

Minutes of Board Meeting
March 21, 2012
10:00 AM

Present

Trummie Patrick, Chairman
Lynda Coker
Virginia Galloway
Hunter Hill
Carolyn Roddy
David Connell (via conference call)

Not in Attendance

Kelly Gay
Todd Cowan
Anthony Heath

Also present on the conference call was Joseph Drolet, Senior Assistant Attorney General, as well as numerous DDS staff members.

Establish Quorum / Call to Order

Chairman Patrick confirmed the presence of a quorum and called the meeting to order at 10:03 AM.

Approval of Minutes

Chairman Patrick called for a motion regarding the minutes from the February 8 board meeting. Hunter Hill motioned to approve the minutes as presented; Carolyn Roddy seconded the motion with unanimous approval by the remaining board members.

Commissioner's Report

Commissioner Dozier stated that he had asked George Theobald, Project Manager to provide the board with an update on Real ID.

Mr. Theobald reviewed a question and answer sheet on implementation of the Secure ID Program and also presented a more detailed PowerPoint presentation of the Real ID Execution Plan. This presentation outlined the history of Real ID; what DDS will need to do to align rules and regulations with Real ID final rules; current future Department of Homeland Security milestones; customer enrollment; execution strategy; preparing the customers; outreach strategy; what has been done to date; and future DDS milestones.

Rule Changes – Final Adoption

Jennifer Ammons, Legal Counsel, stated that there were no comments from the public hearing held for these rules. She reviewed the following rules with the proposed changes to be considered for final adoption:

- 375-3-1-.16 – Eligibility for Veteran’s, Honorary or Distinctive Driver’s License and Identification Cards.
- 375-3-1-.25 – Restricted Instructional Permit for Child with Disabled Parent. Revised.
- 375-3-3-.01 – Penalties for Violations of Uniform Rules of the Road. Amended.
- 375-3-3-.12 – Suspension of License for Failure to Appear. Amended.
- 375-3-3-.22 – Review of Withdrawals Resulting from Out-of-State Conduct.
- 375-5-1-.23 – Alternative Resources for Background Investigations
- 375-5-2-.36 – Alternative Resources for Background Investigations
- 375-5-3-.24 – Alternative Resources for Background Investigations
- 375-5-5-.07 – Alternative Resources for Background Investigations
- 375-3-5-.09 – Incapacitated Drivers; Procedure. Amended.
- 375-5-6-.30 – Alternative Resources for Background Investigations
- 375-3-1-.02 – Documentation Required for Initial Issuance. Revised;
- 375-3-1-.13 – Changes to Customer Information. Amended;
- 375-3-1-.14 – Verification of Customer Information. Revised;
- 375-3-1-.23 – Application for Personal Identification Cards. Amended;
- 375-3-1-.29 – Replacement of Lost, Stolen or Destroyed Cards;
- 375-3-1-.30 – Exceptions Process;
- 375-3-2-.01 – Renewal of License and Identification Card: When Licenses and Identification Cards May be Renewed. Revised.
- 375-3-2-.02 – Alternative Means of Renewal. Amended.
- 375-3-2-.04 – Remote Renewal of License for Military and Students. Revised.
- 375-3-3-.21 – Surrender of Driver’s License. Revised.

Lynda Coker motioned to approve the rules as presented; Virginia Galloway seconded the motion with unanimous approval by the remaining board members.

Petitions for Board Waiver

Ms. Ammons reviewed the following petitions for waiver from Ga. Admin. Comp. Ch. 375-3-1-.02 – Documentation Required for Initial Issuance:

Elma Joyce Baker – She is 81 years old and seeking and identification card. She is unable to prove her identity because she does not have a birth certificate or her marriage license. She provided correspondence between herself and the State of Florida Vital Records where she is trying to have them locate her birth certificate; unfortunately she is not including everything that they need. She has provided her volunteer work ID card; a mortgage statement; and a bank statement. Ms. Ammons stated that it would be consistent with the board’s prior actions to deny the request for waiver.

