

House Bill 1560

By: Representatives Martin of the 37<sup>th</sup>, Powell of the 23<sup>rd</sup>, and Dodson of the 84<sup>th</sup>, Post 1

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 40-5-2 of the Official Code of Georgia Annotated, relating to  
2 keeping of records of applications for licenses and information on licenses and furnishing of  
3 information, so as to change certain provisions relating to furnishing of information; to  
4 provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Code Section 40-5-2 of the Official Code of Georgia Annotated, relating to keeping of  
8 records of applications for licenses and information on licenses and furnishing of  
9 information, is amended by striking subparagraph (c)(1)(B) and inserting in its place the  
10 following:

11 "(B)(i) Pursuant to a written request or a request made in accordance with a contract  
12 with the Georgia Technology Authority for immediate on-line electronic furnishing  
13 of information, for use by any insurer or insurance support organization, or by a  
14 self-insured entity, or its agents, employees, or contractors, in connection with claims  
15 investigation activities, antifraud activities, rating, or underwriting involving the  
16 driver; provided, however, that notwithstanding the definition of personal information  
17 under Code Section 40-5-1, personal information furnished under this division shall  
18 be limited to name, address, driver identification number, ~~and~~ medical or disability  
19 information, and the year of birth, gender, and date license issued for other persons  
20 at the same address of the named driver. The person who makes a request for a  
21 driver's operating record shall identify himself or herself and shall have certified or  
22 affirmed that the information contained in the record will be used only for the purpose  
23 specified in the request. Further, the person making the request shall certify or affirm  
24 that he or she has on file an application for insurance or for the renewal or amendment  
25 thereof involving the driver or drivers; or

1 (ii) For the purpose of ascertaining necessary rating information by an insurance  
2 agent or insurer pursuant to ~~an insurer's~~ a contract with the Georgia Technology  
3 Authority for the immediate on-line electronic furnishing of limited rating information  
4 to such insurer's agents and insurance support organizations. Limited rating  
5 information furnished under this division shall include only the number of violations  
6 of Code Section 40-6-391, relating to driving under the influence of alcohol, drugs,  
7 or other intoxicating substances, and the number and type of other moving traffic  
8 violations which were committed by the proposed insured driver or drivers within the  
9 immediately preceding three or five years, which period shall be specified by the  
10 person making the request. The provisions of division (i) of this subparagraph  
11 notwithstanding, no other information concerning a driver's operating record shall be  
12 released to such agents or insurance support organizations for delivery to agents for  
13 purposes of rating;"

14 **SECTION 2.**

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