

## **MINUTES OF BOARD OF PUBLIC SAFETY**

December 14, 2005

### **MEMBERS PRESENT:**

Mr. Wayne Abernathy  
Mr. Hal Averitt  
Mr. Bud Black  
Mr. Rooney L. Bowen, III  
Commissioner James Donald  
Mr. Dub Harper  
Sheriff Bruce Harris  
Mr. Pat Head  
Chief Dwayne Orrick  
Sheriff Jamil Saba

### **MEMBERS ABSENT:**

Governor Sonny Perdue  
Chief Lou Dekmar  
Chief J. D. Rice  
Sheriff Cullen Talton

### **OTHERS PRESENT:**

Mr. Chris Brasher, Georgia Department of Law  
Ms. Laura Jones, Board Liaison  
Colonel Bill Hitchens, Department of Public Safety/Georgia State Patrol  
Lieutenant Colonel Arthur White, Department of Public Safety  
Major Don Chastain, Georgia State Patrol  
Major K.E. Sorrells, Georgia State Patrol  
Major Chris Long, Motor Carrier Compliance Division, DPS  
Sergeant Mark McDonough, Georgia State Patrol  
Ms. Becky East, Department of Public Safety  
Mr. Terry Landers, Department of Public Safety  
Mr. Wayne Yancey, Department of Public Safety  
Mr. Lee O'Brien, Department of Public Safety  
Ms. Chiquita Johnson, Department of Public Safety  
Mr. Russ Parry, Department of Public Safety  
Director Vernon Keenan, Georgia Bureau of Investigation  
Deputy Director Paul Heppner, Georgia Bureau of Investigation  
Mr. Ray Higgins, Georgia Bureau of Investigation  
Mr. Mark Jackson, Georgia Bureau of Investigation  
Director Dale Mann, Georgia Public Safety Training Center  
Mr. Richard Guerreiro, Georgia Public Safety Training Center  
Mr. Robert Orange, Office of Planning and Budget

Vice-Chairman James Donald called the Board meeting to order, requesting that visitors be recognized. Colonel Hitchens introduced two new employees, Mr. Lee O'Brien, from Legal Services, and Mr. Russ Parry, who is Director of Internal Affairs. Mr. Terry Landers introduced Mr. Robert Orange, an analyst for Office of Planning and Budget.

Vice-Chairman Donald called for approval of the Minutes of the October meeting. Mr. Rooney L. Bowen, III made the motion, which was seconded by Mr. Wayne Abernathy, and the Board members voted approval.

Vice-Chairman Donald announced that Mr. Dub Harper had been nominated for another term, which calls for a formal Board vote. Mr. Wayne Abernathy made a motion to approve the nomination for Mr. Harper's reappointment, which was seconded by Mr. Hal Averitt, and unanimously approved by the Board members.

## **DIRECTORS' REPORTS**

Colonel Bill Hitchens, Department of Public Safety/Georgia State Patrol, first welcomed back Mr. Hal Averitt to the Board meetings.

Colonel Hitchens began his report stating that there are several departmental rules, which Ms. Chiquita Johnson will bring before the Board members for approval. In January, a new patrol post will be opened in Cedartown and a new post will be opened in Statesboro.

Colonel Hitchens requested Major Chris Long, who is with Motor Carrier Compliance Division (MCCD), to come before the Board and give an overview of the MCCD. Major Long began with describing that the Motor Carrier Compliance Division is identified by eleven regions, which come under the command of Chief Mark McLeod, who, in turn, responds to Lieutenant Colonel Arthur White. Major Long is responsible for Regions 1 through 4, in the north Georgia area; along with Region 10, which is the HOV enforcement group of 20 officers enforcing 102 HOV lane miles. Major Wayne Beck is responsible for Regions 5 through 9, in the south Georgia division; and, Region 11, which conducts the School Bus Safety Program, is under Captain Ayers. Major Long reported there are 19 weigh stations, located on the main arteries in the interstate system. As a history note, Major Long stated that initially there were about 38 officers from the Public Service Commission, who primarily conducted inspections on commercial vehicles, and, under Department of Transportation there were officers handling the weight enforcement. The two units came together under Department of Motor Vehicle Safety, and, officers were cross-trained to do safety inspections and as well as addressing weight issues. With 200 plus officers conducting safety inspections versus the original 38 officers of six years ago, several issues are being addressed. Major Long reported that the transition is going very well under the Department of Public Safety; that if the Board members wanted to assist in some way, their support in seeking increases of salaries of these officers would be greatly appreciated.