Lynda Coker motioned to deny the request for waiver; Virginia Galloway seconded. The motion to deny the request for waiver was unanimous among the remaining board members.

Shannon Sutton – She is requesting a board waiver on behalf of her minor daughter, Samantha Wade. Samantha was born in Germany to American parents; however they have not been able to provide sufficient documentary evidence of her U.S. citizenship which is needed for her to obtain her learner's permit. Unfortunately, when they returned from Germany, they failed to get a Certificate of Birth Abroad from the U.S. State Department. The documents provided are: her Social Security card; her Germany birth certificate; the military report confirming her birth abroad; documentation from when the family was living in housing on Fort Gordon; the mother and father's birth certificates; documentation of her school enrollment; and her W-2 from where she is employed.

Ms. Ammons has explained that both she and Senator Saxby Chambliss' office have worked with the parents telling them that they need to apply for the Certificate of Birth Abroad; and also recommended they consider getting her a passport. However, they have not indicated that they have tried to obtain either document and so far, they have only submitted the petition for waiver.

Ms. Galloway asked if the documents she has would hold up to Real ID when she has to go back in. Ms. Ammons replied that they would not – she would still have to have a Certificate of Birth Abroad from the State Department. Ms. Galloway stated in that case she would motion to deny the request for waiver; Lynda Coker seconded. The motion to deny the request for waiver was unanimous among the remaining board members.

Andrew Sorensen – He is moving back to Georgia from Ohio and wants to transfer his Ohio license. He is unable to locate his birth certificate. He has provided a letter from New York Vital Records confirming that his birth certificate has not been found; his employee ID card; a Selective Service card; his firearms license; Ohio driver's license; a copy of his Georgia driver's license before moving to Ohio; Social Security Card; marriage license; his daughter's birth certificate and a 2011 tax return. Ms. Ammons stated that it would be consistent with the board's prior decisions to approve the waiver.

Hunter Hill motioned to approve the request for waiver; Virginia Galloway seconded the motion with unanimous approval by the remaining board members.

Alice Jackson – She is 91 years old and previously held a Georgia ID card that expired in 2002 and she would like to get another one. Her family has stepped in and is assisting with her affairs. They need to get her a handicap parking placard and also want her to have a photo ID for medical care and voting purposes. They have been unable to find her birth certificate as well as her marriage license. They have provided a letter from Vital Records showing they are unable to locate a birth certificate and her son tried to locate the marriage license from the 1940's but it has not been found either. Alternate documents submitted for consideration are a handicap parking application; a letter from her physician; Social Security card; Medicare and Medicaid card; and a photocopy of the old Georgia ID card. Ms. Ammons stated that given the fact that DDS has the previous Georgia ID card, there is something to compare to in regard to her identity. It's not unusual for Vital Records not to have a birth record for a 91 year old person because Georgia did not establish its birth certificate requirement until right around the 1930's and many physicians were rather lax about submission of the documentation in the early years.

Carolyn Roddy motioned to approve the request for waiver; Hunter Hill seconded the motion with unanimous approval by the remaining board members.

Ms. Ammons reviewed the following petitions for waiver from Ga. Admin. Comp. Ch. 375-3-1-.24 - Name on License or Identification Card. Amended:

Allia L. McCoy – She wants to transfer her California ID card to Georgia. Her birth certificate has no first or middle name, only the surname, McCoy. She is going through the procedure to have her birth certificate amended to reflect her first and middle name but so far, that process is not complete. She has provided her California ID card that was issued in 2008; a Clark Atlanta student ID card; a benefits card from the Department of Human Services; a pay stub; and a copy of her lease. Ms. Ammons stated that she has not provided any documentation prior to the issuance of the California ID card in 2008 that proves that is the name she has always used.

