Senate Bill 488

By: Senators Rogers of the 21st, Pearson of the 51st, Orrock of the 36th and Adelman of the 42nd

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 allow foreign

3   nationals to keep their license from their home country; to exempt nonresidents from getting

4   a Georgia license as long as they meet all licensing requirements in Georgia except for

5   residency; to provide that verification of lawful presence in the United States is necessary to

6   receive a temporary driver´s license; to provide that the maximum term of a temporary

7   license is three years; to provide for related matters; to provide for an effective date; to repeal

8   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 by revising subsection (c)

13   of Code Section 40-5-20, relating to the requirement to have a license, as follows:

14   ″(c) No person shall receive a driver´s license unless and until such person surrenders to

15   the department all valid licenses in such person´s possession issued to him or her by this

16   or any other jurisdiction, except as otherwise provided by Code Section 40-5-32 or unless

17   such person meets the qualifications for the issuance of a temporary license as provided by

18   Code Section 40-5-21.1. All surrendered licenses issued by another jurisdiction shall be

19   destroyed. The license information shall be forwarded to the previous jurisdiction. No

20   person shall be permitted to have more than one valid driver´s license at any time.″

21   **SECTION 2.**

22   Said article is further amended by revising paragraph (2) of subsection (a) of Code

23   Section 40-5-21, relating to exemptions from the requirements of obtaining a Georgia

24   driver´s license, as follows:

1   "(2) A nonresident ~~who is at least 16 years of age and~~ who has in his or her immediate

2   possession a valid <u>driver´s</u> license issued to him or her in his or her home state or

3   country; provided, however, that ~~any restrictions which would apply to~~ <u>such person</u>

4   <u>would otherwise satisfy all requirements to receive</u> a Georgia driver´s license ~~as a matter~~

5   ~~of law would apply to the privilege afforded to the out-of-state license;~~"

6   **SECTION 3.**

7   Said article is further amended by revising subsection (a) of Code Section 40-5-21.1, relating

8   to temporary licenses, permits, or special identification cards, as follows:

9   "(a) Notwithstanding any other provision of this title, an applicant who presents in person

10   valid documentary evidence of:

11   (1) Admission to the United States in a valid, unexpired nonimmigrant status;

12   (2) A pending or approved application for asylum in the United States;

13   (3) Admission into the United States in refugee status;

14   (4) An approved application for temporary protected status in the United States;

15   (5) Approved deferred action status; ~~or~~

16   (6) Other federal documentation verified by the United States Department of Homeland

17   Security to be valid documentary evidence of lawful presence in the United States under

18   federal immigration law<u>; or</u>

19   <u>(7) Verification of lawful presence as provided by Code Section 40-5-21.2</u>

20   may be issued a temporary license, permit, or special identification card. Such temporary

21   license, permit, or special identification card shall be valid only during the period of time

22   of the applicant´s authorized stay in the United States <u>or three years, whichever occurs</u>

23   <u>first</u>."

24   **SECTION 4.**

25   This Act shall become effective upon its approval by the Governor or upon its becoming law

26   without such approval.

27   **SECTION 5.**

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