

SYNOPSIS OF PROPOSED REVISIONS TO THE GEORGIA DEPARTMENT OF PUBLIC SAFETY RULE 570-1 RULES OF GENERAL APPLICABILITY.

Purpose: To update and amend the Rule and to repeal outdated language. The proposed changes will make the Rule compatible with the existing Code.

Main Features: The proposed Rule amendments include:

In **Rule 570-1**, paragraphs .01, .02, .06, and .07 are revised to reflect the existing organizational structure and references to drivers' license matters are deleted since those functions now fall within the purview of the Department of Drivers Services.

DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS TO THE GEORGIA DEPARTMENT OF PUBLIC SAFETY RULE 570-1 Rules of General Applicability.

[**Note: Underlined text is proposed to be added; lined-through text is proposed to be deleted.**]

Rule 570-1 Rules of General Applicability is hereby revised as follows:

570-1-.01 Organization.

(1) There are ~~two~~ three primary divisions within the Department of Public Safety; the Uniform Division, the Motor Carrier Compliance Division, and the Capitol Police Division and ~~the Special Operations and Support Services Division.~~

(2) The mailing address of the Department of Public Safety Headquarters is P.O. Box 1456, Atlanta, Georgia 30371-1456. It is located at 959 E. Confederate Avenue, S.E., Atlanta, Georgia 30316-2303.

(3) All legal notices and all notices and correspondence ~~respecting administrative proceedings~~ should be directed to the Department of Public Safety Headquarters.

Authority O.C.G.A. Secs. 35-2-3, 35-2-30, 35-2-34, 35-2-35, 35-2-70, 35-2-100, 35-2-121. **History.** Original Rule entitled "Organization" adopted. F. and eff. July 20, 1965. **Amended:** F. Mar. 20, 1973; eff. Apr. 9, 1973. **Amended:** F. Dec. 11, 1975; eff. Dec. 31, 1975. **Amended:** F. Jan. 25, 2000; eff. Feb. 14, 2000. **Amended:** F. Aug. 18, 2000; eff. Sept. 7, 2000. **Amended:** F. Nov. 14, 2003; eff. Dec. 4, 2003.

570-1-.02 General Definitions. Amended.

The following definitions shall apply generally to all rules and regulations of the Department of Public Safety.

- (a) "Board" shall mean the Board of Public Safety of the State of Georgia.
- (b) "Commissioner" shall mean the Commissioner of Public Safety of the State of Georgia.
- (c) "Department" shall mean the Department of Public Safety of the State of Georgia.
- (d) "Hearing" shall mean a right of the Department and of parties affected by any action of the Department to present, either formally or informally, relevant information, testimony, documents, evidence and arguments as to why such action should or should not be taken.
- (e) "Hearing Examiner" or "Hearing Officer" or "Reviewing Officer" shall mean an officer or employee of the Department or other person so designated by the Commissioner or the Board who shall be employed or appointed by the Department for purpose as needed and shall be authorized to exercise such powers as are given such persons by statute or rule.

Authority Ga. Code Ann. Secs. 68B-101, 92A-105 O. C.G.A. Secs. 40-1-8(c)(1), 40-123(w)(2), 43-16-11. **History.** Original Rule entitled "General Definitions" adopted. F. and eff. July 20, 1965. **Amended:** F. Mar. 20, 1973; eff. Apr. 9, 1973. **Amended:** F. Dec. 11, 1975; eff. Dec. 31, 1975.

~~570-1-.06. Review of Actions Which Are Not "Contested Cases" Under the Administrative Procedure Act.~~

~~(1) Cases which arise under Ga. Laws 1951, p. 565 as now or hereafter amended, are governed by the provisions contained therein rather than the Administrative Procedure Act. Cases thereunder shall be conducted in accordance with the procedures provided herein and as follows: All actions shall be subject to review by a hearing officer of the Department of Public Safety designed for such purposes. A hearing may be scheduled upon request of the aggrieved person or his/her legal representative. The hearing shall be strictly administrative in nature, and as such, shall be kept on an informal level; therefore, no transcript or record shall be made, nor shall witnesses be subpoenaed. The reviewing officer shall consider statements of witnesses, oral or in writing, and all material information presented. The decision of the reviewing officer will be final and not subject to further administrative review. If the applicant is dissatisfied with the reviewing officer's decision, they may seek judicial review as provided by law.~~

~~(2) Any person adversely affected by any decision or action of the Department which is not a "contested case" under the Administrative Procedure Act, arising under Georgia Code Title 40, is entitled to a review with respect to that decision or action as follows:~~

