

**SPECIAL MESSAGE:**

Visitors to Georgia from foreign countries are allowed to drive in Georgia for up to one year if they have a valid driver's license issued by the driver's licensing agency in their home country and they are lawfully admitted to the United States. *Rocha v. State*, 250 Ga. App. 209, 211-212 (2001), *Schofield v. Hertz Corp.*, 201 Ga. App. 830, 832 (1991).

This Summer, there have been complaints from several of the foreign consulates in Atlanta that law enforcement officers have issued citations to their citizens for driving without a license because they didn't have their passport with them when they were stopped for a traffic violation. According to the Office of the Legal Counsel of the United States Department of State, there is no Federal law or regulation that requires foreign visitors to the United States to have their passport on their person at all times. There also is no Georgia law that would require foreign drivers to keep their passport on their person at all times.

In 2008, the legislature, in an attempt to make it easier for police officers to recognize valid foreign driver's licenses, amended O.C.G.A. § 40-5-21 to add a requirement that if the foreign driver's license is a language other than English, the driver must also have in his or her possession an International Driver's Permit (IDP) in addition to their home country license. This amendment became effective on January 1, 2009.

The IDP is a translation of the foreign license which generally must be obtained in the driver's home country before departing for the United States. It is valid for one year from the date of issuance. Driver's from English speaking countries, such as Australia, Bahamas, Canada, Great Britain, Guyana, Fiji, Ireland, India, Jamaica, New Zealand, Nigeria or Uganda, do not have to carry an IDP.

However, if during that time, a foreign national becomes a legal resident of Georgia, they must obtain a Georgia driver's license within 30 days of becoming a resident. O.C.G.A. § 40-5-20. However, they no longer have to surrender their foreign driver's license. O.C.G.A. § 40-5-20(c)(2).

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