Director Vernon Keenan, Georgia Bureau of Investigation, began his report with relaying positive news that in February, the GBI will be hiring 18 narcotic agents. The GBI has not been able to hire agents in the past three years because of a series of budget cuts that the state agencies have gone through. However, with the expert handling of fiscal affairs, the funding is there to begin a 15-week school for these new agents. The narcotic agents will go to the Drug Task Force and other drug enforcement assignments. The agents that are currently doing the undercover drug assignments will be rotated out to field assignments. Director Keenan stated this is staffing in the right direction and GBI is getting back up to staff level.

Director Keenan gave the Board members a briefing paper on an issue relating to firearm background checks. Essentially, the problem is that in 1993, the Federal Firearms law was amended to require that there be a background check on anyone purchasing a firearm in the United States. For the State of Georgia, the GBI ran the firearms background check program until July of this year. As previously briefed to the Board, Director Keenan had recommended to the Governor, and, the General Assembly passed legislation, to remove that responsibility from the GBI and direct it back over to the FBI, which receives funding to do the background check program. Therefore, the responsibility shifted to the FBI on July 1, 2005. Director Keenan stated that the federal government had the processes in place; this was done without problems. However, another issue came up. When the Brady Act was passed in 1993, it had a provision for those states that had certain licensing requirements for possession of a firearm. In Georgia, there is a license to carry a concealed weapon, the pistol carry permit. If a state had a specific licensing requirement, then the holder of that license when buying a firearm did not have to go through the national background check. They could present that license when purchasing the firearm. In 2004, the Alcohol Tobacco & Firearms Bureau, an instrument of U.S. Department of Justice, decided to do a review of all the states that had been given this alternative status. ATF came and looked at the Georgia requirements. They compared the Georgia disqualifiers with the federal law, and, it was discovered they do not match. The Department of Justice wrote a letter to the GBI requiring the agency to straighten this out. The GBI does not have the authority or the responsibility to be addressing pistol holders who are not in compliance with the state law. As pointed out to the Department of Justice, this would require a change in the law to set the requirements to have a pistol license in Georgia. The GBI informed Department of Justice that the Legislature was not in session. Therefore, in September of 2005, the ATF revoked Georgia's alternative status; now a person who has a pistol permit, when they go into buy a firearm, instead of presenting that permit and being able to purchase the firearm without a background check, the person has to go through a background check. Calls have been coming in from legislators, and, the Governor's office has been getting calls from private citizens. To make things much simpler, Director Keenan's briefing document was prepared to outline what it will require for Georgia to become an alternative status state again. The Georgia pistol permit law would have to be changed so that the provisions that prevent someone from obtaining a Georgia pistol license must match up exactly with the federal law. Director Keenan requested support from the Board, asking that the Board members explain to anyone who brings up the issue that

this is not a GBI created problem. The GBI is not the agency nor the body that can solve the issue.

Director Dale Mann, Georgia Public Safety Training Center, first thanked Vice-Chairman Donald for the latitude to hold a funeral at the Training Center for Sergeant Phillip Dodson, who died in Iraq. Sgt. Dodson worked as a correctional officer at Burruss Correctional Institute, but was on active duty with 48<sup>th</sup> Brigade. Vice-Chairman Donald added that Sgt. Dodson loved the military and loved working for Department of Corrections.

Director Mann reported that a food service manager staff member was arrested. With the assistance of the GBI, after a two-year investigation, an eight-count drug charge has been brought against this staff member. In addition to the counts of Possession, With Intent to Distribute, a stolen computer was also recovered at the staff's residence.

