

**Minutes of Board Meeting  
August 8, 2012  
10:00 AM**

**Present**

Trummie Patrick, Chairman  
Lynda Coker  
Todd Cowan  
Virginia Galloway  
Carolyn Roddy  
David Connell (*via teleconference*)

**Not in Attendance**

Hunter Hill  
Kelly Gay  
Anthony Heath

Also present was Angelique McClendon, Assistant Attorney General; Conner Haler and Dustin Gentis, award recipients; Mr. and Mrs. Robert Williams, Jr., petitioner for board waiver; Aisha Smith-Danzy, owner of Five Star DUI School, petitioner for board waiver; 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 10:15 AM.

**Approval of Minutes**

Chairman Patrick called for a motion regarding the minutes from the July 11, 2012 board meeting. Todd Cowan motioned to approve the minutes as presented; Carolyn Roddy seconded the motion with unanimous approval by the remaining board members.

**Award Presentation**

Chairman Patrick introduced Conner Haler and Dustin Gentis and explained they had written, produced and starred in a short video production titled "The Dangers of Testing and Driving," and had won second place at the FBLA National Leadership Conference and first place at the Georgia State Leadership Conference. After watching the video, Chairman Patrick congratulated Dustin and Conner on their achievement and presented them with plaques on behalf of the DDS Board of Directors.

**Commissioner's Report**

Commissioner Dozier stated that after a month of operation under Secure ID, he is very proud of the team and all their hard work. He stated that the change from week one to the current week is

dramatic but there is still room for improvement. He asked George Theobald, Project Manager, to provide the board with an update on Secure/Real ID.

Secure ID Update: Mr. Theobald reviewed a PowerPoint presentation and gave a detailed update on the status of the new Secure ID Program.

He stated that during the four weeks since Secure ID implementation, approximately 165,000 driver's licenses and ID cards have been issued statewide which averages 49,000 weekly, and the average on a full work day is 11,000. The weekly average prior to implementing Secure ID was 47,942, so the demand has elevated. The average statewide wait times however, are now trending down. When Secure ID first started, the statewide average wait time for renewals was one hour and fifty-eight minutes; and now, it is approximately 34 minutes. The average transaction time which is the time the customer spends in front of the counter, is about 9 minutes and 45 seconds and management staff is looking at ways to lessen that time. In conclusion, Mr. Theobald reviewed several enhancements that DDS will implement to continue the trend of improvement and discussed further planned communications outreach.

Update on "Ask DDS Day"

Michael Mitchell, Director Regulatory Compliance, informed the board that the annual "Ask DDS Day" was held at the Georgia State Patrol Training Center in Forsyth, GA on August 1. He stated that the first "Ask DDS Day" was held in 2007 and only a few schools showed up so it was only for half a day. However, this year about 80 schools were there as well as a number of exhibitors and business partners from the Governor's Office of Highway Safety and Public Safety and many of the DDS Executive staff. This meeting is to open the lines of communication with the schools to try to make it not feel like such an adversarial relationship with DDS. It gives Regulatory Compliance a chance to update the schools and work on initiatives as well as to let them ask questions. He concluded by saying it was a very successful day and DDS received a lot of good feedback from the schools.

Review Budget – Michele Jordan, Budget Manager, reviewed the budget instructions submitted by the Governor's Office of Planning and Budget for the amended FY 2013 and FY 2014 budgets. Each agency must submit General Fund reduction plans of 3% in both fiscal years. Submissions are due September 4, 2012.

### **Rule Changes for Initial Approval**

Ms. Jennifer Ammons, General Counsel, explained that when DDS was created in 2005 the rules that belonged to DMVS (DDS' predecessor agency) all became part of the administrative regulations of the agencies that inherited the pieces of that agency that did not stay with DDS. Over the years, DDS has cleaned up some of the old regulatory material but there are still some areas where due to operational and legal concerns they were left as they were. However, DDS is now ready to transfer all the old motor vehicle tag and title regulations that DDS no longer needs and repeal those rules. The following rule changes were reviewed for initial approval:

375-1-2-.01 – Administrative Hearing Regarding Certificates of Title.

