

**Minutes of Board Meeting Conference Call  
December 12, 2012  
10:00 A.M.**

**Present**

Trummie Patrick, Chairman  
Lynda Coker *(via conference call)*  
Virginia Galloway  
Kelly Gay *(via conference call)*  
Todd Cowan  
Carolyn Roddy *(via conference call)*  
David Connell *(via conference call)*  
Anthony Heath

**Not in Attendance**

Vacant position

Also present was Angelique McClendon of the Attorney General's Office; Sherburn Gregory, petitioner for a rule 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 10:02 A.M.

**Approval of Minutes**

Chairman Patrick called for a motion regarding the minutes from the November 14, 2012 Board meeting.

Todd Cowan motioned to approve the minutes as presented; Anthony Heath seconded the motion with unanimous approval by the remaining Board members.

**Commissioner's Report**

Commissioner Mikell introduced Spencer Moore, the new Deputy Commissioner to the Board. He stated that he worked with Spencer at the Governor's Office of Highway Safety and he was a big asset to him there and he feels he will be at DDS as well. He asked Mr. Moore to tell the Board a little about himself.

Mr. Moore stated that he is from Laurens/Treutlen County Georgia and played football at Treutlen High School and then again at Furman University and Morehouse College in Atlanta.

He concluded by saying that he looks forward to working with DDS and the Board members and hopes to continue to help to build an aggressive and better DDS.

Commissioner Mikell informed the board that through various activities (i.e., a chili cook-off; bake sales; etc.), DDS was able to raise \$9,018.50 for the annual State Charitable Contributions Program. The DDS staff is always willing to step up and help those less fortunate.

Mr. Mikell reported that The Department of Audit performed their annual audit of state and federal funds and he was glad to report that there were yet again no findings or questions.

Commissioner Mikell informed the Board that last week he attended the AAMVA New Administrators conference at their headquarters in Arlington, Virginia. He and seven of his counterparts from across the country were in attendance. An update from the Department of Homeland Security regarding Real ID was provided to the attendees and they will be sending out letters within the next few weeks to the states that submitted complete compliance packages in October acknowledging their status.

Mr. Mikell explained that in trying to be good stewards of tax payer dollars; DDS is working on a new project for printing driver's license manuals by using private partnership with a vendor and selling advertisement space inside of the manual to help offset the cost of printing.

Commissioner Mikell had Alan Watson, Director of Licensing and Records show a short video and photographs of the damage that occurred at the Norcross CSC on November 25<sup>th</sup> when a car ran into the side of the building and into the computer testing area. Staff was able to get there and secure the building. The testing area was rearranged and the damaged part was temporarily blocked off until the glass and the building exterior could be repaired so as not to interrupt the customers when the center opened on Tuesday morning.

Mr. Mikell reminded the Board of the AAMVA Pre-planning Conference on Friday and Saturday to finish planning the annual Region II conference that will be held in June at the Marriott Marquis in Atlanta. He will keep the Board informed and provide them with more specific details about the conference closer to the date.

Kecia Bivins, Director of Regulatory Compliance presented a PowerPoint presentation on the new Parent Alcohol and Drug Awareness Program (ADAP). This free voluntary on-line program creates a parental component to ADAP and discusses the dangers that alcohol and drugs have on driving, drug prevention strategies, and legal accountability information. Upon completion of the course, parents are eligible to receive a free 3 year non-certified Motor Vehicle Record (MVR) through the DDS online Services portal.

## **Rules for Final Approval**

Ms. Jennifer Ammons, DDS General Counsel reviewed the following proposed rules changes for the Board's final consideration:

375-3-1-.29 - Replacement of Lost, Stolen or Destroyed Cards.

375-3-1-.31 - Satisfaction of School Requirements for Customers Under Age Eighteen (18).

375-3-3-.10 - Limited Driving Permits.

375-5-4-.08 - Parental Component.

Lynda Coker motioned to approve the rules for final adoption; David Connell 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:

Grover Goble – He is 62 years old and seeking to get an identification card. His last Georgia driver's license expired in 1985 and eight suspensions are showing on his record. Twenty-five to thirty years ago he accumulated a number of convictions which triggered suspensions and he has taken no action to resolve those suspensions. He alleged in his letter that he doesn't have a copy of his birth certificate because both the courthouse and the hospital where he was born burned; however he provided no evidence that he has tried to obtain a copy of his birth certificate from the State of Maryland Vital Records. He has provided the following alternative documents to prove his identity: his DD-214; a letter from the Social Security Administration; a letter from a credit card company; Social Security card; Veteran's Affairs card and his prior Georgia driver's license.

Ms. Ammons stated that DDS' concern is that his petition fails to articulate a substantial hardship which is required in the regulation, and there is no evidence that he's made any effort to obtain a copy of his birth certificate from the State of Maryland.

Lynda Coker motioned to deny the request for waiver; Todd Cowan seconded the motion. The motion to deny the petition for waiver was unanimous by the remaining Board members.

Lydia Christian – She is moving back to Georgia from Washington State after completing her military service. She has been unable to obtain a copy of her birth certificate from the State of New York and states that because she does not still live at the address on her last issued Washington driver's license, they will not send it to her. She has provided her GED test results; marriage certificate; DD-214; Social Security card; previous Georgia driver's license.