~~(a) Any person entitled to have a decision or action reviewed pursuant to this section may file a request for review with the Department. This request should describe specifically the decision or action to which it relates, state the change in such decision or action which the person desires and the basis upon which the person considers himself to be entitled to have such decision or action changed. If the person desires an informal hearing, a request, therefore, should state specific reasons why this hearing should be granted.~~

~~(b) The Department will respond to all requests for review pursuant to this section with notice of the grant of the requested change, notice of refusal to make the requested change or a notice scheduling a hearing. Any notice or refusal to make a requested change will state the reason for refusal.~~

~~(c) Each request shall be filed with the Department in writing and shall state:~~

- ~~1. The name, telephone number and post office address of the licensee;~~
- ~~2. Citation to the statute, rule, or order upon which a decision is requested, and, if unpublished, the full text thereof;~~
- ~~3. A paragraphed statement of all pertinent facts necessary to a determination of the applicability of the quoted statute or rule;~~
- ~~4. The licensee's legal contention with citations of legal authorities, if any, which authorize, support or require a decision in accordance with contentions.~~

~~(d) Proceedings on request. If the Department shall determine that a decision can be rendered on the face of the request without further proceedings, the Department shall render a summary decision thereon. Otherwise, parties shall be notified and the matter shall be heard in an informal hearing.~~

~~(e) Any appeals to the Superior Court from a final agency decision under this rule shall be served on the Department by personal service to the Legal Services Section of the Department of Public Safety at 959 E. Confederate Avenue, SE, Atlanta, Georgia 30316. Service on any other person, agency, or entity shall not be considered service or notice to the Department of the action for the purpose of the appeal. The party or counsel shall also furnish a copy of the appeal by mail to the Department of Law, Public Safety Section at 40 Capitol Square, SW, Atlanta, Georgia 30334-1300.~~

~~(3) Hearings requested because of an impending suspension and/or revocation must be requested in writing within ten days of the issue date of the order or suspension or revocation. No hearing shall be held if requested~~

~~thereafter except where events uncontrollable by the aggrieved person are shown by him to have prevented a timely request. In this regard, the decision of the Commissioner shall be final.~~

~~(4) In the event it becomes necessary to reschedule a hearing because the aggrieved person fails to appear at the original hearing, such hearing may be rescheduled to be held at the Department of Public Safety Headquarters.~~

~~Authority O.C.G.A. Secs. 40-5-4, 43-16 et seq., 50-13-41. **History.** Original Rule entitled "Contested Cases Governed by Express Statutory Provision" adopted. F. Mar. 20, 1973; eff. Apr. 9, 1973. **Repealed:** New Rule entitled "Review of Actions Which Are Not „Contested Cases“ Under the Administrative Procedure Act" adopted. F. Dec. 11, 1975; eff. Dec. 31, 1975. **Amended:** F. June 12, 1989; eff. July 2, 1989. **Amended:** F. Dec. 8, 1992; eff. Dec. 28, 1992. **Amended:** F. Aug. 18, 1997; eff. Sept. 7, 1997. **Amended:** F. Apr. 21, 2006; eff. May 11, 2006.~~

570-1-.07 Refund of Fees Received by the Department.

~~(1) It shall be the policy of the Department of Public Safety that refunds of reinstatement fees, lapse fees, application fees and any other fees for services rendered to this department will be issued only when specifically authorized by a statute of the State of Georgia paid under formal protest; or when such payment was the result of an error on behalf of the staff. The Department desires to provide consistent interpretation regarding the processing and handling of fees paid to this department.~~

~~(a) Definition of Application Fees, Unless otherwise provided for in a controlling statute, the term application fee shall be deemed to be the fee paid for the purpose of receiving, reviewing, and processing the document related to an application fee for an accident report.~~

~~(b) Overpayment. Unless otherwise provided for in a controlling statute, any overpayment that does not result from an error on behalf of an employee of the Department of Public Safety may not be refunded.~~

~~(c) Minimum Refund. The minimum refund, including refunds otherwise authorized by this policy, shall be \$25.00.~~

~~(d) Authorized Refunds. When a refund is authorized by this policy, the following procedure shall be followed:~~

~~1. Written Request Required. The person due the refund shall make a written request describing why the refund is due and include their social security number (for accounting purposes). Evidence of payment must be attached to the request.~~

~~2. Section Review. The refund request shall be reviewed by an authorized employee and if the refund is appropriate and authorized, a refund request form shall be completed and referred to the Comptroller.~~

~~3. Referral to Comptroller. The section supervisor shall forward the request to the Comptroller for processing and issuance of the refund check.~~

