

375-3-1-.34 Applications of Minors

1. The application of any person under the age of eighteen (18) years for an identification card, instruction permit, or driver's license must be signed and verified by a parent or guardian of the applicant before a person authorized to administer oaths or, in the event there is no parent or guardian, by another responsible adult.
2. For purposes of this rule, the term "responsible adult" shall mean a person who is eighteen (18) years of age or older, competent to verify the application, and has personal knowledge of the applicant.
 - a. A person who may qualify as a responsible adult may include, but not necessarily be limited to:
 - i. a social worker who has worked with or assisted the applicant;
 - ii. an employee of a homeless shelter where the applicant has resided;
 - iii. a step-parent of the applicant, as verified by a valid marriage license or certificate, or other such document demonstrating that the step-parent is married to a parent of the applicant;
 - iv. Such other persons whose identity can be verified by a state agency or official, school official or certified school records, or documentation from a federal agency or entity
3. For an applicant committed to the care, custody, or control of the Department of Human Services (DHS) or the Department of Juvenile Justice (DJJ), a responsible adult may be an employee of the Division of Family and Children Services of the Department of Human Services (DFCS), an employee of DJJ, or an employee of a child-caring institution or a group-facility, as defined in O.C.G.A. § 49-5-3, or a caregiver, as defined in O.C.G.A. § 49-5-3. Such responsible adult must also submit employee identification to verify employment.
4. The person who signs as the responsible adult for a minor or person under eighteen (18) years of age will be asked to submit a state issued identification card or other documents to verify or confirm his or her identity. A person who is a responsible adult based on his or her employment must also submit an employee identification card to verify employment.
5. In conjunction with the application, the Department may require the responsible adult to submit an affidavit stating the responsible adult's relationship to the minor and reasons why a parent or guardian is unable to sign and verify the application. Reliable documentation showing why a parent or guardian is unable to sign and verify the application may also be required.
6. An emancipated minor, who can show court documentation to verify emancipation, is not required to have a parent, guardian, or responsible adult sign or verify the application of the emancipated minor.
7. A minor or person under the age of eighteen (18) years of age is not required to have a parent, guardian, or responsible adult sign or verify their application for identification card, instruction permit, or driver's license if the minor:
 - a. is validly married;
 - b. is on active duty with the armed forces of the United States
 - c. is emancipated by court order pursuant to a petition filed with a juvenile court

Authority: O.C.G.A. §§ 40-16-2, 40-16-3, 40-5-4, 40-5-101, 15-11-720, 49-5-3

SYNOPSIS

STATEMENT OF PURPOSE AND MAIN FEATURES OF PROPOSED RULE

The purpose of this proposed new rule is to clearly define who may sign the application for a person under the age of 18 years.

DIFFERENCE BETWEEN EXISTING AND PROPOSED RULES

This is a new rule.