

House Bill 12

By: Representatives Franklin of the 17th, Joyce of the 2nd, Massey of the 24th, Douglas of the 73rd, Williams of the 4th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to motor
2 vehicle drivers' licenses, so as to change certain provisions relating to definitions; to change
3 certain provisions relating to issuance of licenses, contents, signature requirements, and
4 fingerprints; to change certain provisions relating to expiration and renewal of drivers'
5 licenses and reexamination requirements; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 style="text-align:center">**SECTION 1.**

8 Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to motor vehicle
9 drivers' licenses, is amended by striking paragraph (15) of Code Section 40-5-1, relating to
10 definitions, and inserting in lieu thereof the following:

11 "(15) 'Resident' means a person who has a permanent home or abode in Georgia to
12 which, whenever such person is absent, he or she has the intention of returning. For the
13 purposes of this chapter, there is a rebuttable presumption that the following person is a
14 resident:

15 (A) Any person who accepts employment or engages in any trade, profession, or
16 occupation in Georgia or enters his or her children to be educated in the private or
17 public schools of Georgia within ten days after the commencement of such employment
18 or education; or

19 (B) Any person who, except for infrequent, brief absences, has been present in the state
20 for 30 or more days;

21 provided, however, that no person shall be considered a resident for purposes of this
22 chapter unless such person is either a United States citizen or an alien with documented
23 proof of legal authorization from the U.S. Immigration and Naturalization Service."

SECTION 2.

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2 Said chapter is further amended by striking Code Section 40-5-28, relating to issuance of
3 licenses, contents, signature requirements, and fingerprints, and inserting in lieu thereof the
4 following:

5 "40-5-28.

6 The department shall, upon payment of the required fee, issue to every applicant qualifying
7 therefor a driver's license indicating the type or general class of vehicles the licensee may
8 drive, which license shall be upon a form prescribed by the department and which shall
9 bear thereon a distinguishing number assigned to the licensee, a color photograph of the
10 licensee, the licensee's full name, either a facsimile of the signature of the licensee or a
11 space upon which the licensee shall write his or her usual signature with a pen and ink
12 immediately upon receipt of the license, and such other information or identification as is
13 required by the department. In addition, any driver's license issued on or after July 1,
14 2003, shall indicate whether or not the licensee is a citizen of the United States and, if not,
15 the country of which such person is a citizen. No license shall be valid until it has been so
16 signed by the licensee. Specifically but without limitation, the department may require
17 applicants to submit fingerprints by means of an inkless fingerprint scanning device upon
18 application."

SECTION 3.

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20 Said chapter is further amended by striking paragraph (1) of subsection (a) of Code Section
21 40-5-32, relating to expiration and renewal of drivers' licenses and reexamination
22 requirements, and inserting in lieu thereof the following:

23 "(a)(1) Every driver's license shall expire on the licensee's birthday in the fourth year
24 following the issuance of such license, except that any driver's license issued to an alien
25 shall expire on any earlier expiration date of such person's legal authorization from the
26 United States Immigration and Naturalization Service to remain in the United States.
27 Every such license shall be renewed on or before its expiration upon application, payment
28 of the required fee, and, if applicable, satisfactory completion of the examination required
29 or authorized by subsection (c) of this Code section."

SECTION 4.

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