6” to correct it.

Catherine Bernard, a criminal defense attorney, spoke in opposition to the bill.

Another Committee was scheduled to use the committee room, so Chairman Harper (7th) suggested going into recess so more testimony could be heard. Sen. Williams (27th) moved to “suspend” the Committee meeting and Sen. Jones, II (22nd) seconded the motion. The meeting was suspended until 4:15 p.m. and was set to reconvene in Room 310 CLOB.

Chairman Harper (7th) reconvened the meeting at 4:25 p.m.

NOTE: Sen. Jones, II (22nd) was absent after reconvening.

The following people spoke against the bill:

- Rose McConnell, Attorney.
- Garland Favorito, founder of VoterGA.
- Nydia Tisdale, concerned about proper investigations into officer offenses.
- Derrick Grayson, an independent computer coder.
- Dave Rittenhouse, concerned about police overreach that might result.
- Sarah Geraghty, The Southern Center of Human Rights.

Rep. Powell (32nd) gave a final statement. Vice-Chairman Albers (56th) made a motion **DO PASS** and Sen. Dugan (30th) seconded the motion. The motion passed unanimously with a 5-0 vote. Sen. John Kennedy (18th) will be the Senate sponsor.

HB 310 DO PASS

Having no further business, Chairman Harper (7th) adjourned the meeting at 5:34 p.m.

Respectfully submitted,

/s/ Sen. Dugan (30th), Secretary

/s/ Diana Hauser, Recording Secretary

SENATE COMMITTEE ON PUBLIC SAFETY
Wednesday, March 25, 2015

The Senate Committee on Public Safety held its eleventh meeting of the 2015 Legislative Session on Wednesday, March 25, 2015 at 1:00 p.m. in Room 310 of the Coverdell Legislative Office Building.

MEMBERS PRESENT:

Sen. Harper (7th), Chairman
Sen. Albers (56th), Vice-Chairman
Sen. Jones, II (22nd)
Sen. Seay (34th)
Sen. Watson (1st)
Sen. Williams (27th)

NOTE: Sen. Dugan (30th), Secretary, was absent.

Chairman Harper (7th) called the meeting to order at 1:44 p.m. and Vice-Chairman Albers (56th) opened the meeting with a prayer.

HB 492 (Rep. Jasperse, 11th) Crimes and offenses; carrying in unauthorized locations; provide revisions

This legislation clarifies several firearms and weapons carry provisions.

Rep. Rick Jasperse (11th) began by explaining the substitute for HB 492 and comparing it to a similar bill, SB 141. A brief discussion followed.

Mr. Thomas Weaver spoke on his own behalf in support of the bill.

Ms. Elizabeth Appley, an attorney speaking for Presbyterians for Better Georgia, spoke against the bill citing what she believed to be inconsistencies with current Georgia Code.

Vice-Chairman Albers (56th) made a motion **DO PASS BY SUBSTITUTE (LC 41 0508S)** and Sen. Watson (1st) seconded the motion. The motion passed with a 3-2 vote. The yeas were Sen. Albers (56th), Sen. Watson (1st) and Sen. Williams (27th). The nays were Sen. Jones, II (22nd) and Sen. Seay (34th). Sen. Frank Ginn (47th), will be the Senate sponsor.

HB 492 DO PASS BY SUBSTITUTE

HB 110 (Rep. Roberts, 155th) Fireworks; provide for sale of consumer fireworks; provisions

HB 110 legalizes the use, possession, manufacturing, transporting, and storing of fireworks under certain conditions; provides an appeals process before a probate court if

a license is denied or an application is not responded to under the deadlines set forth in this bill; and imposes a 5 percent excise tax on all fireworks, including sparklers and other sparkling devices.

Senator Mullis (53rd) provided an explanation of the bill, since Rep. Jay Roberts (155th), was not able to attend the meeting.

Mr. Thomas Weaver voiced his support for the bill on his own behalf.

Mr. Rick Ward, the Georgia Chapter Executive Director for the American Academy of Pediatrics, spoke against the bill, wanting to keep fireworks out of the hands of young children.

Mr. Justin Kirnon, from the Georgia Municipal Association, advocated more control for local authorities to help promote safety and, therefore, was in support of the bill with Vice-Chairman Albers' (56th) amendment that addressed that issue.

Sen. Williams (27th) moved to adopt an amendment proposed by Sen. Albers (56th) and Sen. Watson (1st) seconded the motion. A vote was taken and the motion passed unanimously.