Director Mann reported that the renovations are being completed at the Athens regional academy. This building is 18,500 square feet and this facility is working great. Director Mann appreciates the Board support on acquiring this property.

Director Mann announced that on Friday, December 16<sup>th</sup>, the State Properties Commission will meet in the Governor's office. On the Agenda is the discussion of the Training Center acquiring the old state patrol post in Savannah; the property is the old patrol post and ten acres next door, which will require major renovations. The funds for this will come out of the Training Center budget, with the use of in-house staff.

Director Mann reported that starting in January there will be a posting on the Training Center's web site of information for retired officers to do firearms certification. The Training Center will offer a four-hour training class that includes all requirements and includes the firearm group qualifications. At the cost of \$100, the Training Center will furnish ammunition, tuition, and other expenses. With this class, it offers retired officers an opportunity to come to an approved range, with qualified instructors, and be certified. In response to a question of location, the qualification would take place at the center in Forsyth; the regional academies do not have ranges.

## **FISCAL REPORTS**

Mr. Terry Landers, Department of Public Safety/State Patrol, reporting on the 1<sup>st</sup> Quarter FY 06, wanted to bring to the attention of the Board members that the Department is on track. In looking at State Funds, there should be 75% less because it represents one-quarter's worth of spending. One reason of being slightly over is that the Department had ordered a number of vehicles earlier in the year. Approximately half of the vehicles were purchased in first quarter. Mr. Landers pointed out there are some areas showing that the Department spends more than

75% and it is being monitored closely. Other items, such as the Travel budget; OPB has directed the agency to use federal funds to pay for bulk of travel, therefore, it is loaded in as needed. That will never be in line, as far as the expense for that time period. The Katrina hurricane charges are not showing up; that has accumulated and it will show up as a full expense on a later report. As for Contracts, the number represents private security contracts used through Capitol Police providing security. In response to the question of cost of fuel, Mr. Landers responded that through this time period, it is approximately \$1 million, which is much higher than in the past. This is being monitored; and, the agency is waiting to see what Governor Perdue's recommendations will be.

Mr. Ray Higgins, Georgia Bureau of Investigation, reported on 1<sup>st</sup> Quarter FY 06 Budget. Mr. Higgins pointed out that at the bottom right-hand column, it reflects that the GBI was in good shape at that time of year. The State Funds percentage is slightly higher than 25%, but it should be noted that the expenditure column includes encumbrances, which in many cases will access entire year, although they are set up in 1<sup>st</sup> Quarter. The GBI is in good shape as of the end of November, and, will eagerly await the Governor's budget recommendations next month.

Mr. Richard Guerreiro, Georgia Public Safety Training Center, began with reporting on the Georgia Fire Academy. It is a little bit over in the first quarter, however, it will be under on the six-month expenditure. The Georgia Police Academy, the State Funds are under and continue to be under, due to personnel changes in the Police Academy. Last, is the Public Safety Training Center, reflecting staying right at or under or General Funds every month. Total funds, however, reflects expending 26%, even though that is 1% over. Going further into fiscal year, there are more expenditures coming in and it will be addressed. Some of the Object Classes are higher than 25%, but those are addressed as go along with revenue and other federal grants that are amended on a monthly basis. So, Georgia Fire Academy and Georgia Police Academy at the end of Fiscal Year will be in very good shape. The Public Safety Training Center will hatchet as the year goes along, but money cannot be transferred under the program budget.

Vice-Chairman Donald commented that one of the things in the budget process is that all of the agencies talk with Governor's staff in giving the agencies latitude to move things within the program.

