

Senate Bill 181

By: Senators Zamarripa of the 36th, Brown of the 26th, Stokes of the 43rd, Starr of the 44th,
Thomas of the 10th 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
2 drivers' licenses, so as to provide for legislative findings; to provide a title; to change certain
3 provisions relating to the definition of "resident"; to provide for other forms of identification
4 to be included in applications for drivers' licenses; to provide that the department shall accept
5 drivers' licenses from other countries; to provide that the department may verify authenticity
6 of drivers' licenses; to provide that this Act shall not conflict with federal laws and policies;
7 to amend Article 1 of Chapter 11 of Title 19 of the Official Code of Georgia Annotated,
8 relating to the Child Support Recovery Act, so as to provide that an applicant for a driver's
9 license may provide other forms of identification to the Department of Motor Vehicle Safety;
10 to provide for related matters; to provide an effective date; to repeal conflicting laws; and for
11 other purposes.

12 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

13 **SECTION 1.**

14 The General Assembly finds and determines that:

15 (1) In the pursuit of the Secretariat of the Free Trade Area of the Americas (FTAA), it is in
16 the economic interest of Georgia to communicate the intent of the Georgia legislature and
17 government to enthusiastically support our bid for the Secretariat and the FTAA process. It
18 is also in the interest of Georgia to communicate to the FTAA member countries our
19 willingness to make accommodations, commitments, and provisions for those international
20 visitors, students, business persons, and workers from FTAA countries who reside in Georgia
21 and who will come to Georgia in the future. In this spirit the General Assembly intends to
22 provide reasonable and business-like access to our state drivers' licenses and auto insurance
23 process.

24 (2) The FTAA countries include all countries governed by the North American Free Trade
25 Agreement (Canada, Mexico, and the United States) as well as the 34 countries that have
26 engaged in the official negotiations and agreements related to the FTAA (Antigua and

1 Barbuda, Argentina, the Bahamas, Barbados, Belize, Bolivia, Brazil, Canada, Chile,
2 Colombia, Costa Rica, Dominica, Dominican Republic, Ecuador, El Salvador, Granada,
3 Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru,
4 Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad
5 and Tobago, United States, Uruguay, and Venezuela).

6 (3) A higher standard of public safety and a reduced rate of uninsured motorists will be
7 accomplished with this provisional access to the drivers' license process. Enhancing the
8 overall safety of motor vehicle operation in Georgia by expanding access to drivers' licenses
9 has been endorsed by the state's largest law enforcement agency, the City of Atlanta Police
10 Department, along with other police departments across the state as a practical public safety
11 measure.

12 (4) Nothing in this law or resolution shall conflict with or supplant laws or policies of the
13 United States government, the United States Department of Immigration and Naturalization
14 Services, the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, the
15 Department of Homeland Security, the Department of State, or the Internal Revenue Service.
16 This legislation complies with U.S. Treasury Department regulations regarding valid
17 identifications from noncitizens that are acceptable to financial institutions.

18 (5) The provisions to recognize drivers' licenses from foreign governments as a valid form
19 of identification to present when applying for the Georgia drivers' examination shall not be
20 extended to foreign governments that the United States Department of State has designated
21 terrorist states or states contributing to terrorism.

22 (6) The General Assembly intends to permit citizens of FTAA countries to submit an official
23 driver's license from their country of origin or general residency to the Georgia Department
24 of Motor Vehicle Safety (DMVS) whereby upon verification of the authenticity of this
25 documentation, these persons shall be allowed to take the Georgia drivers' examination test,
26 and a Georgia driver's license will be issued to those persons who pass such test.
27 Authenticity of these drivers' licenses or foreign documents may be established by the
28 DMVS.

29 (7) This ability to submit drivers' licenses from other countries may also be extended to those
30 countries that the Georgia Department of Industry and Trade has determined to be leading
31 strategic trade partners with Georgia or have made substantial foreign direct investments in
32 the State of Georgia.

33 (8) This measure is intended to promote the economic future of the State of Georgia, to
34 enhance public safety for the State of Georgia, and to communicate broad and unanimous
35 support for Georgia's bid for the Secretariat of the FTAA, while also providing our
36 international visitors, workers, students, and business persons with efficient and reasonable
37 access to our state's motor vehicle licensing and insurance procedures.

1 countries that the Georgia Department of Industry, Trade, and Tourism has determined to
 2 be leading strategic trade partners with the State of Georgia or have made substantial
 3 foreign direct investment into the State of Georgia. The department shall not accept
 4 drivers' licenses from countries that the United States Department of State has designated
 5 terrorist states or states contributing to terrorism. Authenticity of the drivers' licenses or
 6 other documents provided in paragraph (1) of subsection (a.1) of Code Section 19-11-9.1
 7 may be verified by the department. Nothing in this Act shall conflict with or supplant laws
 8 or policies of the United States government, the Department of Immigration and
 9 Naturalization Services, the Illegal Immigration Reform and Immigrant Responsibility Act
 10 of 1996, the Department of Homeland Security, the Department of State, or the Internal
 11 Revenue Service. The department shall not issue a license until a complete examination
 12 of the applicant's record has been completed. The commissioner may issue such rules and
 13 regulations as shall be necessary for the orderly processing of license applications.

14 (c.1) Any person who knowingly makes any false statement or submits any false document,
 15 including any false identification relating to information as provided in paragraph (1) of
 16 subsection (a.1) of Code Section 19-11-9.1, in an application for a drivers' license provided
 17 for by this chapter shall be guilty of a violation of Code Section 16-10-20."

18 SECTION 5.

19 Article 1 of Chapter 11 of Title 19 of the Official Code of Georgia Annotated, relating to the
 20 Child Support Recovery Act, is amended by striking paragraph (1) of subsection (a.1) of
 21 Code Section 19-11-9.1, relating to the duty to furnish information about the obligor to the
 22 department, and inserting in its place the following:

23 "(a.1)(1) In accordance with the mandate contained in 42 U.S.C. Section 666(a)(13)(A)
 24 ~~and notwithstanding any provision of Title 40 relating to motor vehicles as now existing~~
 25 ~~or hereafter amended~~, the Department of Motor Vehicle Safety shall require an applicant
 26 for a drivers' license, a commercial drivers' license, a learner's permit, or an
 27 identification card to provide to the Department of Motor Vehicle Safety the applicant's
 28 social security number as part of the application. Applicants who do not have a social
 29 security number may provide to the Department of Motor Vehicle Safety any one of the
 30 following documents: a driver's license issued from his or her country of origin or
 31 general residency to the extent that such drivers' licenses are acceptable under subsection
 32 (c) of Code Section 40-2-25, a federal tax identification number, a valid passport, or a
 33 certified citizenship document or birth document issued by a consulate or embassy in the
 34 United States. The Department of Motor Vehicle Safety shall provide to the Department
 35 of Human Resources, in addition to other information required to be provided to the
 36 Department of Human Resources, such social security numbers or other forms of

1 identification authorized by this subsection of individuals who have been issued a driver's
2 license, a commercial driver's license, a learner's permit, or an identification card. The
3 Department of Human Resources shall use the information provided by the Department
4 of Motor Vehicle Safety pursuant to this Code section for the purpose of complying with
5 the requirements of law concerning the enforcement of child support."

6 **SECTION 6.**

7 This Act shall become effective upon its approval by the Governor or upon its becoming law
8 without such approval.

9 **SECTION 7.**

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