

Notes from the Georgia Senate

February 8, 2008

By: Sen. Bill Heath (R-Bremen)



We tackled some tough issues last week to make our state safer and give our citizens some transportation options for their future needs. In an effort to keep our citizens safe, we passed some much needed legislation to curtail the growing problem of unlicensed drivers in the state. Senate Bill 350 will stiffen penalties for those who operate a motor vehicle without a license – closing a loophole in our current code, which allows unlicensed drivers a certain amount of leniency. The urgent need for these tougher penalties is exemplified by the tragic death of Cobb County Sheriff's Deputy Loren Lilly, who was killed by an unlicensed driver in 2006.

SB 350 will increase the penalties for those found operating a vehicle without ever having been issued a valid driver's license or on a suspended or revoked license. Under the new law, an individual found driving without being licensed or driving on a suspended, disqualified or revoked license could be sentenced to at least two days imprisonment for the first offense. Any second or third offense within five years, and that individual would be subject to at least ten days imprisonment and a fine of at least \$1000. A fourth or subsequent offense within five years would be treated by the courts as a felony. The new penalties would not apply to drivers who forget to have a valid license on their person or those driving on an expired license.

Legislation to curb the influx of illegal immigrants in Georgia also passed the Senate this week. Senate Bill 340, otherwise known as the "Sanctuary Cities" bill, prohibits local governments from implementing or enforcing sanctuary policies. A sanctuary policy is defined as any regulation, policy or practice that prevents local officials, such as law enforcement, from reporting a person's immigration status to the federal government. Local governments which fail to cooperate with the federal government in reporting a person's immigration status will be subject to the withholding of important state and/or federal funding.

Additionally, transportation funding continues to be the hot topic at the Capitol – and last week Lt. Gov. Casey Cagle proposed a Transportation Special Purpose Local Option Sales Tax (TSPLOST) resolution to bring a funding solution to transportation needs of our state.

It is imperative that we take action now, and the first step toward a funding option for transportation needs in Georgia is by allowing our citizens to decide how they want their transportation dollars to be spent. Transportation issues mean different things to different parts of our state and that the key to any funding solution must be the voluntary support and desire of our citizens. What works for us here in middle Georgia may not work for the folks down in Savannah or up in Dalton. Local control and flexibility play an important role in solving both our congestion problems in metro Atlanta and our transportation infrastructure needs throughout Georgia.

This resolution recognizes the fact that mass transit will have to play a role in solving our congestion problems. The important thing is that we keep moving forward. If we stop moving, everybody loses. We have waited entirely too long to tackle this funding issue – and we have got to act now.

The TSPLOST Resolution will amend the Georgia Constitution so that as of May 2009, individual counties can voluntarily propose to their citizens a new one-cent sales tax for transportation projects. Similar to previous SPLOSTs, each proposal is required to list the projects the TSPLOST will pay for, the cost of those projects, and the length of time that the tax will be in effect. Eighty percent of revenue collected through the TSPLOST will be returned to the participating county for projects. At least ten percent of the remaining funds will be used by the state for constructing, maintaining and operating mass transit.

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