**DONATIONS AND RESOLUTIONS**

Mr. Terry Landers, Department of Public Safety/State Patrol, requested approval of the following donations:

Two Stalker 2X DSR Radars	\$ 5,390.00	Mr. Sam Moore Wilkes County Commissioners
One Stalker Radar	\$ 2,795.00	Mr. Dave Wills Webster County Commissioners
Twelve Model TM200 Window Tint Meters	\$ 1,584.00	Sheriff Mike Yeager Coweta County
One Prolaser III	\$ 3,595.00	Mr. Charles Ware Taliaferro County Commissioners
Four Window Tint Meters	\$ 396.00	Sheriff Phil Miller Douglas County Sheriff
Five Stalker Radars	\$14,000.00	Captain Yeager
One Decatur Genesis Radar	\$ 1,500.00	Lowndes County Sheriff's Office
One Window Tint Meter	\$ 182.00	Sheriff Homer Bell Candler County Sheriff
Laser Labs TM100 Tint Meter	\$ 99.00	Coastal Area Traffic Enforcement Network

Mr. Wayne Abernathy made the motion to approve the donations, seconded by Mr. Bud Black, and unanimously voted approval by the Board members.

Mr. Ray Higgins, Georgia Bureau of Investigation, requested approval of the following donations:

Sony 5-Disc CD/DVD Player	\$ 1,950.00	Captain Andrew Exum
Sony Subwoofer		Albany Dougherty Drug Unit
52" Samsung Plasma Television		
Sony Receiver		

Mr. Wayne Abernathy made the motion to approve said donation, which was seconded by Mr. Hal Averitt, and unanimously voted approval by the Board.

Mr. Richard Guerreiro, Georgia Public Safety Training Center, requested approval of the following donation:

Check	\$ 1,000.00	Atlanta Gas Light Resources
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Mr. Wayne Abernathy made the motion to approve said donation, which was seconded by Mr. Dub Harper, and unanimously voted approval by the Board.

Mr. Mark Jackson, Georgia Bureau of Investigation, requested approval of a Resolution to name the Region 12 Investigative office after Mr. Glynn Meeks. Special Agent In Charge Meeks began his career with the GBI in 1971; after beginning his law enforcement career in 1965. SAC Meeks was assigned to several offices with the GBI. In 1978, he was promoted to Special Agent In Charge and took over the Region 12 Dublin office. That office was subsequently moved in 1991 to Eastman, where SAC Meeks spent a great deal of his time designing the building and working towards establishing that office. SAC Meeks was very well respected by law enforcement and agents. SAC Meeks retired in 1997, and, after becoming ill, passed away in 1999. Mr. Jackson pointed out an error in the Resolution, therefore, requesting that the Resolution be approved with a correction of "26 years" of service. Mr. Jackson requested approval to name a building after SAC Glynn Meeks. Mr. Rooney L. Bowen, III made a motion to approve the Resolution as amended, which was seconded by Mr. Wayne Abernathy, and unanimously voted approval by the Board members.

Mr. Jackson also mentioned that Assistant Special Agent In Charge Robert Curbelo suffered a major stroke, and, he has been in ICU for the past month. ASAC Curbelo is showing signs of improvement, and appreciates everyone thinking of him.

Mr. Wayne Yancey, Department of Public Safety/State Patrol requested approval of the following Resolution:

That the Members of Board of Public Safety authorize the Commissioner of the Department of Public Safety to enter into negotiations and prepare the appropriate agreements and supporting documentation for the express purpose of developing final deeds of sale and use agreements for the Board's final consideration for the transfer and exchange of 0.26 acre tract of land to the southwest of tract number 1, upon which the guy wires for the radio tower are anchored (hereinafter referred to as tract number 2), at Georgia State Patrol Post 16, Helena, Georgia, are anchored.

Mr. Rooney L. Bowen, III made a motion to approve the Resolution, which was seconded by Mr. Wayne Abernathy, and unanimously voted approval by the Board members.