Virginia Galloway motioned to deny the request for waiver; Carolyn Roddy seconded the motion. The motion to deny the request for waiver was unanimous among the remaining board members.

Elma Willis – She is a resident of the City of Marietta Housing who is renovating the apartments and the tenants are having to move. She doesn't have a photo ID so she can move into the new apartment. The name on her birth certificate is not the name that she uses. The certificate shows the name Elma Elnora Moore, which is her mother's surname. However, she grew up using her birth father's surname, Willis. He is shown on the birth certificate as her father. So there is a direct tie. In addition she has provided a copy of her New York driver's license that expired in 2005; her Social Security Card and a letter from the Social Security Administration; City of Jackson Senior Citizen Program card; the Marietta Housing ID card; a bank statement; a Medicare statement; and a letter from Marietta Housing Authority verifying that she needs to move and needs a photo ID.

Carolyn Roddy motioned to approve the request for waiver; Virginia Galloway seconded the motion with unanimous approval by the remaining board members

Henrietta Mister – She wants to transfer her Ohio license to Georgia. She was common-law married and has no documentation of the marriage. She has her birth certificate; her Ohio driver's license, her Social Security card; her daughter's birth certificate; her cable bill; a statement from her retirement income; a 1099 form; and a mortgage statement. Ms. Ammons stated that it would be consistent with previous waivers the board has approved.

Virginia Galloway motioned to approve the request for waiver; Carolyn Roddy seconded the motion with unanimous approval by the remaining board members.

Kristy L. Riess – she moved to Georgia from Oklahoma and wants to transfer her driver's license. She was born Kristy Robinson then in the 1970's she assumed her boyfriend's surname of Wilson, but doesn't say they were common-law married. Her marriage license to Mr. Riess shows Kristy Wilson marrying Mr. Riess. She then divorced Mr. Riess and married Mr. Johnson; she then divorced Mr. Johnson and went back to Mr. Riess. She provided her birth certificate showing the surname Robinson; her Social Security card in the name of Riess; her vehicle insurance card is in Riess; she has a Bureau of Indian Affairs identification card in Riess; she has her Oklahoma driver's license in Riess; she has the marriage license from Wilson to Riess; and the Riess divorce decree; then the marriage license from Riess to Johnson; and the

divorce decree from Johnson that took her back to Riess. Ms. Ammons stated that it would be consistent with previous waivers the board has approved.

Virginia Galloway motioned to approve the request for waiver; Hunter Hill seconded the motion with unanimous approval by the remaining board members.

Ms. Ammons reviewed the following petitions for waiver from Ga. Admin. Comp. Ch. 375-5-6-.15 – Intervention Component.

2nd Chance DUI and Defensive Driving School – They are requesting a waiver from the minimum requirements of having five students in a class to conduct a DUI Risk Reduction program course. DDS contacted the curriculum provider and their opinion is that five students is not a magic number. Their concern is that any less than five students would be challenging to fill the entire 20 hours. They feel the 20 hours is what is critical to the program. The school contends that if a customer comes to them and wants to take a class, if they don't have enough students to fulfill the five student minimum requirement, then they can't hold the class which results in the customer moving on to another DUI school.

Commissioner Dozier stated that the school does not feel the number of people in the class is critical; it's the 20 hours and the amount of information the student is getting that is critical.

Hunter Hill stated that he feels the board may want to consider a rule change. Commissioner Dozier responded that he and Ms. Ammons had already discussed doing a rule change if it appears that this is something that the industry wanted.

Virginia Galloway motioned to approve the request for waiver; Carolyn Roddy seconded the motion with unanimous approval by the remaining board members.

Old/New Business and Adjournment

Chairman Patrick reminded the board that the next scheduled board meeting is Wednesday, April 11, 2012 at 10:00 A.M.

Since there was no further business to discuss, Chairman Patrick called for a motion to adjourn. Virginia Galloway so motioned; Carolyn Roddy seconded the motion with unanimous approval by the remaining board members.