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MOTOR VEHICLES AND TRAFFIC Drivers' Licenses: Amend Provisions Relating to Motor Vehicles and Traffic so as to Change Certain Provisions Relating to Applications and Fees for Drivers' Licenses; Change Certain Provisions Relating to License Requirement, Surrender of Prior Licenses, and Prohibition of Local Licenses; Change Certain Provisions Relating to Expiration and Renewal of Licenses and Reexamination Requirement; Provide Effective Date; Repeal Conflicting Law

Brooke N. Silverthorn

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MOTOR VEHICLES AND TRAFFIC

Drivers' Licenses: Amend Provisions Relating to Motor Vehicles and Traffic so as to Change Certain Provisions Relating to Applications and Fees for Drivers' Licenses; Change Certain Provisions Relating to License Requirement, Surrender of Prior Licenses, and Prohibition of Local Licenses; Change Certain Provisions Relating to Expiration and Renewal of Licenses and Reexamination Requirement; Provide Effective Date; Repeal Conflicting Laws

CODE SECTIONS: O.C.G.A. §§ 40-5-20 (amended), 40-5-32 (amended), 40-5-25 (amended)
BILL NUMBER: HB 1368
ACT NUMBER: 888
GEORGIA LAWS: 2002 Ga. Laws 1045
SUMMARY: The Act provides for the renewal of drivers' licenses by means other than personal appearance, such as by mail or electronically.
EFFECTIVE DATE: May 14, 2002

History

For years, Georgians across the state have had to wait, in sometimes treacherously long lines, in order to renew their drivers' licenses. Hopefully, all that waiting is over as HB 1368 allows drivers to renew their licenses either through mail or the Internet.¹ Prior to this legislation, drivers were required to appear personally at a Department of Motor Vehicle Safety (DMVS) Service center every four years to renew their driver's license.² However, on May 1, 2002, DMVS mailed out the first driver's license renewal applications to qualified citizens, enabling them to mail-in their renewals as long as no change to the license is required, such as a name or address change.³

1. Jim Tharpe, *Driver's License Renewals May be Hassle-free*, ATLANTA J. CONST., Apr. 10, 2002, at B1.

2. Press Release, Georgia Department of Motor Vehicle Safety, Department of Motor Vehicle Safety Offers Mail-In Driver's License Renewal Program (May 1, 2002) (on file with Georgia State Law Review).

3. *Id.*

Currently, DMVS processes over 1.2 million renewals each year.⁴ Under this legislation DMVS expects to mail out 18,000-25,000 renewal applications each week.⁵ Beginning in July 2002, Internet renewals will be available, making three options available for Georgia residents seeking to renew their driver's license.⁶

The idea was born by Governor Roy Barnes who worked to remedy the problem of long drivers' license renewal lines.⁷ The committee in charge of implementing the DMVS visited several other states to view how they handled driver's license renewal and to learn from their mistakes.⁸ Twenty-two states provided for mail-in renewal prior to 2002.⁹

HB 1368

Representatives Smith, Turnquest, Parham, Ehrhart and Dukes of the 175th, 73rd, 122nd, 36th, and 161st Districts, respectfully sponsored HB 1368.¹⁰ After introduction in the House on February 13, 2002, the House sent HB 1368 to the Motor Vehicle Committee.¹¹ The Committee favorably reported the bill on March 7, 2002.¹² The House passed the bill by a vote of 154 to 4 on March 18, 2002.¹³

On March 19, 2002, the Senate read and referred the bill to its Public Safety Committee, who favorably reported the bill, as amended, on March 26, 2002.¹⁴ The Committee amendment changed some of the language in the description of the Act and added a new section relating to license fees for those applicants executing an anatomical gift.¹⁵ On April 2, 2002, the Senate unanimously passed

4. *Id.*

5. *Id.*

6. *Id.*

7. Telephone Interview with Susan Sports, Public Information Officer of Department of Motor Vehicle Safety, (May 31, 2002) [hereinafter Sports Interview].

8. *Id.*

9. Telephone Interview with Laura Jones, Directive of Legislative Affairs of the Department of Motor Vehicle Safety, (June 6, 2002) [hereinafter Jones Interview].

10. HB 1368, as introduced, 2002 Ga. Gen. Assem.

11. State of Georgia Final Composite Status Sheet, HB 1368 (Apr. 12, 2002).

12. *Id.*

13. Georgia House of Representatives Voting Record, HB 1368 (Mar. 18, 2002); State of Georgia Final Composite Status Sheet, HB 1368 (Apr. 12, 2002).

14. State of Georgia Final Composite Status Sheet, HB 1368 (Apr. 12, 2002).

15. Compare HB 1368, as introduced, 2002 Ga. Gen. Assem., with HB 1368 (SCA), 2002 Ga. Gen. Assem.

the bill as amended.¹⁶ On April 9, 2002, the House agreed to the Senate Amendment by a unanimous vote and also passed the bill.¹⁷ On April 25, 2002, the House forwarded the bill to Governor Roy Barnes, who signed HB 1368 into law on May 14, 2002.¹⁸

The Act

Section 1 of the Act simply provides an exception to Georgia Code Section 40-5-20 relating to receiving a driver's license, surrendering a prior license and prohibiting local licenses.¹⁹ This exception is provided for in Georgia Code Section 40-5-32, which was amended to include mail and on-line renewal.²⁰

Section 2 of the Act amends Georgia Code Section 40-5-32 relating to expiration, renewal and examination requirements for drivers' licenses.²¹ Subsection A relates to examination. It amends the language by providing an exception to examination by a holder of a veteran's or honorary license under subsection C of the Code Section.²² Subsection B relates to renewal. It adds postal and electronic renewal to the list of means by which persons can renew their drivers' licenses.²³ Paragraph two of this subsection also includes a provision that exempts persons who renew their drivers' licenses under that paragraph from the license surrender requirement of Code Section 40-5-20 (c).²⁴ Subsection C provides an exception under paragraph 2, subsection B for the requirement of an eye test.²⁵

Section 3 of the Act amends Georgia Code Section 40-5-25 relating to fees by providing that for those who execute an

16. State of Georgia Final Composite Status Sheet, HB 1368 (Apr. 12, 2002).

17. *Id.*

18. *Id.*

19. Compare 1996 Ga. Laws 1250, § 2, at 1251 (formerly found at O.C.G.A. § 40-5-20 (1933)), with O.C.G.A. § 40-5-20 (c) (Supp. 2002).

20. Compare 2000 Ga. Laws 951, §§ 5-11, at 983 (formerly found at O.C.G.A. § 40-5-32 (1933)), with O.C.G.A. § 40-5-32(b)(2) (Supp. 2002).

21. O.C.G.A. § 40-5-32 (Supp. 2002).

22. Compare 2000 Ga. Laws 951, §§ 5-11, at 983 (formerly found at O.C.G.A. § 40-5-32 (1933)), with O.C.G.A. § 40-5-32(b)(2) (Supp. 2002).

23. *Id.*

24. *Id.*

25. Compare 2000 Ga. Laws 951, §§ 5-11, at 983 (formerly found at O.C.G.A. § 40-5-32 (1933)), with O.C.G.A. § 40-5-32(c)(1) (Supp. 2002).

anatomical gift at the time of renewal, the commissioner will establish a license fee which shall not exceed \$8.00.²⁶

Brooke N. Silverthorn

26. Compare 1994 Ga. Laws 1390, § 1, at 1390 (formerly found at O.C.G.A. § 40-5-25 (1933)), with O.C.G.A. § 40-5-25(d)(2) (Supp. 2002).