## **RULES**

Ms. Chiquita Johnson, Department of Public Safety/State Patrol, brought before the Board members the proposed amendments to DPS administration. A copy of the Summary of the proposed rule changes and a rationale behind the changes, as well as a copy of each individual rule. These rules have not been amended since 2000, when the Department of Motor Vehicle Safety was created. When DMVS was created, within the purview of the administration and issuance of Georgia drivers licenses, motor vehicle registration tag and title, there was a law enforcement division responsible for enforcing the federal motor carrier safety Act program, as well as the Title 32 overweight, oversize limitations, as well as the uniform rules of the road contained in Title 40, Chapter 6. There also was a Public School Bus Inspection program, however, under House Bill 501 in July of this year DMVS was dismantled, it was renamed the Department of Driver Services. Its sole responsibility is issuance and administration of Georgia drivers licenses, thereby, the Motor Vehicle registration function was transferred back to the Department of Revenue, as well as the transfer of the law enforcement division to the newly created within the Department of Public Safety, the Motor Carrier Compliance Division. Thereby, the amendment of these rules will delete all references to drivers license functions that are no longer the responsibility of DPS, as well as establish the Motor Carrier Compliance Division and the Public School Bus Safety Inspection program. Ms. Johnson requested approval for initial adoption, naming each rule as follows:

Rule 570-1-.05, relating to contested cases under the Administrative Procedure Act. On page two of the rule, the deletion is for administrative suspension or revocation of drivers licenses; also deleting the license for Driver Training Schools and Instructors; and for Limited Permits. The only administrative hearings, thereby, offered by the Department will be License for Dealers In Pistols and Short Barreled Firearms cases. The authority for this rule change is contained in O.C.G.A. § 50-13-16 and § 50-13-41.

Rule 570-1-.05, relating to review of actions that are not contested cases under the Administrative Procedure Act, was repealed. The authority for this rule is contained in O.C.G.A. Chapter 43-16 and § 50-13-41.

Rule 570-1-.07, relating to Refund of Fees Received By The Department, subsection (a) has been deleted as to the Definition of Reinstatement Fees, Lapse Fees and Application Fees, due to the fact that all of these fees relate to drivers license issues. The authority for this rule is contained in O.C.G.A. Chapter 40-5-4 and § 33-34-13.

Rule 570-3-.01, relating to Organization of Drivers Services Section of the Department of Public Safety, has been repealed. The authority for the rule is contained in O.C.G.A. Chapter 40-16 and Chapter 43-15.



