

RESOLUTION

A RESOLUTION OF THE GOVERNING AUTHORITY OF DEKALB COUNTY, GEORGIA TO THE GEORGIA GENERAL ASSEMBLY URGING THE ASSEMBLY TO TAKE LEGISLATIVE ACTION TO CURB DANGEROUS AND UNLAWFUL STREET RACING AND RECKLESS DRIVING EXHIBITIONS

WHEREAS, unlawful street racing activities, including speeding, drag races, lane dragging, intersection and parking lot takeovers, donuts, and other forms of reckless driving exhibitions, have increased in occurrence over the recent months and have become a persistent problem around the State of Georgia and within DeKalb County; and

WHEREAS, such unlawful street racing activities and reckless driving exhibitions pose an immediate threat to public safety and a nuisance to neighborhoods and commuters; and

WHEREAS, such unlawful street racing activities and reckless driving exhibitions endanger the lives of commuters and pedestrians; make roadways, sidewalks, and public and private parking lots unsafe and impassable for commuters and pedestrians; and damage the roadways, sidewalks and parking lots; and

WHEREAS, the current Georgia Code defines general misdemeanors related to racing on highways and streets (O.C.G.A. § 40-6-186), laying drag (O.C.G.A. § 40-6-251) and engaging in reckless driving (O.C.G.A. § 40-6-390), and

WHEREAS, the current Georgia Code does not define criminal offenses related to organizing and/or facilitating unlawful street racing activities, does not provide for graduated punishment for second and subsequent offenses for those engaged in unlawful street racing activities, and does not provide the authorization to permanently seize motor vehicles, weapons, or other property being used in connection with the unlawful street racing activities; and

WHEREAS, the DeKalb Governing Authority believes there is a need for greater preventative, deterring, and other measures against all individuals who engage in, organize, and facilitate unlawful street racing activities and reckless driving exhibitions, so as to restore the quality of life of drivers, pedestrians, and other citizens who are endangered and otherwise harmed by these unlawful activities.

NOW, THEREFORE, BE IT RESOLVED that the DeKalb County Governing Authority requests legislation to better protect Georgia's citizens, roadways, and public and private property from unlawful street racing activities and other reckless driving exhibitions, such as the addition of criminal offenses for any individual that organizes, facilitates, or assists with such unlawful street racing activities; graduated punishments for second and subsequent offenses for individuals engaged in unlawful street racing activities; authorizing the civil forfeiture of motor vehicles, weapons, or other property used in connection with illegal street racing activities in a manner similar to the forfeiture permitted pursuant to the Controlled Substances Act, O.C.G.A. § 16-13-49; requiring offenders to post bond and/or stay in jail for an established minimum period of time; and any and all other measures deemed necessary to help curb dangerous and unlawful street racing activities and reckless driving exhibitions;

January 8, 2021

BE IT FURTHER RESOLVED that the Georgia General Assembly should amend existing laws and create additional laws to accomplish the above;

BE IT FURTHER RESOLVED that the Governor of the State of Georgia should sign and approve such legislation.

ADOPTED by the DeKalb County Board of Commissioners, this ____ day of _____, 2021.

STEPHEN R. BRADSHAW

Presiding Officer
Board of Commissioners
DeKalb County, Georgia

APPROVED by the Chief Executive Officer of DeKalb County, this ____ day of _____, 2021.

MICHAEL L. THURMOND

Chief Executive Officer
DeKalb County, Georgia

ATTEST:

BARBARA SANDERS-NORWOOD

CCC Clerk to the Board of Commissioners and Chief Executive Officer
DeKalb County, Georgia

APPROVED AS TO FORM:

VIVIANE H. ERNSTES

County Attorney

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WHEREAS, such unlawful street racing activities and reckless driving exhibitions pose an immediate threat to public safety and a nuisance to neighborhoods and commuters; and

WHEREAS, such unlawful street racing activities and reckless driving exhibitions endanger the lives of commuters and pedestrians; make roadways, sidewalks, and public and private parking lots unsafe and impassable for commuters and pedestrians; and damage the roadways, sidewalks and parking lots; and

WHEREAS, the current Georgia Code defines general misdemeanors related to racing on highways and streets (O.C.G.A. § 40-6-186), laying drag (O.C.G.A. § 40-6-251) and engaging in reckless driving (O.C.G.A. § 40-6-390), and

WHEREAS, the current Georgia Code does not define criminal offenses related to organizing and/or facilitating unlawful street racing activities, does not provide for graduated punishment for second and subsequent offenses for those engaged in unlawful street racing activities, and does not provide the authorization to permanently seize motor vehicles, weapons, or other property being used in connection with the unlawful street racing activities; and

WHEREAS, the DeKalb Governing Authority believes there is a need for greater preventative, deterring, and other measures against all individuals who engage in, organize, and facilitate unlawful street racing activities and reckless driving exhibitions, so as to restore the quality of life of drivers, pedestrians, and other citizens who are endangered and otherwise harmed by these unlawful activities.

NOW, THEREFORE, BE IT RESOLVED that the DeKalb County Governing Authority requests legislation to better protect Georgia's citizens, roadways, and public and private property from unlawful street racing activities and other reckless driving exhibitions, such as the addition of criminal offenses for any individual that organizes, facilitates, or assists with such unlawful street racing activities; graduated punishments for second and subsequent offenses for individuals engaged in unlawful street racing activities; authorizing the civil forfeiture of motor vehicles, weapons, or other property used in connection with illegal street racing activities in a manner similar to the forfeiture permitted pursuant to the Controlled Substances Act, O.C.G.A. § 16-13-49 allowing for the permanent seizure of motor vehicles used in connection with the unlawful street racing activities; requiring offenders to post bond and/or stay in jail for an established

~~December 7~~ January 8, 2020~~2021~~

minimum period of time; and any and all other measures deemed necessary to help curb dangerous and unlawful street racing activities and reckless driving exhibitions;

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ADOPTED by the DeKalb County Board of Commissioners, this ____ day of _____, ~~2020~~2021.

STEPHEN R. BRADSHAW
Presiding Officer
Board of Commissioners
DeKalb County, Georgia

APPROVED by the Chief Executive Officer of DeKalb County, this ____ day of _____, ~~2020~~2021.

MICHAEL L. THURMOND
Chief Executive Officer
DeKalb County, Georgia

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BARBARA SANDERS-NORWOOD
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