375-2-1-.01 – Motor Vehicle Services Duties.

375-2-2-.01 – Establishment of Local Tag Agents.

375-2-2-.02 – Responsibilities of County Tag Agents.

375-2-2-.03 – Bond of Agents.

375-2-2-.04 – Application for License Plates and Renewal Decals.

375-2-2-.05 – Issuance of License Plates and Renewal Decals.

375-2-2-.06 – Inventory of License Plates and Renewal Decals Maintained by County Tag Agents.

375-2-2-.07 – Upgrading of License Plates.

375-2-2-.08 – Questionable Applications.

375-2-2-.09 – Application by One Other Than the Vehicle Owner.

375-2-2-.10 – Owner Defined.

Virginia Galloway motioned to approve the proposed rule changes; Lynda Coker seconded the motion with unanimous approval by the remaining board members.

### **Petitions for Board Waiver**

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

Doris Bond – She was born in 1929 and has moved back to Georgia from Alabama and is unable to provide her marriage license. She has submitted her delayed birth certificate; a photocopy of a page from the family Bible from 1946; and a letter from the Franklin County Probate Court showing that the documentation about the marriage can not be found. The Department would support approval of the waiver.

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

Warren Anderson – He was born in 1956 and has never had a driver's license or ID card and is unable to locate his birth certificate. He has provided a letter from vital records stating that they have not been able to find his birth certificate; a rent receipt; a school record showing his enrollment in school as a young child; and an affidavit from his brother stating he was born in Bullock County, Georgia. The Department would support approval of the waiver.

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

Mary Moore – She was born between 1915 and 1920 but believes herself to be 97 years old. She needs to obtain an ID card for medical care. She previously had a Georgia driver's license but it

was canceled in 2004 because of a discrepancy related to the verification of her Social Security number. She does not have a birth certificate but she has provided copies of her Social Security card; her Medicare and Medicaid cards; and a copy of her marriage license. The Department would support approval of the waiver with the caveat that the waiver would only be with the regard to the presentation of documentation of her identity to obtain the ID card. DDS is working with her daughter to resolve the Social Security discrepancy that will be necessary in order for her to be issued the ID card.

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

Marjorie Crews – She is seeking an ID card. Her birth certificate shows that she was given her father's surname at the time of her birth, but she was raised using another surname and subsequently married, so there is no way for her to go back and resolve that childhood name change. She has provided a copy of her birth certificate; marriage license; Social Security card; voter ID card; and a power bill in her husband's name. The Department would support approval of the waiver.

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

Lucy Wilkerson – Ms. Wilkerson was born in 1953 and is attempting to renew her driver's license but she has not been able to obtain a copy of her birth certificate. She has provided her Georgia driver's license; Social Security card; W-2 forms for 2010 and 2011; phone bill; vehicle registration; bank statement; a letter from vital records stating they have been unable to find her birth certificate; an unofficial marriage certificate; and a Social Security statement.

When asked her recommendation, Ms. Ammons responded that although it is not the cleanest collection of documentation, it definitely shows she has been using this identity for a long period of time, and with the GA driver's license which she has had for quite some time also shows her with that name and having her photograph so she does not feel that there is any question of her identity.

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

William M. Wheeler - He was born in 1949 and is attempting to renew his driver's license. He had been unable to obtain a copy of his birth certificate. He has provided a copy of his current driver's license; Social Security card; Veteran's Affairs card; mortgage statement; a gas bill; a satellite bill; verification of his birth by the State of Tennessee when he joined the Navy; and his DD-214 from 1976; voter registration certificate; Baptism certificate; a letter from Tennessee Vital Records confirming that his birth certificate could not be found; and a letter from his Union. The Department would support approval of the waiver.

