

375-5-5-.06 General Regulations

(1) Any customer who is authorized to operate a ~~limousine~~ motor vehicle for the purpose of transporting passengers in the State of Georgia for compensation or donation as a limousine carrier, ride share network or driver, or taxi service, and opts to hold a For-hire license endorsement in lieu of a private background check certification, shall have his or her driver's license endorsed to reflect such privilege. Customers holding a valid and unexpired chauffeur's permit issued prior to July 1, 2012 may have their driver's licenses updated to reflect the ~~chauffeur's~~ For-hire endorsement at any time, but no later than the expiration date of such permit.

(2) Every ~~chauffeur employed by a limousine carrier~~ For-hire license endorsement holder shall ~~have a valid and unexpired chauffeur's permit issued prior to July 1, 2012 or~~ his or her valid driver's license bearing a ~~chauffeur's~~ the For-hire license endorsement in his or her immediate possession at all times while operating a ~~limousine~~ motor vehicle for the purpose of transporting passengers in the State of Georgia for compensation or donation as a limousine carrier, ride share network or driver, or taxi service.

(3) In the event a ~~chauffeur~~ For-hire license endorsement holder is required to surrender his or her driver's license pursuant to O.C.G.A. §40-5-67, he or she may continue to operate ~~limousines~~ under his or her for-hire endorsement unless and until a suspension or his or her endorsement or driving privilege is imposed, and the temporary driving permit issued at the time of his or her arrest shall be documentation of such privilege.

(4) ~~Chauffeur~~ For-hire license endorsements shall be valid for the term of the holder's driver's license unless it has been suspended, revoked, or cancelled.

(5) All complaints filed against the ~~chauffeur~~ For-hire license endorsement holder must be in writing and plainly state the allegations against the ~~permit~~ endorsement holder.

(6) The ~~chauffeur~~ For-hire license endorsement holder must be cognizant of the safety of the passengers at all times.

(7) Applicants for ~~chauffeur~~ For-hire license endorsements are subject to the background investigations mandated in O.C.G.A. §40-5-39 at the time of making an initial application and at renewal thereof. Upon expiration of the holder's current driver's license, a Applicants holding chauffeur permits issued prior to July 1, 2012, and/or driver's license ~~chauffeur~~ endorsements issued after July 1, 2012, or For-hire license endorsements issued after July 1, 2015, must reapply for the For-hire license endorsement and submit to a new background investigation before such privilege can be renewed and/or added to his or her driver's license. In the event a customer fails to reapply and satisfy the background requirement prior to the expiration of his or her previously ~~issued chauffeur's permit or endorsement,~~ driver's license, he or she may not be issued a driver's license bearing a For-hire license such endorsement until after they have completed a new For-hire license endorsement application and the background requirement is met. He or she may renew his or her underlying driver's license, but such license shall not reflect the ~~limousine chauffeur~~ For-hire license endorsement, and he or she shall be prohibited from operating a limousine without such endorsement.

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

SYNOPSIS

STATEMENT OF PURPOSE AND MAIN FEATURES OF PROPOSED RULE

The Purpose of this amendment is to incorporate the statutory changes resulting from the enactment of House Bill 225 of the 2015 Session of the Georgia General Assembly.

DIFFERENCE BETWEEN EXISTING AND PROPOSED RULES

DDS Rule 375-5-5-.06 "General Regulations" has been amended to reflect statutory changes from House Bill 225. The rule has deleted the term "chauffeur" and replaced it with "for-hire". The rule has also replaced the term "limousine" with "motor vehicle for the purpose of transporting passengers in the State of Georgia for compensation or donation as a limousine carrier, ride share network or driver, or taxi service, and opts to hold a For-hire license endorsement in lieu of a private background check certification". Subparagraph (2) requires a "for-hire" endorsement holder to have his or her endorsement in his or her immediate possession. Subparagraph (5) replaces "chauffeur" with "for-hire" and "permit" with "endorsement". Subparagraph (7) requires an endorsement holder to re-apply upon expiration of the for-hire endorsements.