Rule 570-3-.03, relating to Motorcycle and Motor Drive Cycle: Examination, has been repealed under the authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-3-.04, relating to Licenses Restricted As To Use For Physical Impairment, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-3-.05, relating to Reciprocity For Valid Licenses Issued Elsewhere, has been repealed under the authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-3-.06, relating to Eye Examination, has been repealed under the authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-3-.07, relating to Knowledge Tests, has been repealed under the authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-3-.08, relating to Oral Examination of Illiterates, has been repealed under the authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-3-.09, relating to Sequences For Prerequisites To Driving Demonstration, has been repealed under the authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-3-.10, relating to Driving Ability Demonstration, has been repealed under the authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-3-.11, relating to Condition Of Test Vehicle, has been repealed under the authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-3-.12, relating to Re-Examination Upon Failure, has been repealed under the authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-3-.16, relating to Eligibility For Veterans, Honorary or Distinctive Drivers License, has been repealed under the authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-3-.17, relating to When Licenses Are Renewable, has been repealed under the authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-3-.18, relating to License Renewal Self-Examination, has been repealed under the authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-3-.19, relating to Sex Change On License, has been repealed under the authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-3-.20, relating to New Resident Licensing Requirements, has been repealed under the authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-3-.21, relating to Purged Or Expired License, has been repealed under the authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-3-.22, relating to Inmate Drivers Certificate, has been repealed under the authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-3-.23, relating to Extension Of 30-Day Permit and 180-Day Permit, has been repealed under the authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-3-.24, relating to Distinctive Driver's License For Persons Under Age 21, has been repealed under the authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-3-.25, relating to Disposition Of DUI Citation, has been repealed under the authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-3-.26, relating to 120-Day Limited Permit Application, has been repealed under the authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-3-.27, relating to Application For Personal Identification Cards, has been repealed under the authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-3-.28, relating to One Year Limited Permit Application, has been repealed under the authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-3-.29, relating to Ninety Day Limited Permit, has been repealed under the authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-3-.30, relating to Retention of Driver Licenses That Have Been Suspended, Revoked, or Canceled has been repealed under the authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-3-.31, relating to Return of Driver Licenses, has been repealed under the authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-3-.32, relating to Name On License Or Identification Card, has been repealed under the authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-3-.33, relating to Classes Of License, has been repealed under the authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-6-.12, relating to Suspension of License For Failure To Appear To Respond To A Citation To Appear Before A Court of Competent Jurisdiction, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-15-.01, relating to Drivers License As Bail In Traffic Violation Arrests, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-15-.02, relating to Suspension of Operating Privilege For Failure To Respond To Citation, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-15-.03, relating to Forms, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-16-.01, relating to Scope of Regulation, manufacturer certification, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-17-.01, relating to Purpose of the Drivers License Advisory Board, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-17-.02, relating to Alterations of Consciousness, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-17-.03, relating to Cardiovascular Function, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-17-.04, relating to Hearing, (those hard of hearing), has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-17-.05, relating to Mental Condition, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-17-.06, relating to Musculoskeletal Performance, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-17-.07, relating to Respiratory Function, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-17-.08, relating to Vision, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-17-.09, relating to Incapacitated Drivers, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-17-.10, relating to Applicants Physical and Mental Condition, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-18-.04, relating to Provision Of Information To Insurers For Claims Investigation Activities, Antifraud Activities, Rating, Or Underwriting, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-18-.06, relating to Fee For Limited Rating Information, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-18-.08, relating to Cancellation Of Insurance Policy, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-18-.09, Notification of Cancellation Form, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-18-.10, relating to Sixty One Day Policy, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-18-.11, relating to Procedure For Amending Cancellations, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-18-12, relating to Reinstatement Procedures For Insurance Suspensions, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-18-.13, relating to Reinstatement Procedures For Suspensions Based On Second or Subsequent Convictions For No Proof Of Insurance, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-19-.01, relating to Rule Providing For Use of Form DPS 32, Uniform Traffic Citation, Summons, Accusation, 180-Day Temporary Driving Permit, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-19-.02, relating to Numbering and Accountability For Form DPS 32, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-19-.03, relating to Proof Of Service When License Displayed In Lieu Of Bail, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-23-.01, relating to Scope, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-23-.02, relating to Course Content, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-23-.03, relating to Materials, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-23-.04, relating to Certificates, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-23-.05, relating to Instructor Requirements, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-23-.06 relating to Scheduling, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-23-.07, relating to Effective Dates, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-23-.08, relating to Alternative Courses, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-23-.09, relating to Testing, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-23-.10, relating to Test Score, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-23-.11, relating to Oral Test, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-25-.01, relating to Applications for Commercial Driver's License, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-25-.02, relating to Commercial Driver's License Exemptions, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-25-.03, relating to Affidavit For Changes On CDL, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-25-.04, relating to Minimum Physical Requirements Required To Obtain A Commercial Driver's License, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-25-.05, relating to Exemptions From Medical Requirements, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-25-.06, relating to Driver Qualifications, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-25-.07, relating to Suspensions, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-25-.08, relating to Failures Written/Skills Test, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-25-.09, relating to Knowledge Test and Endorsement Tests, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-25-.10, relating to Vehicle Requirements Commercial Driver's License Skills Test, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-25-.11, relating to Skills Test Disqualifications, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-25-.12, relating to Skills Test For Commercial Driver's License, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-25-.13, relating to Third Party Tester Program, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-25-.14, relating to Commercial Driver Out Of Service Notification, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-25-.15, relating to Disqualification From Driving A Commercial Motor Vehicle, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-26-.01, relating to Applications for restricted Commercial Drivers License, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-26-.02, relating to Affidavit For Changes On Restricted CDL, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-26-.03, relating to Minimum Physical Requirements Required To Obtain A Restricted Commercial Driver's License, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-26-.04, relating to Driver Qualifications, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-26-.05, relating to Suspensions, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-27-.01, relating to Organization of provider center, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-27-.02, relating to Duties and Responsibilities, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-27-.03, relating to Definitions, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-27-.04, relating to Provider Center Certification, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-27-.05, relating to Device Certification, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-27-.06, relating to Responsibilities Of Manufacturer Of Ignition Interlock Device, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-27-.08, relating to Departmental Authority Under Title 42, Chapter 8, Article 7 and Rules and Regulations Of This Chapter, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-27-.09, relating to Hearing Procedures, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-28-.01, relating to Organization of Safety Responsibility Unit, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-28-.02, relating to Vehicle Driver Without Owner's Permission, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-28-.03, relating to Departmental Hearings, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-28-.04, relating to Contents Of Demand For Security Under Safety Responsibility Act, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-28-05, relating to Security, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-28-.05, relating to Disbursement Of Security Based On Unsatisfied Judgment, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Rule 570-28-.07, relating to Forms Issued Under Security Responsibility Involving Accidents, has been repealed under authority of O.C.G.A. Chapter 40-16 and Chapter 43-16.

