

House Bill 620

By: Representative Parham of the 94<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 40-5-24 of the Official Code of Georgia Annotated, relating to  
2 instruction permits, graduated licensing and related restrictions, and temporary licenses with  
3 regard to drivers' licenses, so as to authorize a temporary driver's license for 90 days; to  
4 amend Code Section 40-5-53 of the Official Code of Georgia Annotated, relating to  
5 surrender of a driver's license upon conviction and forwarding of a driver's license with a  
6 citation to the department, so as to provide that the department shall destroy surrendered  
7 licenses after recording the date of surrender; to provide for related matters; to provide  
8 effective dates; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

10 Code Section 40-5-24 of the Official Code of Georgia Annotated, pertaining to instruction  
11 permits, graduated licensing and related restrictions, and temporary licenses with regard to  
12 drivers' licenses, is amended by striking subsection (e) in its entirety and inserting in lieu  
13 thereof the following:  
14

15 "(e) The department ~~shall~~ may issue a temporary driver's permit to an applicant for a  
16 driver's license permitting him or her to operate a specified type or class of motor vehicle  
17 while the department is completing its investigation and determination of all facts relative  
18 to such applicant's eligibility to receive a driver's license. Such permit must be in his or  
19 her immediate possession while operating a motor vehicle, and it shall be invalid when the  
20 applicant's license has been issued or for good cause has been refused. Such permit shall  
21 be valid for no more than ~~45~~ 90 days. When a license has been refused, the permit shall be  
22 returned to the department within ten days of receipt of written notice of refusal."

**SECTION 2.**

23 Code Section 40-5-53 of the Official Code of Georgia Annotated, relating to surrender of a  
24 driver's license upon conviction and forwarding of a driver's license with a citation to the  
25

1 department, is amended by striking subsection (a) in its entirety and inserting in lieu thereof  
2 the following:

3 "(a) Whenever any person is convicted of any offense for which this chapter makes  
4 mandatory the suspension or revocation of the license of such person by the department,  
5 the court in which such conviction is had shall require the surrender to it of any driver's  
6 license then held by the person so convicted and the court shall thereupon forward the same  
7 to the department, together with the uniform citation form authorized by Article 1 of  
8 Chapter 13 of this title, within ten days after the conviction. ~~Notwithstanding any other~~  
9 ~~provision of this title, the department shall retain possession of any suspended drivers'~~  
10 ~~licenses forwarded to it under this or any other provision of law if the license's expiration~~  
11 ~~date, as shown on the driver's license, is one year or more away.~~ The department shall  
12 ~~return the~~ issue a replacement driver's ~~original~~ license upon payment of the applicable  
13 reinstatement fee if such driver applies for and is granted reinstatement ~~while the original~~  
14 ~~license is in the possession of the department~~ prior to the expiration date of the original  
15 license. ~~No additional fee shall be required for the return of such original license.~~ The  
16 department ~~may~~ shall destroy a ~~suspended license~~ any surrendered license after recording  
17 the date of such surrender on the driver's operating record ~~if the license's expiration date,~~  
18 ~~as shown on the license, is less than one year away."~~

19 **SECTION 3.**

20 This Act shall become effective July 1, 2003, except Section 2 of this Act shall become  
21 effective October 1, 2003.

22 **SECTION 4.**

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