~~4. Mailing of Refund Check. The Comptroller shall issue the refund check, charge the appropriate section and return said check to the section supervisor for mailing to the person requesting the refund.~~

~~(e) Hardship Waiver. In the event of unusual or special circumstances, a section supervisor may authorize a refund even though it may not be in technical compliance with this policy.~~

~~Authority O.C.G.A. Secs. 33-34-13, 40-5-4, 43-16 et seq., 50-13-41.~~

~~**History.** Original Rule entitled “Refund of Fees Received by the Department” adopted. F. June 12, 1989; eff. July 2, 1989. **Amended:** F. Oct. 7, 1993; eff. Oct. 27, 1993. **Amended:** F. Apr. 21, 2006; eff. May 11, 2006~~

SYNOPSIS OF PROPOSED REVISIONS TO THE GEORGIA DEPARTMENT OF PUBLIC SAFETY RULE 570-4 FIREARMS DEALERS LICENSE.

Purpose: To revise the Rule by updating language to make the Rule compatible with changes to the Code and reflect existing departmental policy and procedures.

Main Features: The proposed Rule amendments include:

In **Rule 570-4**, paragraph .01 is amended to reference the Special Investigations Division and reference to a Permit Section Supervisor is deleted, paragraphs .04 and .07 are deleted in their entirety due to statutory changes, and paragraph .05 is amended to include the “Special Investigations Division for the issuance of firearms dealers’ licenses” and delete reference to “Permit Section” to reflect the procedure used by the Department.

DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS TO THE GEORGIA DEPARTMENT OF PUBLIC SAFETY RULE 570-4 Firearms Dealers License.

[**Note: Underlined text is proposed to be added; lined-through text is proposed to be deleted.**]

Rule 570-4 Firearms Dealers License is hereby revised as follows:

570-4-.01 Public Information.

Any member of the public desiring information regarding the rules or laws administered by the Department or desiring application forms should contact the Special Investigations Division Supervisor, Permit Section, Georgia Department of Public Safety, P. O. Box 1456, Atlanta, Georgia 30371-2303. Authority Ga. L. 1964, p. 342. O.C.G.A. § 43-16-1 et seq. Administrative History. Original Rule entitled "Public Information" was filed and effective on July 20, 1965. Amended: F. Jan. 25, 2000; eff. Feb. 14, 2000.

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570-4-.04 Procedure and Requirements for Hearings.

~~All notices and hearings in conjunction with proceedings for the revocation of licenses to sell firearms shall be governed by the requirements and procedures set forth in the Georgia Administrative Procedure Act, O.C.G.A. § 50-13-1 et seq.~~

~~Authority Ga. L. 1964, pp. 338, 347-356; Ga. Code Ann., 3A-113, 3A-114; O.C.G.A. § 43-16-11. Administrative History. Original Rule entitled "Procedure and Requirements for Hearings" was filed and effective on July 20, 1965; Amended: F. Jan. 25, 2000; eff. Feb. 14, 2000.~~

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570-4-.05 Disposition of Fees Collected.

All fees collected by the Special Investigations Division for the issuance of firearms dealers' licenses Permit Section shall be paid by the Department to the State Treasurer. Appropriate records of each receipt and disbursement shall be kept on file by the Section.

Authority Ga. L. 1963, pp. 652, 655; Ga. Code Ann., 92A-901; O.C.G.A. § 43-16-6. Administrative History. Original Rule entitled "Disposition of Fees Collected" was filed and effective on July 20, 1965; Amended: F. Jan. 25, 2000; eff. Feb. 14, 2000.

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570-4-.07 Performance Bond Required: Forms: Renewal

~~Upon approval of an application for a license to sell firearms, the dealer so approved will execute a performance bond in the amount of \$1000.00, executed by a surety company or by two individuals, payable to the State of Georgia. Forms for such bonds will be furnished to the dealer by the Department. The bond is to be in force for the period the license is to run,~~

~~and shall be renewed annually upon the renewal of the dealer's license to sell firearms through the same business at the same location unless prior to the end of the license period ending June 30th each year, the principal or surety or securities of said bond shall notify the Department in writing that their respective obligation thereunder is terminated at the end of license period ending June 30th each year.~~

~~Authority Ga. L. 1963, pp. 652, 653, Ga. Code Ann., 92A-901; O.C.G.A. § 43-16-4. Administrative History. Original Rule entitled "Performance Bond Required: Forms: Renewal" was filed and effective on July 20, 1965; Amended: F. Jan. 25, 2000; eff. Feb. 14, 2000.~~

SYNOPSIS OF PROPOSED REVISIONS TO THE GEORGIA DEPARTMENT OF PUBLIC SAFETY RULE 570-11 FLASHING AND REVOLVING LIGHTS ON MOTOR VEHICLES.

