

Senate Bill 128

By: Senators Wilkinson of the 50th, Ginn of the 47th, Miller of the 49th, Tippins of the 37th, Jeffares of the 17th and others

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Article 1 of Chapter 5 of Title 40 of the Official Code of Georgia Annotated,
2 relating to general provisions regarding drivers' licenses, so as to allow for the sharing of
3 personal data with the Department of Natural Resources for limited purposes; to provide for
4 related matters; to provide for 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 1 of Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to
9 general provisions regarding drivers' licenses, is amended in Code Section 40-5-2, relating
10 to keeping and furnishing of records, by revising paragraph (1) of subsection (d) and
11 subsection (f) as follows:

12 "(d)(1) The commissioner shall designate members of the department to be the official
13 custodians of the records of the department. No disclosure or release of operating records
14 or personal information shall be made without the signed written approval of a designated
15 custodian; except that such approval shall not be required for any release or disclosure
16 through the GeorgiaNet Division of the Georgia Technology Authority pursuant to the
17 signed written consent of the driver, provided that any such signed written consent shall
18 be retained for a period of not less than four years by the party requesting the
19 information; and except that such approval shall not be required for any release or
20 disclosure of information made electronically through the GeorgiaNet Division of the
21 Georgia Technology Authority in accordance with a contract authorized by subparagraph
22 (c)(1)(B) or as provided in subsection (f) of this Code section. The custodians may
23 certify copies or compilations, including extracts thereof, of the records of the
24 department."

25 "(f) The department is specifically authorized to disseminate the following records and
26 information:

27 (1) To the United States Selective Service System and the Georgia Crime Information
28 Center, compilations of the names, most current addresses, license or identification card
29 numbers, and dates of birth of licensees or applicants for licenses or applicants for or
30 holders of identification cards issued under this chapter, or, in the case of the United
31 States Selective Service System, any other information from the license or identification
32 card application as necessary for purposes of registration of persons therewith. Such
33 information shall only be used in the fulfillment of the legitimate governmental duties of
34 the United States Selective Service System and the Georgia Crime Information Center
35 and shall not be further disseminated to any person. Information transmitted to the
36 United States Selective Service System pursuant to this paragraph shall be provided in
37 an electronic format;

38 (2) To the military branches of the United States Department of Defense, compilations
39 of the names, dates of birth, sex, and most current addresses of licensees between the ages
40 of 16 and 24 for the sole purpose of mailing recruiting and job opportunity information,
41 provided that the department shall not be required to provide such a compilation more
42 than once every two months;

43 (3) To the Department of Human Services, compilations of the names, dates of birth, and
44 most current addresses of licensees or applicants for licenses. Any information provided
45 pursuant to this subsection shall only be used by the Department of Human Services in
46 connection with the recovery of delinquent child support payments under Article 1 of
47 Chapter 11 of Title 19, known as the 'Child Support Recovery Act';

48 (4) To a local fire or law enforcement department, a copy of the abstract of the driving
49 record of any applicant for employment or any current employee and to the Georgia
50 Bureau of Investigation for the purpose of providing a local fire or law enforcement
51 department with the abstract through the Criminal Justice Information System. It shall
52 be unlawful for any person who receives an abstract of the driving record of an individual
53 under this subsection to disclose any information pertaining to such abstract or to make
54 any use thereof except in the performance of official duties with the local fire or law
55 enforcement department;

56 (5) The information required to be made available to organ procurement organizations
57 pursuant to subsection (d) of Code Section 40-5-25 and subsection (e) of Code Section
58 40-5-100 and for the purposes set forth in such Code sections;

59 (6)(A) The information required to be made available regarding voter registration
60 pursuant to Code Sections 21-2-221 and 21-2-221.2 and for the purposes set forth in
61 such Code sections; and

62 (B) Information sufficient for use in verifying a registered voter's identity or the
63 identity of an applicant for voter registration by the Secretary of State, the county

64 election superintendent, or the county registrar, including name, address, date of birth,
 65 gender, driver identification number, photograph, and signature;

66 (7) The data required to be made available to The Council of Superior Court Clerks of
 67 Georgia and the Administrative Office of the Courts pursuant to Code Section
 68 15-12-40.1. Such data shall be provided to The Council of Superior Court Clerks of
 69 Georgia and the Administrative Office of the Courts upon request in the electronic format
 70 required by the council for such purposes and without any charge for such data; ~~and~~

71 (8) To the Department of Revenue, information sufficient for use in the detection and
 72 prevention of fraudulent tax returns, including name, address, date of birth, gender, driver
 73 identification number, photograph, and signature. Such information may be provided in
 74 electronic format by means of bulk transfer. Any information provided pursuant to this
 75 paragraph shall only be used by the Department of Revenue in connection with the
 76 detection and prevention of fraudulent tax returns; and

77 (9) To the Department of Natural Resources, information sufficient for use in the
 78 detection and prevention of fraud in applications for licenses, permits, and registrations
 79 issued by it and to confirm residency of an applicant, including name, address, date of
 80 birth, gender, driver identification number or identification number, status of driver's
 81 license, date of driver's license issuance and driver's license cancellation, type of driver's
 82 license or identification card issued, and any other information required by the
 83 Department of Natural Resources to detect and prevent fraud in applications for licenses,
 84 permits, and registrations issued by it. Any information provided pursuant to this
 85 paragraph shall only be used by the Department of Natural Resources in connection with
 86 the detection and prevention of fraud in applications for licenses, permits, and
 87 registrations issued by it, to confirm residency of an applicant, and in fulfilment of its
 88 obligations under Article 1 of Chapter 11 of Title 19, known as the "Child Support
 89 Recovery Act." Such information may be provided in electronic format by means of bulk
 90 transfer or by electronic connection."

91 **SECTION 2.**

92 This Act shall become effective on July 1, 2017.

93 **SECTION 3.**

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