

**Minutes of Board Meeting
March 10, 2010
Conyers Headquarters**

Present

Trummie Patrick, Chairman
Linda Evans, Vice Chair
Doug Chalmers
Lynda Coker
Virginia Galloway
Hunter Hill
T. Gamble

Not in Attendance

Kelly Gay, Secretary
David Connell

Also present at the meeting was Angelique McClendon, Assistant Attorney General, and numerous DDS staff members.

Establish Quorum / Call to Order

Chairman Patrick confirmed the presence of a quorum and called the meeting to order at 10:04 a.m.

Approval of Minutes

Chairman Patrick called for a motion regarding the minutes from the February 10 board meeting. Linda Evans motioned to approve the minutes as presented; Lynda Coker seconded the motion with unanimous approval by the remaining board members.

Chairman Patrick stated that since Hunter Hill had called in and would not be able to stay on very long, he would go ahead and begin with the Petitions for Waiver which need board consideration.

Petitions for Waiver

The following petitions are requesting a board waiver from Administrative Rule # 375-3-1-02 - Documentation Required for Initial Issuance. Revised.

John Shears – He is 72 years old and seeking a Georgia driver's license. He does not have a copy of his birth certificate and states that he has made efforts for over 15 years to try to locate his birth certificate but has been unsuccessful in doing so. However, he did not provide documentary evidence relating to those efforts. He provided a print-out of a web search that he did on his own identity; documents relating to his reverse mortgage; a Grady Hospital patient ID card; a ration book from World War II with his name on it; a pharmacy record and an insurance record. No prior driver's history record has been found for him. Ms. Ammons stated that she has tried to get more information from him but he has not responded. Therefore, the Department's recommendation is that the petition be denied due to insufficient amount of documentation to prove legal identity.

Doug Chalmers motioned to deny the petition for waiver; Linda Evans seconded the motion. The motion to deny the waiver was passed unanimously by the remaining board members.

Shalika Johnson – She is seeking a Georgia ID card. She does not have proof of her citizenship or lawful presence that relates to her birth at a military base in Germany. She did provide documentation that she had her fingerprints run by GCIC which showed no criminal history; a receipt from the Social Security Administration reflecting they have issued a Social Security number to her; a copy of her German birth certificate (in German); a paystub and a marriage license application. Ms. Ammons stated that she left a message with someone at her residence asking her to provide the other documents she mentioned in one of her letters (i.e., passport, adoption documentation), however, there has been no further response. Therefore, the department recommends the petition be denied since there is no documentation relating to her adoption or immigration status.

Ms. Evans questioned whether DDS would be able to issue the ID with the passport. Ms. Ammons stated that the passport is in her birth name and that an ID card could be issued in that name; however she is seeking an ID card in her adopted name or married name. DDS can not issue an ID card in either of those names without additional documentation and recommends the petition be denied until documentation can be provided.

Commissioner Dozier stated the main missing document is something showing her legal presence which would be a "Birth Abroad" form or naturalization papers when the adoption took place after bringing her to America.

Lynda Coker motioned to deny the petition for waiver based on the department's recommendation. Linda Evans seconded the motion to deny the waiver. The motion to deny the waiver was passed unanimously by the remaining board members.

Mary Beth Williams – Rev. Williams' petition was denied by the board at the February meeting; however, she asked that her petition be reconsidered and had indicated that she would be present at the board meeting to make her argument in person. However, since she did not appear and did not provide any new documentation on which the board could vote, the petition was not heard.

Eileen Wagstaff – She moved to Georgia from New York. She is unable to produce a name change document. As a child, her mother and step-father married and apparently she assumed her step-father's surname. She has written to the appropriate authorities in New York to try and get a copy of a name change document but has not yet been able to obtain a copy. She provided a school record, her marriage license, birth certificate (in her birth name), and her social security

card in her current name. Ms. Ammons stated that it would be consistent with the board's actions in previous cases for this petition to be approved.

Linda Evans motioned to approve the waiver; Virginia Galloway seconded the motion with unanimous approval by the remaining board members.

Bessie McKin – She is 81 years old and her daughter is trying to assist her in obtaining a Georgia ID card. She does not have her marriage documentation but has provided her social security card, medical insurance card, credit union card, Medicare card, a previously issued GA drivers license from the late 1980's; various medical documents; a power of attorney granted to her daughter to be able to act on her behalf; her daughter's drivers license; her late husband's drivers license; her daughter's hospital birth record; utility bills; tax records; property records and a letter from the funeral home where she made arrangements for her husband when he died. She does have a birth certificate but did not send it since the real issue is how she went from the birth name to the married name and whether the evidence she provided is sufficient to document that she has used that name extensively. Given the fact that name appears on her Georgia driver's license from the mid 1980's even without the marriage license, it is felt the documents she has submitted are more than sufficient - DDS recommends approval of the petition.

Doug Chalmers motioned to approve the waiver; Linda Evans seconded the motion with unanimous approval by the remaining board members.

The following petitions are requesting a board waiver from Administrative Rule # 375-3-1-24 – Name on License or Identification Card. Amended.

Denise Kirkland – Ms. Ammons stated that the board denied Ms. Kirkland's original petition at the January meeting; however she is now requesting the board to reconsider. At the time there was confusion regarding her birth certificate. The birth name was entered at the bottom of the certificate and the space provided on the form for the child's name was left blank. However, the issuing agency has certified its authenticity. Although that issue has been resolved to DDS' satisfaction; the lingering issue is the question regarding her marriage and whether her legal name is her birth name or her married name. All documents provided show her birth name except her South Carolina identification card which shows her married name. She alleges that the marriage was not legal since the marriage license was never filed.

