

Senate Bill 419

By: Senators James of the 28th, Kemp of the 38th, Jackson of the 41st, Parent of the 44th,
Sims of the 12th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 8 of Title 35 of the Official Code of Georgia Annotated, relating to
2 employment and training of peace officers, so as to provide for training in interactions with
3 persons with non-apparent disabilities; to amend Chapter 5 of Title 40 of the Official Code
4 of Georgia Annotated, relating to drivers' licenses, so as to provide for the placement of a
5 notation of a non-apparent physical or mental disability upon driver's licenses and
6 identification cards upon request; to provide for the removal of such notation upon request;
7 to prohibit the disclosure of information relating to such requests; to provide for exceptions;
8 to provide for consultation about the design of such notation; to provide for public outreach;
9 to provide for waiver of certain license fees; to provide for definitions; to provide for a short
10 title; to provide for related matters; to repeal conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 SECTION 1.

13 This Act shall be known and may be cited as "Eric's ID Law."

14

SECTION 2.

15 Chapter 8 of Title 35 of the Official Code of Georgia Annotated, relating to employment and
16 training of peace officers, is amended by adding a new Code section to read as follows:

17 "35-8-28.

18 Each calendar year beginning in 2027, the basic training courses required pursuant to this
19 chapter shall include training in interactions with individuals with non-apparent disabilities,
20 as such term is defined in Code Section 40-5-170, including best practices for encounters
21 with an individual who has a disability notation on his or her driver's license or
22 identification card. The council shall develop and administer the training required by this
23 Code section."

24

SECTION 3.

25 Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to drivers' licenses,
26 is amended by revising subsection (a) of Code Section 40-5-25, relating to applications, fees,
27 and provisions for voluntary participation in various programs, as follows:

28 "(a) Every application for an instruction permit or for a driver's license shall be made upon
29 a form furnished by the department. Every application shall be accompanied by the proper
30 license fee. The fees shall be as established by the Board of Driver Services, not to exceed:

31	(1) For instruction permits for Classes C, E, F, and M drivers'	
32	licenses and for Class D drivers' licenses	\$ 10.00
33	(2) For five-year Classes C, E, F, and M noncommercial drivers'	
34	licenses	20.00
35	(2.1) For eight-year Classes C, E, F, and M noncommercial drivers'	
36	licenses	32.00
37	(3) For application for Classes A, B, C, and M commercial drivers'	
38	licenses or a Class P commercial driver's instruction permit	35.00

39	(4) For Class P commercial drivers' instruction permits for Classes	
40	A, B, C, and M commercial drivers' licenses	10.00
41	(5) For up to five-year Classes A, B, C, and M commercial drivers'	
42	licenses, initial issuance requiring a road test	70.00
43	(5.1) For eight-year Classes A, B, C, and M commercial drivers'	
44	licenses, initial issuance requiring a road test	82.00
45	(6) For up to five-year Classes A, B, C, and M commercial drivers'	
46	licenses, initial issuance not requiring a road test	20.00
47	(6.1) For eight-year Classes A, B, C, and M commercial drivers'	
48	licenses, initial issuance not requiring a road test	32.00
49	(7) For renewal of up to five-year Classes A, B, C, and M	
50	commercial drivers' licenses	20.00
51	(7.1) For renewal of eight-year Classes A, B, C, and M commercial	
52	drivers' licenses	32.00
53	(7.2) For renewal of up to five-year Classes C, E, F, and M	
54	noncommercial drivers' licenses	20.00
55	(7.3) For renewal of eight-year Classes C, E, F, and M	
56	noncommercial drivers' licenses	32.00
57	(8) Initial issuance of Classes A, B, C, and M commercial drivers'	
58	licenses and Class P commercial drivers' instruction permits shall	
59	include all endorsement fees within the license fee. Each	
60	endorsement added after initial licensing	5.00

61 The commissioner may by rule provide incentive discounts in otherwise applicable fees
 62 reflecting cost savings to the department where a license is renewed by means other than
 63 personal appearance. The discount for renewal of a Class C or Class M license and any
 64 other discounts shall be as determined by the commissioner. Except as provided in Code

65 Section 40-5-36, relating to veterans' licenses, and Code Section 40-5-149, relating to
66 application fees for public school bus drivers, there shall be no exceptions to the fee
67 requirements for a commercial driver's license or a commercial driver's license permit.
68 Notwithstanding any other provision of this Code section, there shall be no fee whatsoever
69 for replacement of any driver's license solely due to a change of the licensee's name or
70 address or to add or remove a disability notation under Code Section 40-5-38, provided that
71 such replacement license shall be valid only for the remaining period of such original
72 license; and provided, further, that only one such free replacement license may be obtained
73 within the period for which the license was originally issued. Any application for the
74 replacement of a lost license pursuant to Code Section 40-5-31 or due to a change in the
75 licensee's name or address submitted within 150 days of the expiration of said license shall
76 be treated as an application for renewal subject to the applicable license fees as set forth
77 in this subsection. The maximum period for which any driver's license shall be issued is
78 eight years."

