

House Bill 819

By: Representatives Hitchens of the 161<sup>st</sup>, Park of the 101<sup>st</sup>, Williams of the 168<sup>th</sup>, Glanton of the 75<sup>th</sup>, Nguyen of the 89<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 2 of Chapter 5 of Title 40 of the Official Code of Georgia Annotated,  
2 relating to issuance, expiration, and renewal of licenses, so as to authorize the issuance of  
3 veterans' licenses to any person who is a United States citizen and resident of this state who  
4 served in the military for an ally of the United States during a time of war or other conflict;  
5 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 Article 2 of Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to  
9 issuance, expiration, and renewal of licenses, is amended by revising Code Section 40-5-36,  
10 relating to veterans' licenses, honorary licenses, and other distinctive licenses, as follows:  
11 "40-5-36.

12 (a) Except as specifically provided in this chapter, no part of this chapter shall be  
13 interpreted as affecting the rights and privileges of a person holding a veteran's, honorary,  
14 or distinctive license, and nothing in this chapter shall be construed so as to authorize the  
15 department to impose any charge or fee of any type whatsoever for the issuance or renewal  
16 of a veteran's, honorary, or distinctive license; provided, however, that the commissioner  
17 may issue regulations on types and classes of vehicles which may be operated by the holder  
18 of such license.

19 (b) The commissioner shall establish by rules and regulations the proof required to be  
20 produced by an applicant for a veteran's, honorary, or distinctive license. The contents of  
21 such license shall be the same as for any other license. The forms upon which such  
22 licenses are issued shall be such that the licenses are of a permanent nature, provided that  
23 nothing in this subsection shall authorize the department to require any person holding a  
24 veteran's or honorary license before January 1, 1976, to surrender such license. Veterans',  
25 honorary, and distinctive licenses shall not be subject to any fees.

26 (c) Veterans' licenses may be issued to:

27 (1) Veterans who were residents of Georgia at the time of enlistment or commissioning  
 28 and are residents at the time of application for the license, or who have been residents of  
 29 Georgia for at least two years immediately preceding the date of application for the  
 30 license, who served on active duty in the armed forces of the United States or on active  
 31 duty in a reserve component of the armed forces of the United States, including the  
 32 National Guard, during wartime or any conflict when personnel were committed by the  
 33 President of the United States, whether or not such veteran was assigned to a unit or  
 34 division which directly participated in such war or conflict, except for periodic transfer  
 35 from reserve status to active duty status for training purposes, and who were discharged  
 36 or separated under honorable conditions; ~~and~~

37 (2) All members or former members of the National Guard or reserve forces who have  
 38 20 or more years' creditable service therein; and

39 (3) Veterans who are United States citizens and residents of this state at the time of  
 40 application for the license, or who have been residents of Georgia for at least two years  
 41 immediately preceding the date of application for the license, who served on active duty  
 42 in the armed forces of an ally of the United States during wartime or any conflict when  
 43 personnel were committed by the President of the United States, whether or not such  
 44 veteran was assigned to a unit or division which directly participated in such war or  
 45 conflict and who were discharged or separated under honorable conditions.

46 (d) Honorary licenses may be issued to:

47 (1) A resident of Georgia who is the surviving spouse of a veteran as defined by  
 48 paragraph (1) of subsection (c) of this Code section. Any license to such spouse shall be  
 49 valid only as long as that person remains unmarried; or

50 (2) A resident of Georgia who is the spouse of a veteran who would be qualified to  
 51 receive a veteran's license but who is disabled to the extent that he or she cannot operate  
 52 a motor vehicle.

53 (e) A distinctive license may be issued to any member of the Georgia National Guard in  
 54 good standing who has completed at least one year of satisfactory service. The department  
 55 shall have the authority to cancel the distinctive license of any person upon receipt of  
 56 written notice from the adjutant general who shall notify the department that the person is  
 57 no longer a member of the Georgia National Guard in good standing."

## 58 **SECTION 2.**

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