Ms. Evans asked the agency's recommendation. Commissioner Dozier stated that it does concern him that she has what appears to be a legal married name, however, based on the documents she provided and the research that DDS has done, he feels there is sufficient evidence for the board to move forward with the request for waiver if they decide to do so.

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

Myles McCray – He is requesting a board waiver from Administrative Rule # 375-3-3-.17 – Reinstatement Procedures for Suspension Based on Second or Subsequent Convictions for No Proof of Insurance. Ms. Ammons stated that when a person is convicted on a second violation of code section 40-6-10 which is the provision that states you must drive with insurance, one of the reinstatement requirements is that they must bring in proof of pre-paid insurance. The

Department's Administrative Rule requires that the person maintain pre-paid insurance for a period of 3 years. That 3 year window has been long established before DDS or even DMVS was created and has never been changed in 9 years. Mr. McCray's convictions arise from incidents from more than 10 years ago. DDS has addressed the allegation in his petition regarding the duplicate conviction issue and DeKalb Records Court has confirmed there was a duplicate so it was deleted from the record. Unfortunately even with removal of the duplicate conviction, he has other convictions from that time period and still must maintain the SR22 in accordance with the administrative rule unless the board grants him a waiver.

Ms. Ammons stated he currently has his license back because he has the SR22 insurance; however, he is looking at the next renewal period of 6-months and carrying it forward to keep his license valid.

Doug Chalmers stated his concern is that he is asking the board for a waiver when he is saying he can't afford to pre-pay his insurance and the circumstances suggest that he is not going to be able to pay his insurance going forward. So effectively the board would be (1) giving him permission to drive without having an insurance policy in place as a practical matter, and (2) it would be opening up the door to a flood of this type of petitions for waiver. As such, Mr. Chalmers motioned to deny the request for waiver; Lynda Coker seconded the motion. The motion to deny the waiver passed unanimously with the remaining board members.

Commissioner's Report

Update on the new DLS Program – Mr. Dozier reminded the board there had been a few glitches with the new Digital Drivers License System (DLS) and one of the big ones was the print time for the Interim document which was averaging 4-5 minutes; however, that problem has now been corrected. He stated that, although hundreds of people at DDS put forth a lot of effort and take pride in this new system, he particularly wanted to introduce to the board the Project Management Office staff, Chris Clay, George Theobald and Heidi McClusky. The Commissioner wanted to publicly tell them how proud he is of them and the success of the DLS project.

Commissioner Dozier explained that with the new system, many of the Customer Service Centers (CSCs) are currently experiencing longer wait times before getting to the initial license examiner. With the old system, customers were moved between multiple windows, but the only time that was tracked was how long it took to get to the first window. The new system is a "one stop shop" and the customer may wait longer to get to a window initially, but total wait time at the CSC should be less because the customer's entire transaction can be completed at the one window. DDS now tracks the complete time from the issuance of the ticket until the completion of the transaction. As a result of the new method, the transaction times will be longer than they appeared on the old system (which only measured a portion of the transaction).

Doug Chalmers stated he would like to see the entire wait time captured to include the total time the customer was waiting before receiving a ticket from the Q-Matic system. Several other board members voiced their agreement with Mr. Chalmers, stating they felt this process would provide a truer matrix. Commissioner Dozier responded that DDS is working toward resolving the issue.

Budget & Legislative Update – Mr. Dozier stated that the General Assembly took 2 weeks off so that additional budget hearings could be held. Also, revenues for February were down 9%; therefore, additional budget cuts are expected, but the magnitude is yet to be determined.

Ray Higgins, Director of Legislative Affairs, stated that it is the 23rd day of the session and they anticipate it going until mid to late April depending mostly on the budget. The “crossover day” (30th day of session) is scheduled for March 25th. He said there has been no change of the legislation that DDS is tracking: HB 396, which is DDS’ bill carried over from last year; HB 538 or HB 1036. Senate Bill 360 favorably came out of committee earlier in the week which is the first bill to advance that would outlaw texting while driving.

State Election Board Investigation – Commissioner Dozier stated that on February 17, 2010, he was alerted by the Secretary of State’s Office (SOS) that a case involving allegations of improper applications to register to vote through DDS’ Motor-Voter option would be heard by the State Elections Board (SEB) on February 24, 2010. DDS appeared at that hearing and responded to questions from the SEB members about the Motor-Voter process. He asked Jennifer Ammons to update the board on this situation.

Ms. Ammons reviewed a PowerPoint presentation outlining the circumstances of the case. She stated that the SOS’ Inspector General launched its investigation in October 2008 after WSB-TV did a story on 20 to 30 non-citizens who appeared on the voter rolls in Cobb County. DDS researched the driving records of the people (20) from WSB’s list who allegedly applied to register to vote through Motor-Voter between September 1995 and March 2007. Of that number, 14 were confirmed to have participated in Motor-Voter improperly. The remaining 6 customers pre-dated the records from when the Department of Public Safety had authority over drivers license and the Motor-Voter process. Of the 14 customers confirmed, 5 have been referred to DDS’ Investigative Services due to discrepancies relating to the citizenship status reflected on their driving records. She stated that DDS focused its presentation to the SEB on the changes that have been made to the issuance process over the course of the identified time period. These improvements have virtually eliminated the possibility of these problems recurring today. In conclusion, Ms. Ammons stated that, in agreement with SEB’s recommendations, DDS is taking steps to identify any other customers who have improperly participated in Motor-Voter.

Old/New Business and Adjournment

Chairman Patrick asked if there was any old or new business. As there was none, he reminded the board that the next meeting is scheduled for April 14, 2010, and called for a motion to adjourn.

Lynda Coker so motioned; Doug Chalmers seconded the motion with unanimous approval by the remaining board members.