Ms. Chiquita Johnson continued with explaining two new additions to Department of Public Safety administrative rules contained in Chapter 570-30, relating to Public School Bus Inspections. Rule 570-30-.01 relates to Responsibility For Program, Rule 570-30-.02 contains Definitions, Rule 570-30-.03 relates to Fees, 570-30-.04 relates to Expiration Period Of Inspection Sticker, Rule 570-30-.05 relates to Purchase Of Bus, Rule 570-30-.06 relates to Inspection Sticker Location, Rule 570-30-.07 relates to Completion of Inspection Sticker, Rule 570-30-.08 relates to Inspection Report, Rule 570-30-.09 relates to Minimum Requirement for Inspection, Rule 570-30-.10 relates to Body of Vehicle, Rule 570-30-.11 relates to Violation Of Law And/Or Rule The Penalty Therefor, Rule 570-30-.12 relates to Daily Inspection By Operator. The authority for this chapter is O.C.G.A. 40-8-220.

Rule 570-31 of Department of Public Safety contains the creation of Motor Carrier Compliance Division of Public Safety. The authority for this Rule is contained in O.C.G.A. Title 32, Chapter 1 et seq., 35-2-100 and 35-2-101.

Mr. Wayne Abernathy made a motion that these rules be initially adopted and posted for thirty days, which was seconded by Mr. Hal Averitt, and unanimously approved by the Board members.

### **OLD/NEW BUSINESS**

There being no Administrative/Emergency Issues, Vice-Chairman Donald called for Old/New Business.

Vice-Chairman Donald brought to the table that agency heads Director Dale Mann, Director Vernon Keenan, and Colonel Bill Hitchens will receive a salary increase in January, 2006, which required a formal vote from the Board of Public Safety. Mr. Hal Averitt made a motion to approve the 2% salary increase, which was seconded by Mr. Rooney L. Bowen, III and unanimously approved by the Board members.

Vice-Chairman Donald shared several issues involving the Department of Corrections. The clemencies are down, at the average of 50 per week. The State Board of Pardons and Paroles is



making an effort to find the type of inmates who meet the standards for parole. Vice-Chairman Donald recently met with Governor Perdue to discuss these issues, therefore, there may be budget area increases to accommodate the prison growth. The Department of Corrections is looking at opening a number of beds; also, looking at opening the first female Probation Residential Substance Abuse center at Lee Arrendale State Prison. Vice-Chairman Donald announced that Corrections is holding a structured Mock Hostage situation tonight at Hancock State Prison. Vice-Chairman Donald also reported that an employee, Mr. Terry Mulkey, Director of Internal Affairs, has asked to resign to take care of a health problem. Vice-Chairman Donald will place in the position someone of same experience as Mr. Mulkey.

Vice-Chairman Donald said it was good to have Mr. Hal Averitt and Mr. Wayne Abernathy back at the Board meetings.

Colonel Bill Hitchens invited everyone to attend today's Open House of the new Capitol Police headquarters; Governor Perdue will be dropping by. He also invited the Board members to attend Thursday's demonstration by Daimler Chrysler at the Atlanta International Motor Raceway.

There being no further business, the meeting was adjourned.

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Rooney L. Bowen, III