

House Bill 1288

By: Representative Golick of the 34<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to  
2 drivers' licenses, so as to require the Department of Driver Services to maintain records of  
3 convictions for driving without a license; to provide that courts with jurisdiction over traffic  
4 offenses report convictions of driving without a license to the Department of Driver Services;  
5 to provide for related matters; to provide for an effective date; to repeal conflicting laws; and  
6 for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to drivers' licenses,  
10 is amended by revising paragraph (3) of subsection (a) of Code Section 40-5-2, relating to  
11 keeping of records of applications for drivers' licenses and information on licensees, to read  
12 as follows:

13 "(3) Records of all accident reports and abstracts of court records of convictions of any  
14 offense listed in subsection (a) of Code Section 40-5-20, subsection (a) of Code Section  
15 40-5-54, Code Section 40-6-10, driving on a suspended license in violation of Code  
16 Section 40-5-121, administrative license suspension pursuant to Code Sections 40-5-67  
17 through 40-5-67.2, Code Section 40-5-75, Chapter 9 of this title, the 'Motor Vehicle  
18 Safety Responsibility Act,' and Chapter 34 of Title 33, the 'Georgia Motor Vehicle  
19 Accident Reparations Act,' any felony offense under this title, any offense committed  
20 while operating a commercial motor vehicle, serious traffic offenses, or other offenses  
21 requiring the assessment of points on the driving record that are received by it under the  
22 laws of this state and in connection therewith maintain convenient records or make  
23 suitable notations in order that an individual record of each licensee or individual  
24 showing the convictions of such licensee or individual and the traffic accidents in which  
25 such licensee or individual has been involved shall be readily ascertainable and available  
26 for the consideration of the department upon any application for, or application for

1 renewal of license and at other suitable times. For purposes of issuing a driver's operating  
2 record to the public as provided in this Code section, the period of calculation for  
3 compilation of such report shall be determined by the date of arrest."

4 **SECTION 2.**

5 Said chapter is further amended by revising subsection (a) of Code Section 40-5-20, relating  
6 to the requirement of having a driver's license and the surrender of prior licenses, to read as  
7 follows:

8 "(a) No person, except those expressly exempted in this chapter, shall drive any motor  
9 vehicle upon a highway in this state unless such person has a valid driver's license under  
10 this chapter for the type or class of vehicle being driven. Any person who is a resident of  
11 this state for 30 days shall obtain a Georgia driver's license before operating a motor  
12 vehicle in this state. Any court having jurisdiction over traffic offenses in this state shall  
13 report to the department the name and other identifying information of any individual  
14 convicted of driving without a license."

15 **SECTION 3.**

16 This Act shall become effective on July 1, 2008, and apply to offenses occurring on or after  
17 that date.

18 **SECTION 4.**

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