Purpose: To revise and update the language to make the Rule compatible with the Code.

Main Features: The proposed Rule amendments include:

In **Rule 570-11**, the language in paragraphs .01, .02, .03, .04, .05, .07, .08, .11, .12, and .13, related to the requirements for designation authorizing a vehicle to use flashing or revolving red lights, are amended to reflect current procedures and statutory changes, a requirement mandating due regard training for applicants is added, and references related to ambulances and applicable fees, is deleted because the Department does not issue permits for ambulances. Additionally, the word "Fireman" is replaced by "Firefighter," language authorizing the County Commission "Chairperson" is added to the list of authorized signatures, and "Proof" that an applicant is of age is added to the list of requirements.

DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS TO THE GEORGIA DEPARTMENT OF PUBLIC SAFETY RULE 570-11 Flashing and Revolving Lights on Motor Vehicles.

[Note: Underlined text is proposed to be added; lined-through text is proposed to be deleted.]

Rule 570-11 Flashing and Revolving Lights on Motor Vehicles is hereby revised as follows:

570-11-.01 Purpose. Amended.

~~It shall be~~ The purpose of these rules is to implement the requirements set forth in O.C.G.A. 40-8-92 Ga. L. 1977, Act 627, as now or hereafter amended, relating to the designation of vehicles as emergency operation of motor vehicles using flashing or revolving emergency lights.

Authority Ga. L. 1977; Act 627. History. Original Rule entitled "Purpose" was filed on September 14, 1972; effective January 1, 1973, as specified by the Agency. Amended: Emergency Rule 570-11-0.1 entitled "Emergency Rule Suspending Enforcement of Chapter 570-11" was filed on January 9, 1973; effective January 1, 1973 for 120 days or until the adoption of a permanent Rule superseding said Emergency Rule, as specified by the Agency. Amended: Permanent Rule entitled "Purpose" adopted. Filed May 24, 1973; effective June 13, 1973. Amended: Filed November 29, 1973; effective January 1, 1974, as specified by the Agency. Amended: Filed June 8, 1977, effective June 28, 1977.

570-11-.02 Definitions. Amended.

(1) "Commissioner" shall mean the Commissioner of Public Safety, of the State of Georgia.

(2) "Department"--shall mean the Department of Public Safety of the State of Georgia.

(3) "Designation as an Emergency Vehicle Authorized to use Flashing or Revolving Red Lights"--shall authorize the use of red flashing or revolving lights to respond to emergency situations such as accidents, fires and disasters and, such vehicles so designated may be operated pursuant to O.C.G.A. 40-6-6 Ga. Code 68A-107 as now or hereafter amended.

(4) "Designation as an ~~Emergency~~ Vehicle Authorized to use Flashing or Revolving Amber Lights"--shall authorize the use of amber flashing or revolving lights as caution or warning devices to warn motorists and the general public of hazardous or emergency situations, but ~~such~~ vehicles so designated shall are not authorized to use amber lights to respond to emergency situations as per pursuant to O.C.G.A. 40-6-6 Ga. Code 68A-107 as now or hereafter amended.

(5) Form DPS-41 -- Application for Designation as Emergency Vehicle and Emergency Light Permit.

(6) "Revocation of Emergency Vehicle Designation"--the termination by ~~formal action of the Department of a vehicles~~ the designation as an emergency vehicle, ~~which termination shall not be subject to renewal or restoration.~~

Authority Ga. L. 1977; Act 627. History. Original Rule entitled "Proven Need Required Before Authorization (1, 2 & 3)" was filed on September 14, 1972; effective January 1, 1973, as specified by the Agency. Amended: Emergency Rule 570-11-0.1 entitled "Emergency Rule Suspending Enforcement of Chapter 570-11" was filed on January 9, 1973; effective January 1, 1973 for 120 days or until the adoption of a permanent Rule superseding said Emergency Rule, as specified by the Agency. Amended: Permanent Rule entitled "Proven Need Required Before Authorization" adopted. Filed May 24, 1973; effective June 13, 1973. Amended: Filed November 29, 1973; effective January 1, 1974, as specified by the Agency. Amended: Rule repealed and a new Rule entitled "Definitions" adopted. Filed June 8, 1977; effective June 28, 1977.

570 -11-.03 Designation of Emergency Vehicles Authorized to use Flashing or Revolving Red Lights. Amended.

