

**40-5-76. Restoration or suspension of defendant's driver's license or issuance of limited driving permit.**

(a) A judge presiding in a drug court division, mental health court division, or veterans court division may order the department to restore a defendant's driver's license that has been or should be suspended pursuant to Code [Section 40-5-75](#), suspend such license, or issue a defendant a limited driving permit in accordance with the provisions set forth in subsections (c) and (d) of Code [Section 40-5-64](#) or with whatever conditions the court determines to be appropriate under the circumstances as a reward or sanction to the defendant's behavior in such court division. The court shall determine what fees, if any, shall be paid to the department for such reward or sanction, provided that such fee shall not be greater than the fee normally imposed for such services.

(b) A judge presiding in any court, other than the court divisions specified in subsection (a) of this Code section, may order the department to restore a defendant's driver's license that has been or should be suspended pursuant to Code [Section 40-5-75](#) or issue a defendant a limited driving permit in accordance with the provisions set forth in subsections (c) and (d) of Code [Section 40-5-64](#) if the offense for which the defendant was convicted did not directly relate to the operation of a motor vehicle. The court shall determine what fees, if any, shall be paid to the department for the restoration of such driver's license or issuance of such limited driving permit, provided that such fee shall not be greater than the fee normally imposed for such services. Such judge may also order the department to suspend a defendant's driver's license that could have been suspended pursuant to Code [Section 40-5-75](#) as a consequence of the defendant's violation of the terms of his or her probation.

IN THE STATE COURT OF MUSCOGEE COUNTY  
STATE OF GEORGIA

STATE OF GEORGIA

\*

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vs.

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\_\_\_\_\_

Case No.: \_\_\_\_\_

Charge: \_\_\_\_\_

DOB: \_\_\_\_\_

DL#: \_\_\_\_\_

Cit.No.: \_\_\_\_\_

ORDER

The Court having reviewed Defendants request for relief from the driver's license suspension imposed pursuant to O.C.G.A. §40-5-75(a)(2) for his conviction of the above stated charge and said charge was not directly related to the operation of a motor vehicle;

IT IS HEREBY ORDERED that the Department of Driver Services shall:

\_\_\_\_\_ Reinstates the Defendant's driver's license *instanter* upon his submission of a certificate of completion for a DUI Alcohol or Drug Use Risk Reduction Program completed after the date of the aforementioned incident and payment of a reinstatement fee in the amount of \$\_\_\_\_\_.

\_\_\_\_\_ Issues a limited driving permit to the Defendant allowing him to drive for the purposes allowed in O.C.G.A. §40-5-64(c).

This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Andy Prather

Chief Judge, Muscogee County State Court  
100 10<sup>th</sup> St.  
Columbus, GA 31901  
(706)653-4318  
columbusga.org/statecourt

APPROVED:

This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Solicitor-General