

### **375-3-1-30 Exceptions Process**

1. The Department adheres to the General Assembly’s position that “the strict application of rules can lead to unreasonable, uneconomical, and unintended results in particular instances” and authorized all state agencies to grant waivers from administrative regulations when the application of a particular provision imposes a substantial hardship upon an individual as set forth in O.C.G.A. §50-13-9.1. The term “substantial hardship” is defined as “a significant, unique, and demonstrable economic, technological, legal, or other type of hardship to the person requesting a variance or waiver which impairs the ability of the person to continue to function in the regulated practice or business.” O.C.G.A. §50-13-9.1(b)(1). Customers may petition for waivers of any administrative rule applicable to their individual situations.

2. Customers must submit petitions for rule waivers in writing. Such petitions must contain the following elements:

- a. The rule from which a variance or waiver is requested;
- b. The type of action requested;
- c. The specific facts of substantial hardship which would justify a variance or waiver for the petitioner, including the alternative standards which the person seeking the variance or waiver agrees to meet and a showing that such alternative standards will afford adequate protection for the public health, safety, and welfare; and
- d. The reason why the variance or waiver requested would serve the purpose of the underlying statute.

3. If the waiver relates to the documentary requirements of Ga. Comp. R. & Regs. 375-3-1-.02, the customer is encouraged to include copies of the alternative documents proposed to prove his or her identity, citizenship or residency. Suggested records include, but are not limited to, their parents’ birth and death certificates, children’s birth and death certificates, school records, employment records, business records, court records, church records, tax records, census records, bank records, driving records from other jurisdictions, and other similar material. If he or she has have ever been issued a driver’s license or identification card in the State of Georgia or in any other state, the petition should address the whereabouts of these documents.

4. Waiver petitions must be posted for at least fifteen (15) days before voted on by the Board of Driver Services. Waiver petitions will be resolved within sixty (60) days unless prevented by unavoidable delay.

Authority: O.C.G.A. §50-13-9.1(d).

### **SYNOPSIS**

#### **STATEMENT OF PURPOSE AND MAIN FEATURES OF PROPOSED RULE**

The purpose of this proposed amendment is to adopt the provisions of 49 U.S.C. §30301 note and 6 C.F.R. §37.01, *et seq.* relating to issuance of secure driver’s licenses.

#### **DIFFERENCES BETWEEN EXISTING AND PROPOSED RULES**

This is a new regulation.