79

SECTION 4.

80 Said chapter is further amended by revising Code Section 40-5-38, relating to notation of
81 post-traumatic stress disorder, as follows:

82 "40-5-38.

83 (a) Members of the armed services and veterans who have been diagnosed with
84 post-traumatic stress disorder may request to have a notation of such diagnosis placed on
85 his or her driver's license. Such applicant shall present the department with a sworn
86 statement from a person licensed to practice medicine or psychology in this state verifying
87 such diagnosis.

88 (b) Any applicant with a physical or mental disability which is not immediately obvious
89 or visible may request to have a notation placed upon the front of his or her driver's license
90 which indicates such non-apparent physical or mental disability.

91 (c) Any licensee with a notation placed upon his or her license pursuant to this Code
 92 section may request the removal of such notation by the department. Upon receipt of a
 93 request to remove such notation, the department shall delete any records relating to the
 94 notation and request. The department shall be prohibited from disclosing any information
 95 relating to a request for the addition or removal of a notation authorized by this Code
 96 section; provided, however, that the department shall disclose such records upon:

97 (1) Court order;

98 (2) Request from a criminal justice agency as defined in Code Section 17-17-3;

99 (3) Request from a driver's licensing authority;

100 (4) Written authorization or other waiver by the applicant or licensee or his or her
 101 authorized designee; or

102 (5) Request from the Department of Human Services for a matter relating to child
 103 support services.

104 (d) The commissioner shall by rules and regulations establish procedures necessary to
 105 carry out the provisions of this Code section, including, without limitation, application
 106 forms to include a waiver of liability for the release of any medical information, and an
 107 appropriate symbol to be placed on the drivers' licenses, and a procedure for requesting
 108 removal of a notation authorized by this Code section. The commissioner shall consult
 109 with developmental disability and intellectual disability advocacy groups for purposes of
 110 designing the notation available pursuant to subsection (b) of this Code section and shall
 111 establish a program to educate the public about the availability of such notation."

112

SECTION 5.

113 Said chapter is further amended by revising Code Section 40-5-170, relating to definitions
 114 regarding identification cards for persons with disabilities, as follows:

115 "40-5-170.

116 As used in this article, the term:

117 (1) 'Disability' means any physical, mental, or neurological impairment which severely
 118 restricts a person's mobility, manual dexterity, or ability to climb stairs; substantial loss
 119 of sight or hearing; loss of one or more limbs or use thereof; or significantly diminished
 120 reasoning capacity.

121 (2) 'Identification card for persons with disabilities' means an identification card issued
 122 as provided in this article.

123 (3) 'Non-apparent disability' means a disability that is not immediately obvious or
 124 visible, including, but not limited to, developmental disabilities and intellectual
 125 disabilities.

126 (4) 'Permanent disability' means any disability which is permanent in nature or which is
 127 expected to continue for a period of at least five years.

128 ~~(4)~~(5) 'Person with disabilities' means any person with a permanent or temporary
 129 disability.

130 ~~(5)~~(6) 'Temporary disability' means any disability which is expected to continue for at
 131 least six months but less than five years."

132 **SECTION 6.**

133 Said chapter is further amended by revising subsection (c) of Code Section 40-5-171, relating
 134 to issuance and contents of identification cards for persons with disabilities, as follows:

135 "(c) In addition to the information required in subsection (a) of this Code section,
 136 identification cards issued to persons with disabilities shall display the international
 137 handicapped symbol on a location designated by the department; provided, however, that
 138 with respect to non-apparent disabilities, the applicant may instead request the disability
 139 notation established pursuant to Code Section 40-5-38. The department may display the
 140 international handicapped symbol or the disability notation established pursuant to Code
 141 Section 40-5-38 on any driver's license or identification card issued pursuant to the
 142 provisions of this chapter upon receipt of the required documentation from the person

143 requesting its inclusion. With respect to requests for the non-apparent disability notation
144 for driver's licenses, the department shall follow the procedure set forth in Code Section
145 40-5-38."

146 **SECTION 7.**

147 Said chapter is further amended by revising subparagraph (a) of Code Section 40-5-172,
148 relating to term of card issued to person with permanent disability, issuance to person with
149 temporary disability, and renewal, as follows:

150 "(a) An identification card for persons with disabilities shall be issued to a person with a
151 permanent disability for a period of eight years and shall be renewable on the applicant's
152 birthday in the seventh year following such issuance. Such identification cards shall be
153 issued to persons:

154 ~~(1) With obvious permanent disabilities without further verification of disability; and~~
155 ~~(2) With disabilities which are not obvious upon presentation of the current sworn~~
156 ~~affidavit of at least one medical doctor attesting to such permanent disability. A current~~
157 ~~affidavit shall be presented at each request for renewal without further verification of~~
158 ~~disability."~~

159 **SECTION 8.**

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