

**375-5-5-.05**

**Suspension, Revocation, or Cancellation of Chauffeur's Endorsement.**

(1) ~~A chauffeur's endorsement may be suspended if the bearer is charged with, and may be revoked if the bearer is convicted of, any of the offenses listed in O.C.G.A. §46-7-85.10(3)(A)~~ (a) If at the time of application the applicant is charged with any offense that a conviction for which would result in said applicant's ineligibility for certification, consideration of the application shall be suspended until entry of a plea or verdict or dismissal of said charge.

(b) If after the issuance of a permit a person is charged any offense that a conviction for which would result in said applicant's ineligibility for certification, the permit may be suspended pending disposition of such charge. If the person is convicted of such charge, the permit shall be revoked.

(2) A chauffeur's endorsement may be suspended or revoked if it is found that the bearer gave false information on his or her application.

(3) The Department may at any time, after notice and opportunity to be heard, suspend or revoke any chauffeur's endorsement, if it shall be made to appear that the holder has willfully violated the rules and regulations prescribed by the Department.

(4) If the Georgia driver's license of the chauffeur's endorsement holder is suspended by the Department, the chauffeur permit will not be valid while the Georgia driver's license is under suspension, revocation, or cancellation.

Authority: O.C.G.A. §§40-5-39; 40-16-5.

**SYNOPSIS**

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

Paragraph (1) was updated to clarify that the Department shall not process an application for certification or renewal of certification if it discovers that the applicant has been charged with an offense that will result in his or her disqualification from eligibility for certification if he or she is convicted thereof. The regulation further provides for the suspension of a permit if the holder thereof is arrested and charged with an offense that will result in his or her disqualification from eligibility for certification if he or she is convicted thereof.

**DIFFERENCES BETWEEN EXISTING AND PROPOSED RULES**

The existing language in paragraph (1) was replaced with the following verbiage:

(a) If at the time of application the applicant is charged with any offense that a conviction for which would result in said applicant's ineligibility for certification, consideration of the application shall be suspended until entry of a plea or verdict or dismissal of said charge.

(b) If after the issuance of a permit a person is charged any offense that a conviction for which would result in said applicant's ineligibility for certification, the permit may be suspended pending disposition of such charge. If the person is convicted of such charge, the permit shall be revoked.