

The House Committee on Motor Vehicles offers the following substitute to HB 319:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 19-11-9.1 of the Official Code of Georgia Annotated, relating to the  
2 duty to furnish information about obligor to department, use of information obtained, and  
3 penalty for noncompliance, so as to provide for the acceptance of a certification of  
4 noneligibility for issuance of a social security number by the Department of Motor Vehicle  
5 Safety; to amend Article 2 of Chapter 5 of Title 40 of the Official Code of Georgia  
6 Annotated, relating to issuance, expiration, and renewal of drivers' licenses, so as to provide  
7 for other information to be included in an application for a driver's license; to change certain  
8 provisions relating to issuance of licenses, contents, signature requirements, and fingerprints;  
9 to change certain provisions relating to expiration and renewal drivers' licenses and  
10 identification cards for noncitizens authorized to remain in the United States for less than  
11 four years; to provide that drivers' licenses and identification cards issued to noncitizens  
12 authorized to remain in the United States for less than six months shall expire six months  
13 after issuance; to provide for related matters; to provide an effective date; to repeal  
14 conflicting laws; and for other purposes.

15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

16 **SECTION 1.**

17 Code Section 19-11-9.1 of the Official Code of Georgia Annotated, relating to the duty to  
18 furnish information about obligor to department, use of information obtained, and penalty  
19 for noncompliance, is amended by striking paragraph (1) of subsection (a.1) of said Code  
20 section and inserting in its place the following:

21 "(a.1)(1) In accordance with the mandate contained in 42 U.S.C. Section 666(a)(13)(A)  
22 and notwithstanding any provision of Title 40 relating to motor vehicles as now existing  
23 or hereafter amended, the Department of Motor Vehicle Safety shall require an applicant  
24 for a driver's license, a commercial driver's license, a learner's permit, or an identification  
25 card to provide to the Department of Motor Vehicle Safety the applicant's social security  
26 number or certification from the Social Security Administration that the applicant is not  
27 eligible for issuance of a social security number as part of the application. The Department

1 of Motor Vehicle Safety shall provide to the Department of Human Resources, in addition  
 2 to other information required to be provided to the Department of Human Resources, such  
 3 social security numbers of individuals who have been issued a driver's license, a  
 4 commercial driver's license, a learner's permit, or an identification card. The Department  
 5 of Human Resources shall use the information provided by the Department of Motor  
 6 Vehicle Safety pursuant to this Code section for the purpose of complying with the  
 7 requirements of law concerning the enforcement of child support."

## 8 SECTION 2.

9 Article 2 of Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to  
 10 issuance, expiration, and renewal of drivers' licenses, is amended by striking subsection (c)  
 11 of Code Section 40-5-25, relating to application and fees for drivers' licenses, and inserting  
 12 in its place the following:

13 "(c) Every such application shall state the full name, date of birth, sex, and residence  
 14 address of the applicant; shall briefly describe the applicant; and shall state whether the  
 15 applicant has theretofore been licensed as a driver and, if so, when and by what state or  
 16 country, and whether any such license has ever been suspended, revoked, or refused, and,  
 17 if so, the date of and reason for such suspension, revocation, or refusal; and shall state such  
 18 other information as the commissioner may require to determine the applicant's identity,  
 19 competence, and eligibility. The application shall include any other information as required  
 20 by paragraph (1) of subsection (a.1) of Code Section 19-11-9.1. The department shall not  
 21 issue a license until a complete examination of the applicant's record has been completed.  
 22 The commissioner may issue such rules and regulations as shall be necessary for the  
 23 orderly processing of license applications."

## 24 SECTION 3.

25 Said chapter is further amended by striking paragraph (1) of subsection (a) of Code Section  
 26 40-5-32, relating to expiration and renewal of drivers' licenses and reexamination  
 27 requirements, and inserting in lieu thereof the following:

28 "(a)(1) Every driver's license shall expire on the licensee's birthday in the fourth year  
 29 following the issuance of such license; provided, however, that, if the licensee is a person  
 30 with legal authorization from the United States Immigration and Naturalization Service  
 31 whose legal authorization, as evidenced by written documentation from the United States  
 32 Immigration and Naturalization Service, expires prior to the licensee's birthday in the  
 33 fourth year following issuance, the driver's license shall expire on the date on which such  
 34 authorization expires. If such date is six months or less from the date of application,  
 35 notwithstanding any other provision of law to the contrary, the driver's license shall

1 expire six months form the date of issuance. Every such license shall be renewed on or  
 2 before its expiration upon application, payment of the required fee, and, if applicable,  
 3 satisfactory completion of the examination required or authorized by subsection (c) of  
 4 this Code section."

5 **SECTION 4.**

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

9 "(b) The identification card shall be valid for four years ~~and; provided, however, that, if~~  
 10 the applicant is a person with legal authorization from the United States Immigration and  
 11 Naturalization Service whose legal authorization, as evidenced by written documentation  
 12 from the United States Immigration and Naturalization Service, expires prior to the end of  
 13 the fourth year following issuance, the identification card shall expire on the date on which  
 14 such authorization expires. If such date is six months or less from the date of application,  
 15 notwithstanding any other provision of law to the contrary, the identification card shall  
 16 expire six months from the date of issuance. The identification card shall bear the  
 17 signatures of the commissioner and the Governor and shall bear an identification card  
 18 number which shall not be the same as the social security number, unless the person  
 19 specifically requests that the social security number be used, or, in the case of an individual  
 20 who is not a citizen of the United States, the passport number of the person identified or  
 21 any number the department deems necessary to implement this Code section."

22 **SECTION 5.**

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

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

1 the identification card shall expire six months from the date of issuance. Such identification  
2 cards shall be issued to persons:

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

7 **SECTION 6.**

8 This Act shall become effective on October 1, 2003.

9 **SECTION 7.**

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