Sen. Harper (7th) presented two more amendments that would fix the syntax of the bill, as suggested by Legislative Counsel.

Sen. Albers (56th) moved to adopt amendment #1 proposed by Sen. Harper (7th) and Sen. Watson (1st) seconded the motion. A vote was taken and the motion passed unanimously.

Sen. Watson (1st) moved to adopt amendment #2 proposed by Sen. Harper (7th) and Sen. Albers (56th) seconded the motion. A vote was taken and the motion passed unanimously.

Sen. Albers (56th) made a motion **HB 110 DO PASS BY SUBSTITUTE (LC 41 0510S)**, which would include the 3 amendments just adopted. Sen. Watson (1st) seconded the motion. The motion passed with a 4-1 vote. The yeas were Sen. Albers (56th), Sen. Jones, II (22nd), Sen. Watson (1st) and Sen. Williams (27th). The nay vote was Sen. Seay (34th). Sen. Mullis (53rd) will be the Senate sponsor.

HB 110 DO PASS BY SUBSTITUTE

NOTE: Due to another committee meeting scheduled for the room, Chairman Harper (7th) suspended the Public Safety Committee meeting and set the time for reconvening at 5:00 p.m. in Capitol Room 341 to hear the last two bills on the agenda.

NOTE: The Committee reconvened at 5:06 p.m. in Capitol Room 341 with all members present except for Vice-Chairman Albers (56th).

UPON RECONVENING:

[HB 114 \(Rep. Tanner, 9th\) Drivers' licenses; provide for use of paper eye charts for testing of noncommercial driver's vision; provisions](#)

Rep. Kevin Tanner (9th) explained all of the changes made to the bill since it was originally heard in the Committee.

The Douglas County Prosecuting Attorney, Matthew Krull, offered to answer any questions about the current version of HB 114.

Mr. B. J. Van Gundy spoke in opposition to the House's floor amendment (AM 39 0104) which was previously said to be struck by Rep. Tanner (9th).

Judge Gary Jackson, of the Council of Municipal Courts of Atlanta, spoke in support of the new substitute for the bill.

Mr. J. Barry Schrenk, President of Taggart's Driving School, spoke about the concern he had with the bill, but stated that it was resolved with the new language as well.

Sen. Watson (1st) moved to adopt an amendment to the substitute and Sen. Williams (27th) seconded the motion. A vote was taken and the motion passed with a 5-0 vote.

Sen. Watson (1st) made a motion **DO PASS BY SUBSTITUTE (LC 41 0511S)** and Sen. Seay (34th) seconded the motion. The motion passed unanimously with a 5-0 vote. Chairman Harper (7th) will be the Senate sponsor.

HB 114 DO PASS BY SUBSTITUTE

[SR 460 \(Sen. Jones, II, 22nd\) Senate Minor Traffic Offense Study Committee; create](#)

Sen. Jones, II (22nd) explained that the resolution would create a study committee to look into decriminalizing minor traffic offenses with the expected benefit of removing the significant burden caused by processing them for both the court system and the jails that hold these offenders while awaiting adjudication. He cited North Carolina as an example of a state that had recently made similar changes and has seen benefits from doing so.

Sen. Seay (34th) made a motion **DO PASS** and Sen. Williams (27th) seconded the motion. The motion passed unanimously with a 5-0 vote.

SR 460 DO PASS

Having no further business, Chairman Harper (7th) adjourned the meeting at 5:23 p.m.

Respectfully submitted,

/s/ Sen. Dugan (30th), Secretary

/s/ Diana Hauser, Recording Secretary

May 7, 2015

Mr. David Cook
Secretary of the Senate
Room 353 State Capitol
Atlanta, GA 30334

Dear Mr. Cook:

The following bills are being reported as having no action taken on them by the Senate Public Safety Committee during the 2015 Legislative Session:

[Senate Bill 6](#)

[Senate Bill 46](#)

[Senate Bill 57](#)

[Senate Bill 67](#)

[Senate Bill 68](#)

[Senate Bill 70](#)

[Senate Bill 71](#)

[Senate Bill 73](#)

[Senate Bill 83](#)

[Senate Bill 192](#)

[Senate Bill 240](#)

[Senate Resolution 119](#)

[Senate Resolution 558](#)

Respectfully submitted,

Diana Hauser
Senate Public Safety Committee
Recording Secretary

