

**Minutes of Board Meeting
October 11, 2011
3:00 P.M.**

Present

Trummie Patrick, Chairman
Lynda Coker (via teleconference)
Hunter Hill
Anthony Heath
Kelly Gay
David Connell (via teleconference)
Carolyn Roddy

Not in Attendance

Todd Cowan
Virginia Galloway

Also present was Angelique McClendon, 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 3:01 P.M.

Approval of Minutes

Chairman Patrick called for a motion regarding the minutes from the September 14 board meeting. Lynda Coker motioned to approve the minutes as presented; Anthony Heath seconded the motion with unanimous approval by the remaining board members.

Chairman Patrick stated that the board would first hear the Petitions for Board Waiver in case the members participating by phone needed to be excused.

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:

David Collins – Ms. Ammons stated that Mr. Collins' petition was put on the agenda several months ago in the hopes he would get his paperwork lined up and submitted before the meeting. He sent all of the supporting documents except the letter itself requesting a waiver from the specific rule, so the waiver was not voted on. After writing him a second time reiterating the requirements for the letter, he did finally submit the letter as requested. He is attempting to get a

Georgia drivers license, but doesn't have his birth certificate. His contention is that he was never formally adopted by the family that raised him. As proof of his identity, he provided programs from his adoptive grandparents' funeral; his daughter's birth certificate; a letter from his high school in North Carolina showing his grades; his Medicare and Social Security cards; a North Carolina license that expired 23 years ago; a power and gas bill; and a lease agreement. The Department's concern is that there is no real substantial documentation to support when and where he was born, or that David Collins is legally his name. He states that this is all the documentation he has got and that he needs proof of identity to continue to get his health care.

David Connell asked how he would go about getting a driver license since he doesn't have the required documents. Ms. Ammons responded there is nothing to prove that he has actually tried to locate his birth certificate. However, giving him the benefit of the doubt, he may not know the identity of his birth parents, or the exact date on which he was born or his birth name, so it is very unlikely that he would be able to locate his birth certificate. There is a possibility that there is more documentation out there (i.e., census records, church records, employment records, military records, etc.). It is up to the board to look at the evidence he has submitted and decide if they feel there is sufficient documentation of his identity and they are comfortable with his explanation of his family history, or if they feel more documentation is needed.

Lynda Coker motioned to deny the request for waiver and asked that Mr. Collins be given the opportunity to provide additional documentation and resubmit the petition for consideration at a future board meeting; Kelly Gay seconded the motion. The motion to deny the waiver was unanimous among the remaining board members.

James Hayes – His petition was presented to the board in July but was denied for lack of proof of identity. He was recently released from the custody of the Department of Corrections (DOC) after serving 20 years on a manslaughter charge. He has not been able to produce his birth certificate. Prior to his incarceration he did have a Georgia driver's license but it expired in the 1980's. The documents he provided as proof of his identity are: a copy of his work ID; his Social Security card; a copy of his prior Georgia driver's license; the ID card issued to him by the DOC; a copy of his Alabama marriage license from his marriage in June 2011; a copy of his marriage license from 1984 for a previous marriage; and a letter from the State of Illinois Department of Public Health confirming that they did not have a birth certificate on file for him and giving him the instructions for applying for a delayed birth certificate.

When asked the Department's recommendation, Ms. Ammons replied that since he has gone to the effort to try to locate his birth certificate in the state in which he claims to have been born, and that he previously held a Georgia license in the same name, it is consistent with waivers that the board has approved in the past.

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

Lesley Donahoe – She has moved to Georgia from Florida and can not produce a copy of her birth certificate. She has gotten written confirmation that they can not locate her birth certificate. As proof of identity she has provided: her Florida drivers license; a Baptism certificate; a marriage license; a bank statement; an electric bill; a car insurance policy; her mother's death certificate and newspaper obituary; her parents divorce decree; her mother's second marriage certificate; her mother's Baptism certificate; and some ancestry information on her father.

