

Senate Bill 161

By: Senators Ginn of the 47th, Stone of the 23rd, Dugan of the 30th, Jeffares of the 17th,  
Gooch of the 51st and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to  
2 drivers' licenses, so as to require horizontal orientations for the form of all drivers' licenses  
3 and identification cards issued to applicants who are citizens of the United States; to require  
4 vertical orientations for the form of all drivers' licenses and identification cards issued to  
5 applicants who are not citizens of the United States; to provide for related matters; to provide  
6 for an effective date; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 style="text-align:center">**SECTION 1.**

9 Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to drivers' licenses,  
10 is amended in Code Section 40-5-28, relating to issuance of licenses, contents, signature  
11 required, biological identifiers prohibited, county tag agents, and Class E and Class F  
12 licenses for volunteer firefighters, by revising subsection (a) and by adding a new subsection  
13 to read as follows:

14 "(a) Except as provided in ~~subsection~~ subsections (a.1) and (c) of this Code section, the  
15 department shall, upon payment of the required fee, issue to every applicant qualifying  
16 therefor a driver's license indicating the type or general class of vehicles the licensee may  
17 drive, which license shall be upon a form prescribed by the department and which shall  
18 bear thereon a distinguishing number assigned to the licensee, a photograph of the licensee,  
19 the licensee's full legal name, either a facsimile of the signature of the licensee or a space  
20 upon which the licensee shall write his or her usual signature with a pen and ink  
21 immediately upon receipt of the license, and such other information or identification as is  
22 required by the department. No license shall be valid until it has been so signed by the  
23 licensee. The department shall not require applicants to submit or otherwise obtain from  
24 applicants any fingerprints or any other biological characteristic or information which  
25 uniquely identifies an individual, including without limitation deoxyribonucleic acid

26 (DNA) and retinal scan identification characteristics but not including a photograph, by any  
 27 means upon application.  
 28 (a.1) The form of any driver's license issued to any applicant who is a citizen of the United  
 29 States shall have a horizontal orientation and the form of any driver's license, including,  
 30 but not limited to, temporary licenses and permits as provided for under Code Section  
 31 40-5-21.1, issued to any applicant who is not a citizen of the United States shall have a  
 32 vertical orientation."

33 **SECTION 2.**

34 Said chapter is further amended in Code Section 40-5-100, relating to department authorized  
 35 to issue cards, contents, possession of more than one card prohibited, application for renewal,  
 36 and dissemination of information regarding voluntary programs, by revising subsection (a)  
 37 and by adding a new subsection to read as follows:

38 "(a) The department shall issue personal identification cards to all residents as defined in  
 39 Code Section 40-5-1 who make application to the department in accordance with rules and  
 40 regulations prescribed by the commissioner. Cards issued to applicants under 21 years of  
 41 age shall contain the distinctive characteristics of drivers' licenses issued pursuant to Code  
 42 Section 40-5-26. Except as provided for in subsection (a.1) of this Code section, the ~~The~~  
 43 identification card shall be similar in form but distinguishable in color from motor vehicle  
 44 drivers' licenses and may contain a recent photograph of the applicant and include the  
 45 following information:

- 46 (1) Full legal name;
- 47 (2) Address of residence;
- 48 (3) Birth date;
- 49 (4) Date identification card was issued;
- 50 (5) Sex;
- 51 (6) Height;
- 52 (7) Weight;
- 53 (8) Eye color;
- 54 (9) Signature of person identified or facsimile thereof;
- 55 (10) Designation of participation in an anatomical gift donation program when such  
 56 person is eligible to make such gift pursuant to Code Section 44-5-142; and
- 57 (11) Such other information or identification as required by the department; provided,  
 58 however, that the department shall not require an applicant to submit or otherwise obtain  
 59 from an applicant any fingerprints or any other biological characteristic or information  
 60 which uniquely identifies an individual, including without limitation deoxyribonucleic

61 acid (DNA) and retinal scan identification characteristics but not including a photograph,  
62 by any means upon application.  
63 (a.1) The form of any identification card issued to any applicant who is a citizen of the  
64 United States shall have a horizontal orientation and the form of any identification card,  
65 including, but not limited to, identification cards as provided for under Code Section  
66 40-5-21.1, issued to any applicant who is not a citizen of the United States shall have a  
67 vertical orientation."

68 **SECTION 3.**

69 Said chapter is further amended in Code Section 40-5-171, relating to issuance and contents  
70 of identification cards for persons with disabilities, by revising subsection (c) as follows:  
71 "(c) In addition to the information required in subsection (a) of this Code section,  
72 identification cards issued to persons with disabilities shall be in the form provided for  
73 under subsection (a.1) of Code Section 40-5-100 and display the international handicapped  
74 symbol on a location designated by the department. The department may display the  
75 international handicapped symbol on any driver's license or identification card issued  
76 pursuant to the provisions of this chapter upon receipt of the required documentation from  
77 the person requesting its inclusion."

78 **SECTION 4.**

79 This Act shall become effective on July 1, 2018.

80 **SECTION 5.**

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