

House Bill 210

By: Representatives Rogers of the 10th, Mayo of the 84th, Jasperse of the 11th, Dempsey of the 13th, Rice of the 95th, 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 provide for the dissemination of certain information by the
3 Department of Driver Services; to provide for participation in an anatomical gift donation
4 program when obtaining a personal identification card through the department; to provide
5 for the designation of such participation on personal identification cards; to provide for the
6 dissemination of identifying information for applicants making such election; to provide for
7 legislative findings; to provide for the option of a voluntary contribution from applicants of
8 personal identification cards to prevent blindness and preserve sight; to provide for related
9 matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to drivers' licenses,
13 is amended by revising paragraph (5) of subsection (f) of Code Section 40-5-2, relating to
14 information which may be disseminated by the Department of Driver Services, as follows:
15 "(5) The information required to be made available to organ procurement organizations
16 pursuant to subsection (d) of Code Section 40-5-25 and subsection (e) of Code Section
17 40-5-100 and for the purposes set forth in such Code ~~section~~ sections;"

18 **SECTION 2.**

19 Said chapter is further amended by revising Code Section 40-5-6, relating to forms for
20 making anatomical gifts, as follows:

21 "40-5-6.

22 (a) Whenever any person 18 years of age or older applies for or requests the issuance,
23 reissuance, or renewal of any class of driver's license or personal identification card, the
24 department shall furnish ~~that~~ such person with a form, sufficient under Article 6 of Chapter
25 5 of Title 44, the 'Georgia Revised Uniform Anatomical Gift Act,' for the gift of all or part

26 of the donor's body conditioned upon the donor's death. If any such person, legally
 27 authorized to execute such a gift, desires to execute a gift, the department shall provide ~~that~~
 28 such person with appropriate assistance and the presence of the legally required number
 29 of witnesses.

30 (b) A notation shall be affixed to or made a part of every driver's license and personal
 31 identification card issued in this state indicating whether or not the licensee or cardholder
 32 has executed, under Article 6 of Chapter 5 of Title 44, the 'Georgia Revised Uniform
 33 Anatomical Gift Act,' a gift, by will or otherwise, of all or part of his or her body
 34 conditioned upon the donor's death."

35 **SECTION 3.**

36 Said chapter is further amended by revising subsection (d) of Code Section 40-5-25, relating
 37 to indication of participation in voluntary programs on an application for a driver's license,
 38 as follows:

39 "(d)(1) The General Assembly finds that it is in the best interest of ~~the~~ this state to
 40 encourage improved public education and awareness regarding anatomical gifts of human
 41 organs and tissues and to address the ever increasing need for donations of anatomical
 42 gifts for the benefit of the citizens of Georgia.

43 (2) The department shall make available to ~~those~~ federally designated organ procurement
 44 organizations the name, license number, date of birth, and most recent address of any
 45 person 18 years of age or older who obtains an organ donor driver's license. Information
 46 so obtained by such organizations shall be used for ~~the purpose of establishing~~ a
 47 state-wide organ donor registry accessible to organ tissue and eye banks authorized to
 48 function as such in this state and shall not be further disseminated."

49 **SECTION 4.**

50 Said chapter is further amended by revising Code Section 40-5-100, relating to the issuance
 51 of personal identification cards, by revising subsection (a) and adding new subsections to
 52 read as follows:

53 "(a) The department shall issue personal identification cards to all residents as defined in
 54 Code Section 40-5-1 who make application to the department in accordance with rules and
 55 regulations prescribed by the commissioner. Cards issued to applicants under 21 years of
 56 age shall contain the distinctive characteristics of drivers' licenses issued pursuant to Code
 57 Section 40-5-26. The identification card shall be similar in form but distinguishable in
 58 color from motor vehicle drivers' licenses and may contain a recent color photograph of the
 59 applicant and include the following information:

60 (1) Full legal name;

- 61 (2) Address of residence;
- 62 (3) Birth date;
- 63 (4) Date identification card was issued;
- 64 (5) Sex;
- 65 (6) Height;
- 66 (7) Weight;
- 67 (8) Eye color;
- 68 (9) Signature of person identified or facsimile thereof; ~~and~~
- 69 (10) Designation of participation in an anatomical gift donation program when such
- 70 person is 18 years of age or older; and
- 71 (11) Such other information or identification as required by the department; provided,
- 72 however, that the department shall not require an applicant to submit or otherwise obtain
- 73 from an applicant any fingerprints or any other biological characteristic or information
- 74 which uniquely identifies an individual, including without limitation deoxyribonucleic
- 75 acid (DNA) and retinal scan identification characteristics but not including a photograph,
- 76 by any means upon application."
- 77 "(e)(1) The General Assembly finds that it is in the best interest of this state to encourage
- 78 improved public education and awareness regarding anatomical gifts of human organs
- 79 and tissues and to address the ever increasing need for donations of anatomical gifts for
- 80 the benefit of the citizens of Georgia.
- 81 (2) The department shall make available to federally designated organ procurement
- 82 organizations the name, date of birth, and most recent address of any person who obtains
- 83 a personal identification card and elects to participate in an anatomical gift donation
- 84 program when such person is 18 years of age or older. Information so obtained by such
- 85 organizations shall be used for a state-wide organ donor registry accessible to organ
- 86 tissue and eye banks authorized to function as such in this state and shall not be further
- 87 disseminated.
- 88 (f)(1) The General Assembly finds that it is in the best interest of this state to encourage
- 89 improved public education and awareness regarding blindness and to address the need for
- 90 blindness prevention screenings and treatments for the benefit of the citizens of Georgia.
- 91 (2) Each application form for issuance, reissuance, or renewal of a personal identification
- 92 card under this Code section shall include language permitting the applicant to make a
- 93 voluntary contribution of \$1.00 to be used for purposes of preventing blindness and
- 94 preserving the sight of residents of this state. Any such voluntary contribution shall be
- 95 made at the discretion of the applicant at the time of application in addition to payment
- 96 of the personal identification card fee prescribed by the commissioner.

97 (3) Voluntary contributions made pursuant to this subsection shall be transmitted to the
98 Department of Public Health for use thereby in providing the blindness education,
99 screening, and treatment program provided by Code Section 31-1-23."

100 **SECTION 5.**

101 This Act shall become effective on January 1, 2016.

102 **SECTION 6.**

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