

STATE OF GEORGIA

COUNTY OF HALL

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF HALL COUNTY,
GEORGIA ESTABLISHING THE COUNTY'S POLICY THAT ALL VIOLATIONS OF
O.C.G.A. § 40-6-163 SHALL BE REFERRED TO THE OFFICE OF THE SOLICITOR-
GENERAL FOR PROSECUTION**

WHEREAS, Art. IX, Sec. II, Para. I of the Georgia Constitution authorizes counties to adopt reasonable resolutions and regulations relating to their property, affairs, and local government which are not inconsistent with general or local law; and

WHEREAS, The Board of Commissioners recognizes the importance of protecting Hall County's school children entering and exiting school buses; and

WHEREAS, the General Assembly has enacted O.C.G.A. § 40-6-163 to prevent motorists from unlawfully passing a stopped school bus that place children and citizens at risk of harm; and

WHEREAS, the Board believes the vigorous enforcement of O.C.G.A. § 40-6-163 is essential to serving an important public safety purpose; and

WHEREAS, the Board of Commissioners of Hall County, Georgia (the "Board") has received input from County staff regarding certain duties and authority of the Solicitor General of Hall County pursuant to O.C.G.A. § 15-18-66 to prosecute such cases; and

WHEREAS, O.C.G.A. §15-18-66 (b)(4), provides authority to the Solicitor General to prosecute civil actions to enforce any civil penalty set forth in O.C.G.A. § 40-6-163; and

WHEREAS, the Board desires to establish a uniform procedure for the referral of such cases for prosecution; and

NOW, THEREFORE, BE IT RESOLVED by the Board, and it is hereby resolved as follows:

1. It shall be the policy of Hall County that every citation, accusation, or civil enforcement action arising under O.C.G.A. § 40-6-163 and investigated by a county department, the Sheriff's Office, or any other County agency, shall be referred to the Office of the Solicitor-General for review and prosecution or civil enforcement, as authorized by

Georgia law.

2. The Sheriff and all other county agencies are requested and directed, to the extent permitted by law, to coordinate with the Office of the Solicitor-General to ensure the prompt prosecution of all violations of O.C.G.A. § 40-6-163.
3. The Solicitor-General is authorized to obtain all investigative reports, body camera, school bus camera evidence, witness statements, and any other evidence necessary to prosecute such cases.
4. Nothing in this Resolution shall be construed to enlarge or restrict the statutory jurisdiction of the Solicitor-General, District Attorney, any municipal prosecutor, or any court established by laws or the Constitution of the State of Georgia.
5. This Resolution is intended solely to establish Hall County's policy for referring matters to the prosecuting authority having jurisdiction.
6. This Resolution shall take effect immediately upon adoption and shall remain in full force and effect until modified, superseded, or repealed by subsequent action of the Board.

SO RESOLVED AND ADOPTED, this the 13th day of August, 2026.

**HALL COUNTY BOARD OF
COMMISSIONERS**

David Gibbs, Chairman

ATTEST:

Jennifer Rivera, County Clerk

APPROVED AS TO FORM:

Justin Lawhon, County Attorney