

## Rule 375-3-1-.16 Eligibility for Veterans', Honorary or Distinctive Driver's License and Identification Cards

- (1)
  - (a) Veterans', honorary or distinctive driver's licenses shall be issued to veterans who have satisfied all other requirements for issuance of a driver's license upon receipt by the Department of a Certificate of Eligibility issued for said veteran by the Georgia Department of Veterans Service.
  - (b) In order to be eligible for a Certificate of Eligibility, a veteran must present evidence of the following:
    - (i) Residence:
      - 1) A veteran must be a resident of the State of Georgia at the time of application for the license; and
    - (ii) Service:
      - 1) A veteran must have served in the active military, naval, or air service; and been on honorable, active duty service in the armed forces of the United States or a reserve component thereof during wartime or any conflict when personnel were committed by the President of the United States, whether or not such veteran was assigned to a unit or division which directly participated in such war or conflict, except for periodic transfer from reserve status to active duty status for training purposes; or
      - 2) A veteran must have been discharged or released therefrom under conditions other than dishonorable ~~be a United States citizen and have been on honorable, active duty service in the armed forces of an ally of the United States during wartime or any conflict when personnel were committed by the President of the United States, whether or not such veteran was assigned to a unit or division which directly participated in such war or conflict.~~
- (2) A member of the National Guard or Reserve Forces shall obtain a letter from their Adjutant General/Commanding Officer ~~of~~ in the Georgia National Guard, ~~or his designee stating they served on active duty or~~ evidencing twenty (20) or more years creditable service therein. This letter shall be forwarded to the Department.
- (3) A surviving spouse of a veteran who would have been eligible for a veterans' license shall follow the procedure in paragraph (1) and may then be issued an honorary license.
  - (a) Any license to such spouse shall be valid as long as that person remains unmarried.
- (4) A spouse of a veteran who is or would have been eligible for a veteran's license, but has been disabled to the extent that he or she is unable to operate a motor vehicle safely, shall acquire an honorary license by having the disabled veteran surrender his license to the Department, or if he or she has no license notify the Department of his disability. Such surrender of license or notification must be accompanied by a letter from a physician evidencing the disability. The applicant shall then follow the procedure set out in paragraph (1).

- (5) Once eligibility is established pursuant to paragraphs (1) through (4) the licensee need not reestablish eligibility.
- (6) Any customer who would be eligible for a driver's license under the provisions of this regulation shall also be eligible for an identification card at no charge.
- (7) National Guard driver's licenses shall be issued free of charge by the Department to any guardsman who meets the requirements of O.C.G.A. § 40-5-36. Each guardsman shall present to any driver's license examiner a completed Certificate of Eligibility for Georgia National Guard Driver's License, their current National Guard identification card and surrender their existing Georgia driver's license or instructional permit to such examiner. The National Guard driver's license shall be valid for ~~five (5)~~ eight (8) years or until the Department receives written notice from the Adjutant General, or his agent, that the guardsman is no longer a member of the Georgia National Guard in good standing.

**Authority: O.C.G.A. §§ 40-5-4, 40-5-36, 40-5-103.**

## **SYNOPSIS**

### **STATEMENT OF PURPOSE AND MAIN FEATURES OF PROPOSED RULE**

The purpose of this amendment is to align the rule with recently passed House Bill 338, which revises qualifications for issuance of veterans' driver's licenses.

### **DIFFERENCE BETWEEN EXISTING AND PROPOSED RULE**

The proposed amendment removes the requirement of active-duty service during wartime or any conflict when personnel were committed by the President of the United States to receive a veterans' driver's license. A member of the National Guard or Reserve Forces is required to obtain a letter from their Commanding Officer, instead of the Adjutant General or his designee. The National Guard driver's license shall be valid for eight years instead of five.