

House Bill 475 (AS PASSED HOUSE AND SENATE)

By: Representatives Pak of the 108th, Ramsey of the 72nd, Rice of the 95th, Stephens of the 164th, Powell of the 32nd, and others

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 authorize the commissioner of driver services to enter into
3 reciprocal agreements on behalf of Georgia for the recognition of drivers' licenses issued by
4 foreign territories; to provide for related matters; to repeal conflicting laws; and for other
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to drivers' licenses,
9 is amended by revising Code Section 40-5-5, relating to the authority of the Governor to
10 execute binding reciprocal agreements regarding the operation of motor vehicles, publication
11 of the terms of such agreements, and rules and regulations, by adding a new subsection to
12 read as follows:

13 "(c) The commissioner is authorized to negotiate and enter into an agreement with a
14 foreign country that exempts the citizens of such foreign country from the knowledge test
15 and the on-the-road driving test required in Code Section 40-5-27 so long as the citizen
16 holds a valid driver's license of an equivalent class issued by such foreign country;
17 provided, however, that no such agreement shall be entered into unless the foreign country
18 offers the same reciprocity to persons holding a valid driver's license of an equivalent class
19 issued by the State of Georgia and the commissioner determines that the laws of such
20 foreign country relating to the operation of motor vehicles are sufficiently similar to such
21 laws of this state such that driving safety shall not be compromised; and provided, further,
22 that no such agreement shall be entered into unless the Department of Economic
23 Development has certified that persons or entities from such country have made or are
24 likely to make a substantial economic investment in this state that has or will lead to the
25 substantial creation of jobs in this state. The provisions of this subsection notwithstanding,
26 the department shall not be authorized to enter into any reciprocal agreement with any

27 foreign country that is designated as a state sponsor of terrorism by the United States
 28 Department of State. The exemption provided for in this subsection shall not be an
 29 exemption from any other legal requirement for the issuance of a driver's license, including
 30 the requirement that the applicant demonstrate lawful presence within the United States in
 31 accordance with Code Sections 40-5-21.1 and 40-5-21.2. This subsection shall not apply
 32 to citizens of foreign countries applying for a commercial driver's license or Class M
 33 driver's license.

34 (d) The department shall make a notation on any driver's license, permit, identification
 35 card, or other state identifying document issued by the department pursuant to this Code
 36 section. The notation shall be in a manner approved by the department and shall state
 37 'Limited Term' or such other notation as determined by the department. Nothing contained
 38 in this subsection shall preclude the department from making the same or similar notations
 39 on other similarly issued identifying documents. Any driver's license or other identifying
 40 document that is so noted shall not be used as voter identification."

41 SECTION 2.

42 Said chapter is further amended by revising subsection (a) of Code Section 40-5-27, relating
 43 to the examination of applicants for drivers' licenses, as follows:

44 "(a)(1) The department shall examine every applicant for a driver's license, except as
 45 otherwise provided by subsection (d) of in this Code section. Such examination shall
 46 include a test of the applicant's eyesight, his or her ability to understand official
 47 traffic-control devices, and his or her knowledge of safe driving practices and the traffic
 48 laws of this state and shall also include a comprehensive on-the-road driving test during
 49 which the applicant shall be required to fully demonstrate his or her ability to exercise
 50 ordinary and reasonable control in the operation of a motor vehicle of the type or general
 51 class of vehicles he or she desires a license to drive; provided, however, that the.

52 (2) The on-the-road driving test requirement shall not apply to any applicant for a Class
 53 C driver's license who holds a Class D driver's license issued on or after January 1, 2002.

54 (3) Neither the on-the-road driving test nor the knowledge test shall apply to:

55 (A) An applicant 18 years of age and older with a valid and current license, or a license
 56 that has been expired for less than two years, issued by another state of the United
 57 States or the District of Columbia who surrenders his or her previous license to obtain
 58 a Georgia license shall be exempt from taking such tests; or

59 (B) An applicant who is a citizen of a foreign country with which the commissioner
 60 has entered into a reciprocal agreement pursuant to subsection (c) of Code Section
 61 40-5-5.

