

House Bill 1560

By: Representatives Martin of the 37th, Powell of the 23rd, and Dodson of the 84th, 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.