

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

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 11 of Title 19 of the Official Code of Georgia Annotated,
2 relating to the Child Support Recovery Act, so as to provide that certain applicants for a
3 driver's license may provide forms of identification other than the applicant's social security
4 number to the Department of Motor Vehicle Safety; to amend Chapter 5 of Title 40 of the
5 Official Code of Georgia Annotated, relating to drivers' licenses, so as to change certain
6 provisions relating to applications for and issuance of licenses, contents, signature
7 requirements, and fingerprints; to change certain provisions relating to expiration and
8 renewal of drivers' licenses and reexamination requirements; to provide for the date of
9 expiration of driver's licenses and identification cards for aliens authorized to remain in the
10 United States for less than four years; to provide that driver's licenses and identification
11 cards issued to aliens authorized to remain in the United States for less than six months shall
12 expire six months after issuance; to provide for related matters; to repeal conflicting laws;
13 and for other purposes.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

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

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

1 certification from the Social Security Administration that the applicant is not eligible for
 2 a social security number. The Department of Motor Vehicle Safety shall provide to the
 3 Department of Human Resources, in addition to other information required to be
 4 provided to the Department of Human Resources, such social security numbers or other
 5 forms of identification authorized by this paragraph of individuals who have been issued
 6 a driver's license, a commercial driver's license, a learner's permit, or an identification
 7 card. The Department of Human Resources shall use the information provided by the
 8 Department of Motor Vehicle Safety pursuant to this Code section for the purpose of
 9 complying with the requirements of law concerning the enforcement of child support."

10 SECTION 2.

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

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

25 SECTION 3.

26 Said chapter is further amended by striking Code Section 40-5-28, relating to issuance of
 27 licenses, contents, signature requirements, and fingerprints, and inserting in lieu thereof the
 28 following:

29 "40-5-28.

30 The department shall, upon payment of the required fee, issue to every applicant qualifying
 31 therefor a driver's license indicating the type or general class of vehicles the licensee may
 32 drive, which license shall be upon a form prescribed by the department and which shall
 33 bear thereon a distinguishing number assigned to the licensee, a color photograph of the
 34 licensee, the licensee's full name, either a facsimile of the signature of the licensee or a
 35 space upon which the licensee shall write his or her usual signature with a pen and ink

1 immediately upon receipt of the license, and such other information or identification as is
 2 required by the department. In addition, any driver's license initially issued on or after
 3 October 1, 2003, shall indicate by code whether the licensee is a citizen of the United
 4 States. No license shall be valid until it has been so signed by the licensee. Specifically,
 5 but without limitation, the department may require applicants to submit fingerprints by
 6 means of an inkless fingerprint scanning device upon application."

7 SECTION 4.

8 Said chapter is further amended by striking paragraph (1) of subsection (a) of Code Section
 9 40-5-32, relating to expiration and renewal of drivers' licenses and reexamination
 10 requirements, and inserting in lieu thereof the following:

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

23 SECTION 5.

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

27 "(b) The identification card shall be valid for four years ~~and~~; provided, however, that, if
 28 the person is an alien with legal authorization from the United States Immigration and
 29 Naturalization Service whose legal authorization, as evidenced by written documentation
 30 from the United States Immigration and Naturalization Service, expires prior to the end of
 31 the fourth year following issuance, the identification card shall expire on the date on which
 32 such authorization expires. If such date is six months or less from the date of application,
 33 notwithstanding any other provision of law to the contrary, the identification card shall
 34 expire six months from the date of issuance. The identification card shall bear the
 35 signatures of the commissioner and the Governor and shall bear an identification card

1 number which shall not be the same as the social security number, unless the person
 2 specifically requests that the social security number be used, or, in the case of an individual
 3 who is not a citizen of the United States, the passport number of the person identified or
 4 any number the department deems necessary to implement this Code section."

5 **SECTION 6.**

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

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

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

24 **SECTION 7.**

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

27 **SECTION 8.**

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