

House Bill 806 (COMMITTEE SUBSTITUTE)

By: Representatives Tanner of the 9th, Tankersley of the 160th, Epps of the 144th, Caldwell of the 131st, and Rice of the 95th

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 expiration of certain licenses and identification cards
3 issued by the Department of Driver Services; to provide for the suspension of a driver's
4 license upon receipt of conviction reports from a court; to provide for multiple effective
5 dates; to provide for related matters; to repeal conflicting laws; and for other 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 40-5-32, relating to expiration and renewal of licenses
10 and reexamination requirements, as follows:

11 "40-5-32.

12 (a)(1) Except as otherwise provided in this Code section, every driver's license shall
13 expire on the licensee's birthday in the ~~fourth~~ eighth year following the issuance of such
14 license. Notwithstanding the foregoing, any commercial driver's license that contains an
15 H or X endorsement as defined in subsection (c) of Code Section 40-5-150 shall expire
16 on the date of expiration of the licensee's security threat assessment conducted by the
17 Transportation Security Administration of the United States Department of Homeland
18 Security. ~~An applicant for a Class C, E, F, or M noncommercial driver's license who is~~
19 ~~under age 60 shall at the applicant's option apply for a license which shall expire on the~~
20 ~~licensee's birthday in the fifth or eighth year following the issuance of such license.~~
21 ~~Every such license shall be renewed on or before its expiration upon application, payment~~
22 ~~of the required fee, and, if applicable, satisfactory completion of the examination required~~
23 ~~or authorized by subsection (c) of this Code section.~~

24 (2) Except as otherwise provided by subsection (c) of this Code section, every veteran's,
25 ~~or honorary, or distinctive~~ license shall expire on the licensee's birthday in the eighth year
26 following the issuance thereof ~~until the holder reaches age 65 and shall thereafter be~~

27 ~~subject to renewal pursuant to paragraph (1) of this subsection on or before his or her~~
 28 ~~birthday every five years.~~ The department may allow a veteran, ~~or honorary, or~~
 29 distinctive license holder to retain his or her expired veteran's, ~~or honorary, or distinctive~~
 30 license as a souvenir.

31 (3) Every driver's license shall be renewed on or before its expiration date upon
 32 application, payment of the required fee, and, if applicable, satisfactory completion of the
 33 examination required by subsection (c) of this Code section. Nothing in this Code section
 34 shall be interpreted as affecting the rights and privileges of any person holding a
 35 veteran's, honorary, or distinctive license, or authorizing the imposition of a charge or fee
 36 for the issuance or renewal of such licenses.

37 (4) The commissioner shall issue such rules and regulations as are required to enforce
 38 this subsection.

39 (b) An application for driver's license renewal may be submitted by means of:

40 (1) Personal appearance before the department; or

41 (2) Subject to rules or regulations of the department which shall be consistent with
 42 considerations of public safety and efficiency of service to licensees, means other than
 43 such personal appearance which may include without limitation by mail or electronically.

44 The department may by such rules or regulations exempt persons renewing drivers'
 45 licenses under this paragraph from the license surrender requirement of subsection (c) of
 46 Code Section 40-5-20.

47 (c)(1) The department shall require every person who is age 64 or older applying for
 48 issuance or renewal of a driver's license to take and pass successfully such test of his or
 49 her eyesight as the department shall prescribe.

50 (2) The commissioner may issue such rules and regulations as are necessary to
 51 implement this subsection."

52 SECTION 2.

53 Said chapter is further amended in Code Section 40-5-53, relating to reporting of convictions
 54 to the department, destruction of license by department, and requirements for issuance of
 55 new license in certain instances, by revising subsection (b) as follows:

56 "(b)(1) Every court in each county of this state having jurisdiction over offenses
 57 committed under this chapter and Chapter 6 of this title or any other law of this state or
 58 ordinance adopted by a local authority regulating the operation of motor vehicles on
 59 highways shall forward to the department, within ten days after the conviction of any
 60 person in such court for a violation of any such law other than regulations governing
 61 speeding in a noncommercial motor vehicle for which no points are assigned under Code
 62 Section 40-5-57, standing, or parking, a uniform citation form authorized by Article 1 of