(1) The Department may designate a vehicle as an emergency vehicle, allowing such

vehicle to operate flashing or revolving red lights by issuing a permit, when the person, firm, corporation or governmental agency shall demonstrate to the Department a proven need for equipping such vehicle with flashing or revolving red lights.

(2) The following shall be submitted to the Department for such determination and issuance of such permit:

(a) Completed Application Form DPS-41;

(b) Notarized Statement of Use, detailing the time, location, manner and justification for use;

(c) Statement of type(s) of emergency use requiring flashing or revolving red light;

(d) Required fee; and ~~are criteria that the Department of Public Safety will consider in~~

~~determining whether or not the vehicle will be designated as an emergency vehicle, and~~

~~must be expounded on by the applicant on the application and statement of use.~~

~~(a) What the vehicle is used for.~~

~~(b) How the vehicle is used.~~

~~(c) When the vehicle is used.~~

~~(d) Why a flashing or revolving red light is needed for such use.~~

(e) Certificate evidencing completion of a "Due Regard Training Program" approved by the Department.

(3) The following groups of applicants must also meet the following additional criteria

prior to emergency vehicle designation.

(a) ~~Ambulances~~ Emergency Management Vehicles.

~~1. Submit a notarized application and statement of use for designation (DPS-41) in duplicate.~~

~~2. Submit a copy of the Department of Human Resources Emergency Medical Team Certification.~~

~~3. Pay all necessary fees, if applicable.~~

~~(b)1. Submit a notarized application and statement of use (DPS 41) for designation in duplicate.~~

~~2-1. Submit an Emergency Light Certification from the Emergency Management Division, Georgia Emergency Management Agency, State of Georgia.~~

~~3. Pay all necessary fees, if applicable.~~

~~4. 2. Submit proof an Applicants must be is~~ at least eighteen (18) years of age.

(eb) Volunteer Firefighter, Fireman.

~~1. Submit a notarized application and statement of use (DPS 41) for designation in duplicate.~~

~~(i)1. The notarized statement of use shall include an affidavit as to the applicant's active membership in a bona fide Volunteer Fire Department.~~

~~(ii)2. The application shall be signed by the County Commissioner, Chairperson, Mayor, City Manager, County Fire Marshal or Fire Chief.~~

~~2-3. Submit proof an Applicants is must be~~ at least eighteen (18) years of age.

Authority Ga. L. 1977; Act 627. History. Original Rule entitled "Application" was filed on September 14, 1972; effective January 1, 1973, as specified by the Agency. Amended: Emergency Rule 570-11-0.1 entitled "Emergency Rule Suspending Enforcement of Chapter 570-11" was filed on January 9, 1973; effective January 1, 1973 to remain in effect for a period of 120 days or until the adoption of a permanent Rule superseding said Emergency Rule, as specified by the Agency. Amended: Permanent Rule entitled "Application," adopted superseding Emergency Rule 570-11-0.1. Filed May 24, 1973; effective June 13, 1973. Amended: Rule repealed and a new Rule entitled "Certification of Emergency Private Motor Vehicles Belonging to Volunteer Firemen" adopted. Filed November 29, 1973; effective January 1, 1974, as specified by the Agency. Amended: Rule repealed and a new Rule entitled "Designation of Emergency Vehicles Authorized to Use Flashing or Revolving Red Lights" adopted. Filed June 8,

1977; effective June 28, 1977. Amended: Filed March 5, 1982; effective March 25, 1982. Amended: F. Jul. 14, 1995; eff. Aug. 3, 1995.

570 -11-.04 Designation of ~~Emergency~~ Vehicles Authorized to Use Flashing or Revolving Amber Lights. Amended.

(1) The Department may ~~designate a vehicle as an emergency vehicle allowing such~~ authorize a vehicle to operate flashing or revolving amber warning lights by issuing a permit; when the person, firm, corporation or governmental agency shall demonstrate to the Department a proven need for equipping such vehicle with flashing or revolving amber ~~warning~~ lights.

