

Senate Bill 191

By: Senators Still of the 48th, Kennedy of the 18th, Gooch of the 51st, Robertson of the 29th,
Anavitarte of the 31st 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."~~

13 **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."~~

20 **SECTION 3.**

21 All laws and parts of laws in conflict with this Act are repealed.