63 Chapter 13 of this title. Notwithstanding any other provision of this title, in satisfaction
 64 of the reporting requirement of this subsection, the courts of this state shall transmit the
 65 information contained on the uniform citation form by electronic means, using the
 66 electronic reporting method approved by the department. Subject to appropriations by
 67 the General Assembly, the department shall pay to the clerk of the court forwarding the
 68 required report 40¢ for each report transmitted electronically in a timely manner as
 69 required in this subsection; and notwithstanding any general or local law to the contrary,
 70 the clerk shall pay such fees over to the general fund of the city or county operating the
 71 court.

72 (2) Except as otherwise provided for in paragraphs (3) and (4) of this subsection, a report
 73 of any conviction received by the department two or more years after the date of final
 74 disposition shall be noted on a person's driving record and such conviction shall be made
 75 available in accordance with Code Sections 40-5-2 and 40-5-155. No such conviction
 76 shall result in the suspension of a driver's license as such term is defined in
 77 paragraph (17) of Code section 40-5-1, provided that the department determines that two
 78 or more years have elapsed since the date the driver's license was surrendered in
 79 accordance with the provisions set forth in subsection (e) of Code Section 40-5-61 and
 80 no new driver's license was subsequently issued.

81 (3) A report of any conviction for an offense covered under Code Section 40-5-54, or
 82 Code Sections 40-6-391 through 40-6-395, or violating a federal law or regulation or the
 83 law of any state or a valid municipal or county ordinance substantially conforming to any
 84 offense covered under Code Section 40-5-54 or Code Sections 40-6-391 through
 85 40-6-395, regardless of the date such report of conviction is received by the department,
 86 shall be considered for purposes of revoking a driver's license in accordance with Code
 87 Section 40-5-58.

88 (4) Any report of any conviction for a violation of Article 7 of this chapter, regardless
 89 of the date such report of conviction is received by the department, shall be considered
 90 for purposes of disqualifying a person's commercial driver's license, commercial driver
 91 instruction permit, or commercial driving privileges in accordance with Code Section
 92 40-5-151."

93 **SECTION 3.**

94 Said chapter is further amended in Code Section 40-5-100, relating to personal identification
 95 cards, by revising subsection (b) as follows:

96 "(b) The An identification card issued pursuant to this Code section shall be valid for a
 97 period of five or eight years, at the option of the applicant, and shall bear the signatures of

98 the commissioner and the Governor, and shall bear an identification card number which
 99 shall not be the same as the social security number."

100 **SECTION 4.**

101 Said chapter is further amended in Code Section 40-5-150, relating to contents of license,
 102 classifications, endorsements, and restrictions, by revising subsection (g) as follows:

103 "(g) Except as provided for in Code Section 40-5-21.1, the commercial driver's license
 104 shall expire on the licensee's birthdate in the ~~fourth~~ fifth eighth year following the issuance of
 105 such license."

106 **SECTION 5.**

107 Said chapter is further amended in Code Section 40-5-172, relating to identification cards for
 108 persons with disabilities, by revising subsection (a) as follows:

109 "(a) ~~The An~~ identification card for persons with disabilities shall be issued to a person with
 110 a permanent disability for a period of ~~five~~ eight years and shall be renewable on the
 111 applicant's birthday in the ~~fourth~~ seventh year following such issuance. Such identification
 112 cards shall be issued to persons:

- 113 (1) With obvious permanent disabilities without further verification of disability; and
 114 (2) With disabilities which are not obvious upon presentation of the current sworn
 115 affidavit of at least one medical doctor attesting to such permanent disability. A current
 116 affidavit shall be presented at each request for renewal."

117 **SECTION 6.**

118 (a) This Act shall become effective upon its approval by the Governor or upon its becoming
 119 law without such approval, except as otherwise provided in subsection (b) of this section.

120 (b) Subsection (b) of Code Section 40-5-53 as amended by Section 2 of this Act shall
 121 become effective on January 1, 2017.

122 **SECTION 7.**

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