

House Bill 954

By: Representatives Bell of the 75th, Gisler of the 121st, Jones of the 25th, Sharper of the 177th, Gilliard of the 162nd, 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 provide for the placement
3 of a notation of a nonapparent physical or mental disability upon a driver's license; to provide
4 for the removal of such notation upon request; to prohibit the disclosure of information
5 relating to the request for such notation; to provide for a short title; to provide for related
6 matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

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

10 **SECTION 2.**

11 Article 2 of Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to
12 issuance, expiration, and renewal of licenses, is amended by revising Code Section 40-5-38,
13 relating to notation of post-traumatic stress disorder upon drivers' licenses, as follows:

14 "40-5-38.

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

20 (b) Any applicant with a physical or mental disability which is not immediately obvious
21 or visible may request to have a symbol placed upon the front of his or her driver's license
22 which indicates such physical or mental disability. Such applicant shall present the
23 department with a sworn statement which includes a description of such physical or mental
24 disability.

25 (c) Any licensee with a notation placed upon his or her license pursuant to this Code
26 section may request the removal of such notation by the department. Upon receipt of a
27 request to remove a notation provided for in this Code section, the department shall delete
28 any records relating to the notation and request. The department shall be prohibited from
29 disclosing any information relating to a request for a notation authorized by this Code
30 section except on written authorization or other waiver by the applicant or licensee or on
31 appropriate court order.

32 (d) The commissioner shall by rules and regulations establish procedures necessary to
33 carry out the provisions of this Code section including, without limitation, application
34 forms to include a waiver of liability for the release of any medical information, and an
35 appropriate symbol to be placed on the drivers' licenses, and a procedure for the request for
36 revocation of a request authorized by this Code section."

37 **SECTION 3.**

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