

House Bill 271

By: Representatives Pirkle of the 169<sup>th</sup>, Corbett of the 174<sup>th</sup>, Lumsden of the 12<sup>th</sup>, Jasperse of the 11<sup>th</sup>, Williams of the 148<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and  
2 traffic, so as to repeal provisions authorizing joinder of motor carriers and their insurance  
3 carriers in tort and contract causes of action; to provide for related matters; to repeal  
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, is  
8 amended in Code Section 40-1-112, relating to insurance of motor carriers, by revising  
9 subsection (c) as follows:

10 ~~"(c) It shall be permissible under this part for any person having a cause of action arising~~  
11 ~~under this part to join in the same action the motor carrier and the insurance carrier,~~  
12 ~~whether arising in tort or contract."~~

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**SECTION 2.**

14 Said title is further amended in Code Section 40-2-140, relating to Department of Public  
15 Safety to administer provisions, and registration, insurance and fee requirements of motor  
16 carriers, by revising paragraph (4) of subsection (d) as follows:

17 ~~"(4) Any person having a cause of action, whether arising in tort or contract, under this~~  
18 ~~Code section may join in the same cause of action the motor carrier and its insurance~~  
19 ~~carrier."~~

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**SECTION 3.**

21 All laws and parts of laws in conflict with this Act are repealed.