

The House Committee on Motor Vehicles offers the following substitute to HB 578:

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 5 of Title 40 of the Official Code of Georgia Annotated,
2 relating to issuance, expiration, and renewal of drivers' licenses, so as to change certain
3 provisions relating to applications and fees for drivers' licenses; to change certain provisions
4 relating to restricted licenses; to provide for a restricted license for certain persons who are
5 not citizens of the United States; to amend Article 1 of Chapter 11 of Title 19 of the Official
6 Code of Georgia Annotated, relating to the Child Support Recovery Act, so as to change
7 certain provisions relating to the duty to furnish information about the obligor to the
8 department; to provide an effective date; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

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

15 "(c) Every such application shall state the full name, date of birth, sex, and residence
16 address of the applicant; shall briefly describe the applicant; and shall state whether the
17 applicant has theretofore been licensed as a driver and, if so, when and by what state or
18 country, and whether any such license has ever been suspended, revoked, or refused, and,
19 if so, the date of and reason for such suspension, revocation, or refusal; and shall state such
20 other information as the commissioner may require to determine the applicant's identity,
21 competence, and eligibility. The application shall include any other identification
22 information as required by paragraph (1) of subsection (a.1) of Code Section 19-11-9.1.

23 The department shall not issue a license until a complete examination of the applicant's
24 record has been completed. The commissioner may issue such rules and regulations as shall
25 be necessary for the orderly processing of license applications.

1 (c.1) Any person who knowingly makes any false statement or submits any false
 2 document, including any false identification relating to information as provided in
 3 paragraph (1) of subsection (a.1) of Code Section 19-11-9.1, in an application for a driver's
 4 license provided for by this chapter shall be guilty of a violation of Code Section
 5 16-10-20."

6 SECTION 2.

7 Said article is further amended by striking Code Section 40-5-30, relating to restricted
 8 licenses, and inserting in lieu thereof the following:

9 "40-5-30.

10 (a) Upon issuing a driver's license, the department shall have authority, whenever good
 11 cause appears, to impose restrictions suitable to the licensee's driving ability with respect
 12 to special mechanical control devices required on a motor vehicle which the licensee may
 13 operate or such other restrictions applicable to the licensee as the department may
 14 determine to be appropriate to assure the safe operation of a motor vehicle by the licensee.
 15 The commissioner may promulgate such rules and regulations as are necessary to
 16 implement this Code section.

17 (b) The department may either issue a special restricted license or set forth such
 18 restrictions upon the usual license form.

19 (b.1)(1) As used in this subsection, the term 'Free Trade Area of the Americas' means
 20 Argentina, the Bahamas, Barbados, Barbuda, Belize, Bolivia, Brazil, Canada, Chile,
 21 Colombia, Costa Rica, Dominica, Dominican Republic, Ecuador, El Salvador, Granada,
 22 Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay,
 23 Peru, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname,
 24 Trinidad and Tobago, Uruguay, and Venezuela.

25 (2) Any person who is a citizen of any nation included in the Free Trade Area of the
 26 Americas and who satisfies all applicable eligibility requirements for a noncommercial
 27 class of driver's license other than United States citizenship or proof of legal
 28 authorization from the U.S. Immigration and Naturalization Service may be issued a
 29 restricted driver's license for such class under this subsection.

30 (3) A restricted driver's license issued under this subsection shall expire on the licensee's
 31 birthday in the year following the issuance of such license, the provisions of Code
 32 Section 40-5-32 notwithstanding; but such restricted driver's license may be renewed on
 33 or before its expiration in the same manner as provided for renewal under Code Section
 34 40-5-32.

35 (4) A restricted driver's license issued under this subsection shall entitle the licensee to
 36 operate a motor vehicle in this state only for purposes of:

1 (A) Going to his or her place of employment or performing the normal duties of his or
 2 her occupation;

3 (B) Receiving scheduled medical care or obtaining prescription drugs; and

4 (C) Attending a college or school at which he or she is regularly enrolled as a student.

5 All restrictions provided by this paragraph shall be endorsed on each driver's license
 6 issued pursuant to this subsection.

7 (5)(A) A restricted license issued under this Code section shall not confer rights of
 8 citizenship upon the holder of such license.

9 (B) The provisions of subparagraph (A) of this paragraph shall be printed on the
 10 license.

11 (c) The department, upon receiving satisfactory evidence of any violation of the
 12 restrictions of any such license, may revoke the license, but the licensee shall be entitled
 13 to a hearing as upon a revocation under subsection (c) of Code Section 40-5-59. No person
 14 shall operate a motor vehicle in any manner in violation of the restrictions imposed in a
 15 restricted license issued to him or her."

16 SECTION 3.

17 Article 1 of Chapter 11 of Title 19 of the Official Code of Georgia Annotated, relating to the
 18 Child Support Recovery Act, is amended by striking paragraph (1) of subsection (a.1) of
 19 Code Section 19-11-9.1, relating to the duty to furnish information about the obligor to the
 20 department, 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
 25 identification card to provide to the Department of Motor Vehicle Safety the applicant's
 26 social security number as part of the application. Applicants who do not have a social
 27 security number and who are otherwise eligible for a driver's license may provide to the
 28 Department of Motor Vehicle Safety any one of the following documents: a driver's
 29 license issued from his or her country of citizenship, a federal tax identification number,
 30 a valid passport, or a certified citizenship document or birth document issued by a
 31 consulate or embassy in the United States. The Department of Motor Vehicle Safety shall
 32 provide to the Department of Human Resources, in addition to other information required
 33 to be provided to the Department of Human Resources, such social security numbers or
 34 other forms of identification authorized by this subsection of individuals who have been
 35 issued a driver's license, a commercial driver's license, a learner's permit, or an
 36 identification card. The Department of Human Resources shall use the information

1 provided by the Department of Motor Vehicle Safety pursuant to this Code section for
2 the purpose of complying with the requirements of law concerning the enforcement of
3 child support."

4 **SECTION 4.**

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

7 **SECTION 5.**

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