(2) The following shall be submitted to the Department for such determination and issuance of such permit:

(a) Completed Application Form DPS-41;

(b) Notarized Statement of Use, detailing the time, location, manner and justification for use;

(c) Statement of type(s) of use requiring flashing or revolving amber light;

(d) Required fee; and ~~are criteria that the Department of Public Safety will consider in determining whether or not the vehicle will be designated as an emergency vehicle authorized to use flashing or revolving amber lights, and must be expounded on by the applicant on the application and statement of use.~~

~~(a) What the vehicle is used for.~~

~~(b) How the vehicle is used.~~

~~(c) When the vehicle is used.~~

~~(d) Why a flashing or revolving amber light is needed for such use.~~

~~(3) The following groups of applicants must also meet the following additional criteria prior to emergency vehicle designation.~~

~~(a) Wreckers & Service Trucks.~~

~~1. Submit a notarized application and statement of use for designation (DPS-41) in duplicate.~~

~~2. Pay all necessary fees, if applicable.~~

~~(b) Escort Vehicles.~~

~~1. Submit a notarized application and statement of use for designation (DPS-41) in duplicate.~~

~~2. Pay all necessary fees, if applicable.~~

~~(e-e) Private Security Companies/Agencies/Detectives must also~~

~~1. Submit a notarized application and statement of use for designation (DPS-41) in~~

~~Duplicate.~~

~~2. Pay all necessary fees, if applicable.~~

~~3. Submit~~ submit a copy of the State License issued by the Georgia Board of Private Detective and Security Agencies.

Authority Ga. L. 1977; Act 627. Administrative History. Original Rule entitled "Fees" was filed on September 14, 1972; effective January 1, 1973, as specified by the Agency. Amended: Emergency Rule 570-11-0.1 entitled "Emergency Rule Suspending Enforcement of Chapter 570-11" was filed on January 9, 1973; effective January 1, 1973 for 120 days or until the adoption of a permanent Rule superseding said Emergency Rule, as specified by the Agency. Amended: Permanent Rule entitled "Fees" adopted. Filed May 24, 1973; effective June 13, 1973. Amended: Rule repealed and a new Rule entitled "Application" adopted. Filed November 29, 1973; effective January 1, 1974, as specified by the Agency. Amended: Rule repealed and a new Rule entitled "Designation and Emergency Vehicles Authorized to Use Flashing or Revolving Amber Lights" adopted. Filed June 8, 1977; effective June 28, 1977.

570 -11-.05 Application; Statement of Use. Amended.

Applications and statements of use for designations as emergency vehicles and emergency light permits shall be submitted ~~in duplicate~~ on forms furnished by the Department of Public Safety (DPS-41). Each form shall be completed in full, with information to include, the name and address of the applicant, and the name and address of at least one responsible person, other than the applicant, who should be contacted concerning the use or misuse of emergency lights. For the purpose of these Rules, governmental agencies applying for emergency light designations, the agency officer having authority over such vehicles shall be the "responsible person" and must sign the application. ~~F~~for corporations applying for emergency light designation the corporate secretary shall be the "responsible person" and must sign the application. Complete information as ~~provided~~ required by ~~on~~ Form DPS-41 ~~may~~ must be submitted for each vehicle on multiple vehicle applications. All applications and statements of use must be notarized.

Authority Ga. L. 1977; Act 627. Administrative History. Original Rule entitled "Expiration and Renewal of Permits" was filed on September 14, 1972; effective January 1, 1973, as specified by the Agency. Amended: Emergency Rule 570-11-0.1 entitled "Emergency Rule Suspending Enforcement of Chapter 570-11" was filed on January 9, 1973; effective January 1, 1973 for 120 days or until the adoption of a permanent Rule superseding said Emergency Rule, as specified by the Agency. Amended:

Permanent Rule entitled "Expiration and Renewal of Permits and Designations" adopted. Filed May 24, 1973; effective June 13, 1973. Amended: Rule repealed and a new Rule entitled "Fees" adopted. Filed November 29, 1973; effective January 1, 1974, as specified by the Agency. Amended: Rule repealed and a new Rule entitled "Application; Statement of Use" adopted. Filed June 8, 1977; effective June 28, 1977.

570-11-.07 Expiration and Renewal of Permits and Designations.

Amended.

The expiration date of all permits and designations shall ~~will~~ be on midnight of the last day of the month of the ~~next~~ year following the issuance of such permits and designations. Permits and designations will be renewable thirty (30) days prior to expiration.

Authority Ga. L. 1977; Act 627. Administrative History. Original Rule entitled "Penalty" was filed on September 14, 1972; effective January 1, 1973, as specified by the Agency. Amended: Emergency Rule 570-11-0.1 entitled "Emergency Rule Suspending Enforcement of Chapter 570-11" was filed on January 9, 1973; effective January 1, 1973 for 120 days or until the adoption of a permanent Rule superseding said Emergency Rule, as specified by the Agency. Amended: Permanent Rule entitled "Change of Use or Ownership" adopted. Filed May 24, 1973; effective June 13, 1973. Amended: Rule repealed and a new Rule entitled "Suspension, Cancellation and Revocation" adopted. Filed November 29, 1973; effective January 1, 1974, as specified by the Agency. Amended: Rule repealed and a new Rule entitled "Expiration and Renewal of Permits and Designations" adopted. Filed June 8, 1977; effective June 28, 1977.

