

Senate Bill 122

By: Senators Hill of the 6th, Chance of the 16th, Staton of the 18th, Shafer of the 48th, Carter of the 42nd 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 the issuance, expiration, and renewal of drivers' licenses, so as to authorize the
3 issuance of a temporary driving permit to a noncitizen applicant whose Georgia driver's
4 license has expired, or will expire, who has filed a request for an extension to remain
5 lawfully within the United States; to provide for related matters; to provide an effective date;
6 to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 2 of Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to the
10 issuance, expiration, and renewal of drivers' licenses, is amended by revising Code Section
11 40-5-21.1, relating to temporary licenses, permits, or special identification cards, foreign
12 licenses or identification cards as evidence of legal presence in the United States, as follows:
13 "40-5-21.1.

14 (a) Notwithstanding any other provision of this title, an applicant who presents in person
15 valid documentary evidence of:

- 16 (1) Admission to the United States in a valid, unexpired nonimmigrant status;
17 (2) A pending or approved application for asylum in the United States;
18 (3) Admission into the United States in refugee status;
19 (4) An approved application for temporary protected status in the United States;
20 (5) Approved deferred action status;
21 (6) Other federal documentation verified by the United States Department of Homeland
22 Security to be valid documentary evidence of lawful presence in the United States under
23 federal immigration law; or
24 (7) Verification of lawful presence as provided by Code Section 40-5-21.2

25 may be issued a temporary license, permit, or special identification card. Such temporary
26 license, permit, or special identification card shall be valid only during the period of time
27 of the applicant's authorized stay in the United States or five years, whichever occurs first.

28 (b) A driver's license or identification card issued by any state or territory which, on or
29 after July 1, 2006, authorized such driver's license or identification card to be issued to
30 persons not lawfully present in the United States may not be accepted as evidence of legal
31 presence in the United States.

32 (c) Any noncitizen applicant whose Georgia driver's license has expired, or will expire
33 within 30 days, who has filed, or on whose behalf has been filed, a request for an extension
34 with the United States Department of Homeland Security, or similar such federal issuing
35 agency, for time to remain lawfully within the United States shall be issued a temporary
36 driving permit valid for 120 days from the date of the expiration of his or her valid driver's
37 license. The noncitizen applicant shall be required to present evidence of the application
38 for extension by submitting a copy or copies of documentation designated by the
39 department. A temporary driving permit shall be issued upon submission of the required
40 documentation and a \$50.00 application fee. Upon the expiration of the temporary driving
41 permit, no further consecutive temporary permits shall be authorized; provided, however,
42 application may be made following the expiration of an additional valid Georgia driver's
43 license."

44 **SECTION 2.**

45 This Act shall become effective on January 1, 2014.

46 **SECTION 3.**

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