

House Bill 210 (COMMITTEE SUBSTITUTE)

By: Representatives Rogers of the 10<sup>th</sup>, Mayo of the 84<sup>th</sup>, Jasperse of the 11<sup>th</sup>, Dempsey of the 13<sup>th</sup>, Rice of the 95<sup>th</sup>, 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 in Code Section 40-5-2, relating to information which may be disseminated by  
14 the Department of Driver Services, by revising paragraph (5) of subsection (f) 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 applies for or requests the issuance, reissuance, or renewal of any  
23 class of driver's license or personal identification card, the department shall furnish ~~that~~  
24 such person with a form, sufficient under Article 6 of Chapter 5 of Title 44, the 'Georgia  
25 Revised Uniform Anatomical Gift Act,' for the gift of all or part of the donor's body

26 conditioned upon the donor's death. If any such person, legally authorized to execute such  
 27 a gift as provided for pursuant to Code Section 44-5-142, desires to execute a gift, the  
 28 department shall provide ~~that~~ such person with appropriate assistance and the presence of  
 29 the legally required number 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 in Code Section 40-5-25, relating to indication of  
 37 participation in voluntary programs on an application for a driver's license, by revising  
 38 subsection (d) and paragraph (1) of subsection (e) 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 or secure data centers maintained and managed at the direction of a  
 45 procurement organization information provided for in Article 6 of Chapter 5 of Title 44,  
 46 the 'Georgia Revised Uniform Anatomical Gift Act,' including the name, license number,  
 47 date of birth, gender, and most recent address of any person eligible pursuant to Code  
 48 Section 44-5-142 who obtains an organ donor driver's license; provided, however, that  
 49 the gender information shall be made available only to a procurement organization or  
 50 secure data center if such organization or center has sufficient funds to cover the  
 51 associated costs of providing such information. Information so obtained by such  
 52 organizations and centers shall be used for ~~the purpose of establishing~~ a state-wide organ  
 53 donor registry accessible to organ tissue and eye banks authorized to function as such in  
 54 this state and shall not be further disseminated.

55 (e)(1) The General Assembly finds that it is in the best ~~interests~~ interest of ~~the~~ this state  
 56 to encourage improved public education and awareness regarding blindness and to  
 57 address the need for blindness prevention screenings, and treatments, and rehabilitation  
 58 for the benefit of the citizens of Georgia."

59 **SECTION 4.**

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

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

- 70 (1) Full legal name;  
 71 (2) Address of residence;  
 72 (3) Birth date;  
 73 (4) Date identification card was issued;  
 74 (5) Sex;  
 75 (6) Height;  
 76 (7) Weight;  
 77 (8) Eye color;  
 78 (9) Signature of person identified or facsimile thereof; ~~and~~  
 79 (10) Designation of participation in an anatomical gift donation program when such  
 80 person is eligible to make such gift pursuant to Code Section 44-5-142; and  
 81 (11) Such other information or identification as required by the department; provided,  
 82 however, that the department shall not require an applicant to submit or otherwise obtain  
 83 from an applicant any fingerprints or any other biological characteristic or information  
 84 which uniquely identifies an individual, including without limitation deoxyribonucleic  
 85 acid (DNA) and retinal scan identification characteristics but not including a photograph,  
 86 by any means upon application."

87 "(e)(1) The General Assembly finds that it is in the best interest of this state to encourage  
 88 improved public education and awareness regarding anatomical gifts of human organs  
 89 and tissues and to address the ever increasing need for donations of anatomical gifts for  
 90 the benefit of the citizens of Georgia.

91 (2) The department shall make available to procurement organizations or secure data  
 92 centers maintained and managed at the direction of a procurement organization  
 93 information provided for in Article 6 of Chapter 5 of Title 44, the 'Georgia Revised  
 94 Uniform Anatomical Gift Act,' including the name, personal identification card number,  
 95 date of birth, gender, and most recent address of any person who obtains an organ donor

96 identification card; provided, however, that the gender information shall be made  
97 available only to a procurement organization or secure data center if such organization  
98 or center has sufficient funds to cover the associated costs of providing such information.  
99 Information so obtained by such organizations and centers shall be used for a state-wide  
100 organ donor registry accessible to organ tissue and eye banks authorized to function as  
101 such in this state and shall not be further disseminated.

102 (f)(1) The General Assembly finds that it is in the best interest of this state to encourage  
103 improved public education and awareness regarding blindness and to address the need for  
104 blindness prevention screenings, treatments, and rehabilitation for the benefit of the  
105 citizens of Georgia.

106 (2) Each application form for issuance, reissuance, or renewal of a personal identification  
107 card under this Code section shall include language permitting the applicant to make a  
108 voluntary contribution of \$1.00 to be used for purposes of preventing blindness and  
109 preserving the sight of residents of this state. Any such voluntary contribution shall be  
110 made at the discretion of the applicant at the time of application in addition to payment  
111 of the personal identification card fee prescribed by the commissioner.

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

115 **SECTION 5.**

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

117 **SECTION 6.**

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