

House Bill 88

By: Representatives Shaw of the 176<sup>th</sup>, Houston of the 170<sup>th</sup>, Jasperse of the 11<sup>th</sup>, Black of the 174<sup>th</sup>, Dutton of the 157<sup>th</sup>, and others

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 licenses, so as to provide for Class E and  
3 Class F drivers' licenses free of charge to qualified volunteer firefighters; to provide for  
4 related matters; to provide an effective date; to repeal conflicting laws; and for other  
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 2 of Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to  
9 issuance, expiration, and renewal of licenses, is amended by revising Code Section 40-5-28,  
10 relating to issuance of licenses, content, signature, prohibiting biological identifiers, and tag  
11 agents, as follows:

12 "40-5-28.

13 (a) ~~The~~ Except as provided in subsection (c) of this Code section, the department shall,  
14 upon payment of the required fee, issue to every applicant qualifying therefor a driver's  
15 license indicating the type or general class of vehicles the licensee may drive, which license  
16 shall be upon a form prescribed by the department and which shall bear thereon a  
17 distinguishing number assigned to the licensee, a color photograph of the licensee, the  
18 licensee's full legal name, either a facsimile of the signature of the licensee or a space upon  
19 which the licensee shall write his or her usual signature with a pen and ink immediately  
20 upon receipt of the license, and such other information or identification as is required by  
21 the department. No license shall be valid until it has been so signed by the licensee. The  
22 department shall not require applicants to submit or otherwise obtain from applicants any  
23 fingerprints or any other biological characteristic or information which uniquely identifies  
24 an individual, including without limitation deoxyribonucleic acid (DNA) and retinal scan  
25 identification characteristics but not including a photograph, by any means upon  
26 application.

27 (b) The commissioner may determine the location and manner of issuance of drivers'  
28 licenses. Without limiting the generality of the foregoing, it is specifically provided that  
29 the commissioner may designate county tag agents, if they so agree, as agents of the  
30 department for this purpose and may authorize the issuance of drivers' licenses by county  
31 tag agents. No county tag agent shall be required to issue or renew drivers' licenses unless  
32 such county tag agent agrees in writing to perform such functions. No county tag agent  
33 shall be required to issue or renew drivers' licenses for residents of any county other than  
34 the residents of the county for which he or she serves as tax commissioner.

35 (c) The department shall make available to qualified applicants who are also volunteer  
36 firefighters Class E and Class F drivers' licenses without charge. In order to receive the  
37 Class E or Class F endorsement without payment of a fee, the applicant shall provide:

38 (1) A copy of his or her firefighter certification indicating that he or she is currently a  
39 certified firefighter in good standing; and

40 (2) A letter signed by the chief executive officer of the public entity he or she serves  
41 which letter appears on such political entity's official agency letterhead and provides that  
42 he or she is a volunteer firefighter for such public entity.

43 The provisions of this subsection shall apply to both original and renewal applicants for  
44 Class E and Class F licenses, as these classes are identified in Code Section 40-5-23."

45 **SECTION 2.**

46 This Act shall become effective on July 1, 2013.

47 **SECTION 3.**

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