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

Robert Williams, Jr. – Mr. and Mrs. Williams were present at the board meeting. He is transferring a Florida CDL to Georgia and is unable to provide a certified copy of his birth

certificate. He was born in Germany and apparently his parents never secured the Certificate of Birth Abroad from the State Department upon returning to the United States. He has provided his Florida driver's license; Social Security card; a souvenir birth certificate from the military hospital where he was born; the military report of birth abroad; as well as military documents including a directive for his parents to get the Certificate of Birth Abroad. The Department would support approval of the waiver.

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

Carl Browder – He had submitted his petition for waiver; however, the Secure ID Executive Team reviewed it and was able to make arrangements with him to secure the documents he needed and ultimately approved issuance, so no board vote was necessary.

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

Patricia Elaine Schuster – She was born in 1944 and is switching her expired Georgia driver's license to an ID card. She has a common-law marriage and is unable to provide documentation to prove that marriage. However, she has provided her prior Georgia driver's license; a letter from the Social Security Administration; and a copy of her lease at the senior citizens facility where she resides.

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

Kitty Getchell – She moved to Georgia from Pennsylvania. Her second marriage was a common-law marriage and she is unable to provide documentation as proof of the marriage but she does have the divorce decree. The Department would support approval of the waiver.

Virginia Galloway motioned to approve the request for waiver; Todd Cowan 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:

Ms. Ammons stated that four separate petitions for waiver were received from: Five Star Driving School; Atlanta DUI Academy and Defensive Driving School; Allstates Driving School; and Changing Lanes DUI School. They are all requesting waivers from the class size requirements for a DUI program. She reminded the board that three waivers were previously approved; however, last month the board approved DDS' withdrawal of the rule change so anyone else who wants to get a waiver from the regulation would have to come back before the board.

Chairman Patrick stated that the board did approve a few petitions for waiver before they went through the debate of changing the rule; however after debating the issues, it was decided that it was in the best interest of everyone to not change the rule.

Ms. Coker asked if any of these schools were located in areas where there are no other opportunities for the students to be able to meet the requirement. Ms. Ammons replied that they are all relatively located in metro Atlanta but none are in rural areas. Five Star Driving School is in Lithonia; Atlanta DUI Academy and Defensive Driving School is in Atlanta; Allstates Driving School is in Stone Mountain; and Changing Lanes DUI School is in McDonough.

Chairman Patrick allowed Ms. Aisha Smith-Danzy, owner of Five Star Driving School to address the board. She stated they are the only DUI school in Lithonia and are not on the bus route. She referenced a recent phone message she got from an angry parent whose son had to walk to class, so when the class was cancelled, he didn't have enough time to get anywhere else. She relayed that it's not just about the business aspect, it's the professionalism because these people sign a contract telling them the school will be holding a class on this day and then the school can not fulfill the contract unless other students show up. It is very hard to plan a schedule relying on the fact that there may or may not be 2 or 3 other students added to the class.

Chairman Patrick stated he could certainly empathize with her and appreciated her attendance at the meeting. He went on to say that the curriculum provider spoke in favor of having a minimum of 5 students in the class as far as it being for the good of the students and there was an overwhelming majority of the DUI schools supporting that minimum amount. Based on their input and that of the curriculum provider, the board made the decision that it was best for the school and the student to keep the 5 student minimum rule.

Virginia Galloway motioned to deny all four requests for waiver from Five Star Driving School; Atlanta DUI Academy and Defensive Driving School; Allstates Driving School; and Changing Lanes DUI School; Lynda Coker seconded the motion. The motion to deny the petition for waiver was unanimous by the remaining board members.

### **Old/New Business and Adjournment**

Chairman Patrick reminded the board that the next board meeting is scheduled for September 12<sup>th</sup> 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; Virginia Galloway seconded the motion with unanimous approval by the remaining board members.