Virginia Galloway motioned to approve the waiver; Anthony Heath seconded the motion with unanimous approval by the remaining Board members.

Teresa Hall – She is unable to obtain a copy of her birth certificate due to a fire. She has her original German birth certificate; her military Report of Birth Abroad; GED certificate; and a numident record from the Social Security Administration; an insurance statement; a utility bill; and a vehicle registration. She also has an uncertified copy of the Birth Abroad Certificate issued by the State Department, but the issue she is having is trying to obtain a certified copy of that document. She last had a Georgia driver's license in 2007 before moving to South Carolina.

Ms. Ammons stated that this is a petition with regard to just the proof of her identity. She will still be required to provide documentation to prove her name changes from her birth name to her current name.

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

Eddie Harris – He is 65 years old and is seeking an identification card. His last ID card expired in 2009. His driver's license has been suspended since 2001. He has been unable to obtain a copy of his birth certificate and that is documented in a letter from the Probate Court. In lieu of a birth certificate, he has provided: his DD-214; Medicare card; a letter from the Veteran's Administration Hospital in Augusta, a letter from the retirement home where he resides; a cell phone bill; approval for his free ID card as a Veteran; and his expired Georgia ID card.

Lynda Coker motioned to approve the waiver; Todd Cowan seconded the motion with unanimous approval by the remaining Board members.

Elizabeth Wood – She is 68 years old and is unable to provide a copy of her birth certificate. Ms. Ammons stated this is a somewhat unusual situation in that she is not due to renew her license until 2014, so there is a legal concern about proceeding with the waiver because it is not considered "ripe" which is a legal term for whether or not something is ready to be considered now, which is not the case since it will not be needed for 2 more years.

Anthony Heath motioned to deny the request for waiver; Lynda Coker seconded the motion. The motion to deny the petition for waiver was unanimous by the remaining Board members.

Ms. Ammons stated that she would contact Ms. Wood a few months before her renewal so she can resubmit the petition for waiver.

Delores Harn – She is 66 years old and wants to renew her driver's license; however, she has been unable to obtain a copy of her birth certificate and has a letter from Vital Records stating there is no record. She has provided her Social Security card; marriage license which contains a reference of her maiden name; divorce decree from a prior marriage; a church record; a school record; a cable bill; and an order from a furniture company. She was first licensed in Georgia in 1984.

Todd Cowan motioned to approve the 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:

Sherburn Gregory – Ms. Ammons stated that Mr. Gregory was present at the Board meeting. He is 69 years old and is seeking renewal of his driver's license. He has been licensed since 1999. He does not have documentation to support a childhood name change. Back in 1947, his father's name was legally changed by court order in Oklahoma and all family members, including him, began using the father's new surname. In support of his petition, he has provided a copy of the father's court ordered name change; his own birth certificate; DD-214; Social Security

Card; Voter Registration; his Commission from the Army; a diploma; his marriage license; expired U.S. passport; employment ID card from Delta; mortgage statement; and a phone bill.

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

Jennifer Turner – She is 34 years old and has moved to Georgia from California and is seeking a driver’s license. She has an undocumented childhood name change. She was born Jennifer Faulkner and assumed her step-father’s surname as a pre-teen. She has provided an affidavit to this affect from her mother. To support her identity, she has submitted her California driver’s license, her Social Security card; her daughter’s birth certificate; her school records; power bill; title to her car from CA; a lease and a bank statement. Ms. Ammons stated that she has not alleged that she cannot get a legal name change, or that she has made any effort to get a name change and been thwarted. With her being new to Georgia it is concerning to the Department that there is no formal documentation. However, in past petitions from customers moving to Georgia from California, it has been articulated that California still recognizes common law name changes, which basically means that they have a law that says a person can decide to change their name, similar to a formal name change through marriage, with no legal intervention. DDS has recognized this law and as such has previously approved petitions for waiver.

Virginia Galloway motioned to approve the waiver; Anthony Heath seconded the motion with unanimous approval by the remaining Board members.

Dorothy White – She is 70 years old and is seeking an identification card. Her last ID card expired in 2008. She was common-law married and has no documentation to support the marriage. She has provided a copy of her birth certificate; a statement from Social Security; her child’s birth certificate; a lease; a Medicare Card; a Medicare D Card; a power bill and a payment receipt. She has had a Georgia ID card from 1996-2000 and again from 2004-2008.

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

James Hudson - He is 65 years old and was first licensed in Georgia in 1999. He is seeking renewal of his driver’s license; however he has an undocumented childhood name change. His birth certificate reflects that he was born James Green but he was raised as James Hudson from the time he was a preschooler and he has no idea how or why his name was changed. He has provided his birth certificate; his Social Security card; DD-214; his marriage license; his Veteran Affairs card; Social Security statement; bank statement; and a vehicle title.

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

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

Chairman Patrick reminded the Board that the next Board meeting is scheduled for January 9, 2013 at 10:00 A.M. Since there was no further business, he called for a motion to adjourn the meeting.

Virginia Galloway motioned to adjourn; Anthony Heath seconded the motion with unanimous approval by the remaining Board members.