Anthony Heath motioned to approve the request for waiver; Carolyn Roddy 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:

Melvina McCord Woodward – She moved to Georgia from Florida and seeks to transfer her driver’s license. The name on her birth certificate does not match the name that she has used throughout her life. She had a Georgia driver’s license until 1996 when she moved to Florida and DDS has access to that record. As proof of identity she has provided: her current Florida drivers license; her Social Security card; a letter from her Attorney to the Department of Vital Records where they are attempting to amend her birth certificate; a letter from Social Security Administration; a W-2; a Florida vehicle title and registration; a bank account record; a stock account statement; copies of her son and daughter’s birth certificates; her mother’s death certificate; her marriage license; a copy of the birth certificate with the unusual spelling of her name; a power bill; insurance policy; and property tax statement. Basically the birth certificate says “Melvinie Nordman but she grew up as Melvina McCord. Ms. Ammons stated there is no explanation as to the discrepancy of the surname and feels that possibly she doesn’t know how it happened and can not ask since both her parents are no longer living. She grew up and married as Mell McCord and has lived using that name her entire life.

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

Mina Miller – She moved to Georgia from North Carolina and wants to transfer her driver’s license. However, she has an unusual situation with her birth certificate. First of all, it is an uncertified copy which is problematic, but also, her first and middle name appear on the birth certificate but no surname is shown. Ms. Miller states that her parent’s names are also misspelled on her birth certificate. She does have her marriage certificate; her North Carolina driver’s license; her parent’s death certificates; a school record from when she attended school in Georgia, although that name is spelled differently as well North Carolina school records; documentation from where she retired from the Department of Veteran Affairs in Fayetteville, N.C; and her Social Security card. She did have a prior Georgia driver’s license and DDS does have access to that record.

When asked the Department’s recommendation, Ms. Ammons responded that this is one of those situations where it can’t be undone because of the name changes that have taken place since her birth and the Department would support approval of the waiver.

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

Commissioner’s Report

Commissioner Dozier reviewed several of the newspaper clippings provided to the board in their press package.

Mr. Dozier talked about the contact center performance which had been very low – with only about 50-55% of customers being serviced within the 3 minute ideal window. However, through

great management of Eddie Betancourt, and the hard work of the call center team, performance for the past week increased to 80% of the customers being serviced within 3 minutes, which is phenomenal.

Update – 2012 Legislation – Les Hammond, Director of Legislative Affairs, stated that when the Department did an internal review to decide what DDS needed, there was only one item. Rather than put in a single piece of legislation the decision was made to attach it to another bill. This particular piece of legislation is to allow DDS to reach out to alternative sources besides the Post Office and what is shown on the driving record, to make sure mail is being delivered to the proper address.

There are about sixteen pieces of legislation were introduced last year that may impact the agency. For example, adding the Interlock Device as a reinstatement requirement on a first offense DUI. Also, there are some issues on the International Driving Permits (IDP) which are issued by the country from which a person is coming. This is basically a translation of the home driver's license, and it is required in the State of Georgia. Federal Motor Carrier Safety Administration (FMCSA) may come down with some new drug testing rules which would require legislation to be changed. There is also an issue with Lifetime Disqualifications. Some states, particularly in Florida, if a person has a certain number of DUIs, they end up with a Lifetime Disqualification, and if they come to Georgia, they can not be issued a license because that person is suspended for life. Some people think that is not fair and there has been talk about trying to change it. There is also a request about putting notification of next of kin on the drivers' license.

Commissioner Dozier referred to an issue regarding Commercial driving requirements and asked Jennifer Ammons to brief the board.

Ms. Ammons stated that Georgia law provides that if a customer has an Administrative License Suspension (ALS) that arises from a DUI arrest (if they have an elevated blood alcohol level or refuse testing), if the DUI charge itself is eliminated by the court, DDS deletes the ALS from the record. However, FMCSA says that under federal law, that should not be done. DDS has had this as an audit finding for a number of years. They have the authority to withhold a percentage of the State's highway dollars – about \$100 million. DDS is otherwise very compliant with all FMCSA CDL requirements, except for this one lingering issue that they continue cite the agency for not doing anything. However, given DDS' high level of compliance, it is highly unlikely that FMCSA will withhold any money. There has been no political will from the prior administration's perspective to change the statute and no one has taken it up internally within the legislature. DDS is not scheduled for another FMCSA audit until 2013.

Overview of Investigative Services – Rick Miller, Director of Investigative Services gave a PowerPoint presentation to familiarize the board with why DDS has an Investigative Services unit, who they are, and what they do.

Old/New Business and Adjournment

Chairman Patrick reminded the board that November meeting is scheduled for Wednesday, November 14, 2011 at 10:00 A.M.

Since there was no further business to discuss, Chairman Patrick called for a motion to adjourn.

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