

The Senate Public Safety and Homeland Security Committee offered the following substitute to SB 89:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to drivers' licenses, so as to change certain provisions relating to issuance of licenses, contents, signature requirements, and fingerprints; to change certain provisions relating to expiration and renewal of drivers' licenses and reexamination requirements; to provide for the date of expiration of driver's licenses and identification cards for aliens authorized to remain in the United States for less than four years; to provide that driver's licenses and identification cards issued to aliens authorized to remain in the United States for less than six months shall expire six months after issuance; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to drivers' licenses, is amended by striking Code Section 40-5-28, relating to issuance of licenses, contents, signature requirements, and fingerprints, and inserting in lieu thereof the following:

"40-5-28.

The department shall, upon payment of the required fee, issue to every applicant qualifying therefor a driver's license indicating the type or general class of vehicles the licensee may drive, which license shall be upon a form prescribed by the department and which shall bear thereon a distinguishing number assigned to the licensee, a color photograph of the licensee, the licensee's full name, either a facsimile of the signature of the licensee or a space upon which the licensee shall write his or her usual signature with a pen and ink immediately upon receipt of the license, and such other information or identification as is required by the department. In addition, any driver's license initially issued on or after October 1, 2003, shall indicate whether the licensee is a citizen of the United States. No license shall be valid until it has been so signed by the licensee. Specifically, but without

1 limitation, the department may require applicants to submit fingerprints by means of an
2 inkless fingerprint scanning device upon application."

3 SECTION 2.

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

7 "(a)(1) Every driver's license shall expire on the licensee's birthday in the fourth year
8 following the issuance of such license, provided, however, that, if the licensee is an alien
9 with legal authorization from the United States Immigration and Naturalization Service
10 whose legal authorization, as evidenced by written documentation from the United States
11 Immigration and Naturalization Service, expires prior to the licensee's birthday in the
12 fourth year following issuance, the driver's license shall expire on the date on which such
13 authorization expires. If such date is six months or less from the date of application,
14 notwithstanding any other provision of law to the contrary, the driver's license shall
15 expire six months from the date of issuance. Every such license shall be renewed on or
16 before its expiration upon application, payment of the required fee, and, if applicable,
17 satisfactory completion of the examination required or authorized by subsection (c) of
18 this Code section."

19 SECTION 3.

20 Said chapter is further amended by striking subsection (b) of Code Section 40-5-100, relating
21 to issuance of identification cards by department, and inserting in lieu thereof a new
22 subsection (b) to read as follows:

23 "(b) The identification card shall be valid for four years ~~and~~; provided, however, that, if
24 the person is an alien with legal authorization from the United States Immigration and
25 Naturalization Service whose legal authorization, as evidenced by written documentation
26 from the United States Immigration and Naturalization Service, expires prior to the end of
27 the fourth year following issuance, the identification card shall expire on the date on which
28 such authorization expires. If such date is six months or less from the date of application,
29 notwithstanding any other provision of law to the contrary, the identification card shall
30 expire six months from the date of issuance. The identification card shall bear the
31 signatures of the commissioner and the Governor and shall bear an identification card
32 number which shall not be the same as the social security number, unless the person
33 specifically requests that the social security number be used, or, in the case of an individual
34 who is not a citizen of the United States, the passport number of the person identified or
35 any number the department deems necessary to implement this Code section."

SECTION 4.

Said chapter is further amended by striking subsection (a) of Code Section 40-5-172, relating to term of card issued to person with permanent disability, and inserting a new subsection (a) to read as follows:

"(a) The identification card for persons with disabilities shall be issued to a person with a permanent disability for a period of four years and shall be renewable on the applicant's birthday in the fourth year following such issuance; provided, however, that, if the applicant is an alien with legal authorization from the United States Immigration and Naturalization Service whose legal authorization, as evidenced by written documentation from the United States Immigration and Naturalization Service, expires prior to the applicant's birthday in the fourth year following issuance, the identification card shall expire on the date on which such authorization expires. If such date is six months or less from the date of application, notwithstanding any other provision of law to the contrary, the identification card shall expire six months from the date of issuance. Such identification cards shall be issued to persons:

- (1) With obvious permanent disabilities without further verification of disability; and
- (2) With disabilities which are not obvious upon presentation of the current sworn affidavit of at least one medical doctor attesting to such permanent disability. A current affidavit shall be presented at each request for renewal."

SECTION 5.

This Act shall become effective on October 1, 2003.

SECTION 6.

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