570 -11-.08 Revocation. Amended.

(1) Permits issued by the Department of Public Safety and designations as emergency vehicle may be revoked for just causes by the Department. The holder of a ~~designation or permit~~ will be given ten days notice of intention to revoke. Revocation will become effective on the tenth day unless a written request for a hearing is received by the Commissioner within ten days of such notice. A hearing will be held for the aggrieved party upon written request therefor, received by the Commissioner within ten (10) days after issuance of the notice of intention to revoke. If a timely request for a hearing is not received, the revocation will become effective at the end of ten days. The hearing and procedures for revocation of ~~designation and permits~~ will be in accordance with Rule 570-1-.05 ~~of the Department of Public Safety Rules and Regulations.~~

(2) Just cause for revocation of emergency vehicle designations and flashing light permits shall include, but not be limited to:

- (a) Improper use.
- (b) Failure to remove decal upon change of use or ownership.
- (c) Falsified, inaccurate, or improper application.
- (d) Use of flashing or revolving lights when not involved in emergency operations.
- (e) Any violation of law or unsafe conduct with respect to a flashing or revolving light.
- (f) Use of emergency lights for purpose other than stated on application and statement of use.

Authority Ga. L. 1977; Act 627. Administrative History. Original Rule entitled "Effective Date" was filed on September 14, 1972; effective January 1, 1973, as specified by the Agency. Amended: Emergency Rule 570-11-0.1 entitled "Emergency Rule Suspending Enforcement of Chapter 570-11" was filed on January 9, 1973; effective January 1, 1973 for 120 days or until the adoption of a permanent Rule superseding said Emergency Rule, as specified by the Agency. Amended: Permanent Rule entitled "Refusals to Grant Permits and Designations" adopted. Filed May 24, 1973; effective June 13, 1973. Amended: Rule repealed and a new Rule entitled "Change of Use of Ownership" adopted. Filed November 29, 1973; effective January 1, 1974, as specified by the Agency. Amended: Rule repealed and a new Rule entitled "Revocation" adopted. Filed June 8, 1977; effective June 28, 1977.

~~570-11-.11 Reserved. Honorary/Complimentary Permits. Amended.~~

~~(1) Upon request from any Federal, State or local law enforcement agency, an Honorary/Complimentary blue light permit will be issued for any law enforcement vehicle owned or leased to such agency.~~

~~(2) Upon request an Honorary/Complimentary red light will be issued to motor vehicles owned by any Federal, State or local Fire Department.~~

~~Authority Ga. L. 1977; Act 627. Administrative History. Original Rule entitled "Forms" was filed on May 24, 1973; effective June 13, 1973. Amended: Rule repealed and a new Rule entitled "Honorary/Complimentary Permits" adopted. Filed November 29, 1973; effective January 1, 1974, as specified by the Agency. Amended: Filed June 8, 1977; effective June 28, 1977.~~

570 -11-.12 Display of Permits. Amended.

Upon authorization by the Department of Public Safety and the issuance of the emergency light designation and emergency light permit, it shall be the responsibility of the owner of the vehicle or the presiding officer of the firm, or corporation to cause the emergency light permit to be displayed in the lower left ~~right~~ hand corner (driver side) of the ~~front~~-windshield. The emergency light designation must be retained in the ~~quarters from~~ office at the location from which the vehicle normally operates and will be made available upon request by a duly authorized law enforcement officer.

Authority Ga. L. 1977; Act 627. Administrative History. Original Rule entitled "Display of Permit" was filed on November 29, 1973; effective January 1, 1974, as specified by the Agency. Amended: Rule repealed and a new Rule entitled "Display of Permits" adopted. Filed June 8, 1977; effective June 28, 1977.

570-11-.13 Governmental Agency, Group Permit. Amended.

(1) The Commissioner of the Department of Public Safety at his discretion may issue a flashing or revolving amber light permit to a governmental agency on a group basis foregoing the requirements of Rule 570-11-.04.

(2) Applicants for a flashing or revolving light group permit shall:

(a) Annually submit a list of all vehicles within its agency that use or will use flashing or revolving lights.

1. Any addition or deletion of vehicles by the agency during the year for which the permit is valid need not be submitted to the Department of Public Safety.

