



Law Enforcement Dispatcher Quick-Reference Guide

Future Suspensions

When the non-commercial status of a Georgia driver's license is valid, but there is a suspension with an effective date in the future, the following applies: as long as the status for the vehicle the driver is operating (commercial or non-commercial) is valid, they still have a valid driver's license. A future suspension date is an administrative technique used by DDS that places the suspension in a pending status, thus giving the driver an opportunity to take action that may save the license. From GCIC screen (assume that today is 08/15/06):

NON-COMMERCIAL STATUS: VALID

PERMIT STATUS: NONE

ACTIVE SUSPENSIONS:

POINTS, FIRST

VIOL DT: 08/01/2006

SUSP DT: 11/01/2006

SERV DT:

END OF LICENSE NUMBER INQUIRY

This would also be the case if the date indicated 12/31/9999. This means that the suspension has been put into indefinite pending status. This appears, in most instances, when the driver has requested a hearing (such as Administrative License Suspension for a DUI charge) and the suspension will not go into effect until a decision is received from the hearing judge.

SSN Verification Cancellation

When the status for the vehicle the driver is operating (commercial or non-commercial) is cancelled, the driver is not legally permitted to operate that class of vehicle. SSN cancellation occurs because of a discrepancy between the information on the driving record and the Social Security Administration. There are several reasons for this discrepancy, including inaccurate information in either database, a typographical error, or fraud. The license is not valid, but it is also not suspended. Technically, the subject does not have a driver's license. From the GCIC screen:

COMMERCIAL STATUS: CANCELLATION (ALL)

NON-COMMERCIAL STATUS: CANCELLATION (ALL)

PERMIT STATUS: NONE

ACTIVE SUSPENSIONS:

SSN VERIFICATION CANCELLATION VIOL DT: 09/20/2004

SUSP DT: 12/20/2004

CANCELLATION (ALL)

SERV DT:

END OF LICENSE NUMBER INQUIRY

Commercial Status: Disqualified (CDL)

This is used to indicate that the subject is disqualified from operating a commercial motor vehicle or from obtaining a commercial driver's license. If the subject is operating a non-commercial vehicle and their non-commercial status is valid, they still have a valid driver's license for that vehicle. This is not a suspension and the driver should not be served with notice of suspension or have their license seized. From the GCIC screen:

COMMERCIAL STATUS: DISQUALIFIED (CDL)

NON-COMMERCIAL STATUS: VALID

PERMIT STATUS: NONE

ACTIVE SUSPENSIONS:

LIFETIME DISQUALIFICATION, CDL VIOL DT: 09/20/2004

SUSP DT: 11/19/2004

DISQUALIFIED (CDL)

SERV DT:

END OF LICENSE NUMBER INQUIRY



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Other Suspensions

Suspended, not served – As of July 1, 2006, officers are no longer required to verify service for any suspension of Georgia driver's license to establish probable cause for an arrest. Also, as of July 1, 2006, DDS is no longer required to notify driver's of a suspension for failure to appear or insurance cancellation. However, the prosecutor or officer may still be required to show that the driver had knowledge of the suspension to obtain a conviction for any suspension prior to July 1, 2006.

Out-of-State Suspensions – Officers are not required to verify service for the suspension of a driver's license from another state to establish probable cause for an arrest. However, the prosecutor or officer may still be required to show that the driver had knowledge of the suspension to obtain a conviction.

Joshua's Law

Effective January 1, 2007, the following conditions apply to Class CP and D licenses:

Class CP license holder: may operate a non-commercial, Class C vehicle any time there is a licensed driver at least 21 years of age occupying the seat beside the driver who is capable of exercising control of the vehicle.

Class D license holder:

- shall not operate a motor vehicle between the hours of Midnight and 6:00 A.M (no legal exceptions).
- for the first six months after issuance, shall not operate a motor vehicle when any passenger in the vehicle is not a member of the driver's immediate family
- for the second six months after issuance, shall not operate a motor vehicle when more than one other passenger in the vehicle who is less than 21 years of age is not a member of the driver's immediate family
- for the remainder of the Class D license period, shall not operate a motor vehicle when more than three other passengers in the vehicle who are less than 21 years of age are not a member of the driver's immediate family

Foreign Driver's Licenses

Persons who are lawfully present in the United States may operate a motor vehicle while in possession of a foreign driver's license for up to one year after arrival in the U.S.¹; provided, however, that if they become a resident as defined by O.C.G.A. §40-5-1, they must obtain a Georgia driver's license within 30 days². Those persons who are not lawfully present in the United States will not qualify for residency status for the purpose of obtaining a Georgia driver's license³. There is no legally valid document titled "International Driver's License." Foreign citizens may obtain an International Driving Permit from their government that serves as an English translation of their original license. The foreign license must accompany the International Driving Permit for it to be considered valid⁴. Officers should never seize a foreign driver's license or international driving permit unless the situation would justify the seizure of a Georgia driver's license.

Reference books are available that provide illustrations of legal foreign documents, including driver's licenses. { 1) See Murphy, *Interpretation of 1949 Convention on Road Traffic, Contemporary Practice of the United States Related to International Law*, 96 Amer. J. Int'l L. 709 (2002); 2) O.C.G.A. §§ 40-5-1, 40-5-20; 3) *Diaz v. State*, 245 Ga. App. 380 (2000); 4) Olson, *Foreign Nationals and Driver's Licenses*, Memo (Prosecuting Attorneys' Council of Georgia - August 11, 2006) }.