

House Bill 758 (AS PASSED HOUSE AND SENATE)

By: Representatives Powell of the 32nd, Corbett of the 174th, Smith of the 133rd, Harrell of the 106th, Momtahan of the 17th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 1 of Article 3 of Chapter 1 of Title 40 of the Official Code of Georgia
2 Annotated, relating to the "Georgia Motor Carrier Act of 2012," so as to prohibit the
3 consideration of the deployment of motor carrier safety improvements in determining an
4 individual's employment status with a motor carrier; to provide for a definition; to provide
5 for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Part 1 of Article 3 of Chapter 1 of Title 40 of the Official Code of Georgia Annotated,
9 relating to the "Georgia Motor Carrier Act of 2012," is amended by adding a new Code
10 section to read as follows:

11 "40-1-58.

12 (a) For purposes of this Code section, the term 'motor carrier safety improvement' means
13 any device, equipment, software, technology, procedure, training, policy, program, or
14 operational practice intended and primarily used to improve or facilitate compliance with
15 traffic safety or motor carrier safety laws, safety of a motor vehicle, safety of the operator
16 of a motor vehicle, or safety of third-party users of highways of this state.

17 (b) The deployment, implementation, or use of a motor carrier safety improvement by or
18 as required by a motor carrier or its related entity, including by contract, shall not be
19 considered when evaluating an individual's status as an employee or independent
20 contractor, or as a jointly employed employee, under any state law."

21 **SECTION 2.**

22 All laws and parts of laws in conflict with this Act are repealed.