2. The annual listing shall include:

(i) the name of the agency

(ii) type of governmental authority

(iii) address of agency

(iv) telephone number of agency

(v) list of vehicles then using flashing or revolving amber lights

(vi) date list submitted

(vii) signature of agency officer having authority over such vehicles

(3) One group permit shall be issued by the Department of Public Safety to the agency valid for one year, which shall permit the agency to use flashing or revolving amber lights on all vehicles listed, and any vehicles which the agency shall acquire during the year which require a flashing or revolving amber light.

(4) The group permit shall be kept by the agency in a conspicuous place subject to public view and inspection.

(5) ~~All vehicles~~ Vehicles covered by the group permit shall not be required to display individual permits ~~as per~~ pursuant to Rule 570-11-12.

Authority Ga. L. 1977; Act 627. Administrative History. Original Rule entitled "Forms" was filed on November 29, 1973; effective January 1, 1974, as specified by the Agency. Amended: Rule repealed and anew Rule entitled "Governmental Agency, Group Permit" adopted. Filed June 8, 1977; effective June 28, 1977.

~~570-11-14 Forms. Amended.~~

~~Form DPS 41—Application for Designation as Emergency Vehicle and Emergency~~

~~Light Permit; Statement of Use.~~

~~Authority Ga. L. 1977; Act 627. Administrative History. Original Rule entitled "Governmental Agency, Group Permit" was filed on May 12, 1976; effective June 1, 1976. Amended: Rule repealed and a new Rule entitled "Forms" adopted. Filed June 8, 1977; effective June 28, 1977.~~

SYNOPSIS OF PROPOSED REVISIONS TO THE GEORGIA DEPARTMENT OF PUBLIC SAFETY RULE 570-14 MOTORCYCLE HEADLIGHTS AND REAR LIGHTS.

Purpose: To repeal outdated language.

Main Features: The proposed Rule amendments include:

Rule 570-14 is repealed in its entirety because the statute related to the Rule was repealed.

DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS TO THE GEORGIA DEPARTMENT OF PUBLIC SAFETY RULE 570-14 Motorcycle Headlights and Rear Lights.

[Note: Lined-through text is proposed to be deleted.]

Rule 570-14 Motorcycle Headlights and Rear Lights is hereby revised as follows:

~~570-14-.01 Purpose. Reserved.~~

It shall be the purpose of the rules to implement Ga. L. 1973, p. 444, relating to the operation of headlights and rear lights of motorcycles upon the public roads of this State, and the exemption thereto for motorcycles operating in motorcycle events approved by the Department.

Authority Ga. L. 1973, p. 444. Effective December 19, 1973.

~~Administrative History.~~ Original Rule was filed on November 29, 1973; effective December 19, 1973.

~~**570-14-.02 Request for Permission to Operate a Motorcycle in a Sanctioned Endurance Race without Headlights, Horn or Rear-view Mirror. Reserved.**~~

~~The permission of the Department to operate a motorcycle without headlight, horn or rear view mirror shall be given to participants in American Motorcycle sponsored trail riding and endurance run events only after receipt from the person or organization sponsoring such an event at least fifteen (15) days prior to the event of the following:~~

~~(a) A letter stating the date and time of the event and the route to be traveled, including a detailed description of the times and places that public roads shall be used and the arrangements which have been made to insure that the event does not create a hazard to persons traveling on the public roads.~~

~~(b) A certification from the American Motorcycle Association that the event is sanctioned.~~

~~Authority Ga. L. 1973, p. 444. Effective December 19, 1973.~~

~~Administrative History.~~ Original Rule was filed on November 29, 1973; effective December 19, 1973.

~~**570-14-.03 Refusals to Grant Exceptions. Reserved.**~~

~~The Department will refuse to grant permission to operate a motorcycle without headlight, horn or rear view mirror to motorcycles participating in any event which will utilize any portion of a limited access road, any portion of an Interstate Highway, any portion of any road passing through a residential district, any portion of any road passing through a business district during the normal hours of business, or any portion of any public road on which the Department determines that it would be detrimental to the public safety for permission to be granted.~~

~~Authority Ga. L. 1973, p. 444. Effective December 19, 1973.~~

~~Administrative History.~~ Original Rule was filed on November 29, 1973; effective December 19, 1973.

~~570-14.04 Certification of Permission. Reserved.~~

~~If the Department grants its permission, a certificate of permission will be issued to the person or organization sponsoring the event. This certificate shall be kept at the start/finish line of the event and presented upon request of any law enforcement officer.~~

~~Authority Ga. L. 1973, p. 444. Effective December 19, 1973.~~

~~**Administrative History.** Original Rule was filed on November 29, 1973; effective December 19, 1973.~~