

House Bill 566

By: Representative Pak of the 108th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated,
2 relating to registration and licensing of motor vehicles generally, so as to make temporary
3 transporter license plates available to motor vehicle mechanics to permit mechanics to test
4 drive certain motor vehicles being serviced or repaired; to provide for related matters; to
5 provide an effective date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 2 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to
9 registration and licensing of motor vehicles generally, is amended by revising Code Section
10 40-2-38.1, relating to transporter license plates, as follows:

11 "40-2-38.1.

12 (a) A person engaged in the business of the limited operation of a motor vehicle or trailer
13 for any of the following purposes may obtain a transporter plate authorizing the movement
14 of the vehicle for the specific purpose:

15 (1) To facilitate the delivery of new or used motor vehicles, trucks, trailers, or buses
16 between manufacturers, distributors, dealers, sellers, or purchasers;

17 (2) To move a mobile office, a mobile classroom, a mobile or manufactured home, or a
18 house trailer;

19 (3) To drive a motor vehicle or pull a trailer that is part of the inventory of a dealer to
20 and from a motor vehicle or trailer trade show or exhibition or to, during, and from a
21 parade in which the motor vehicle or trailer is used; ~~or~~

22 (4) To drive special mobile equipment in any of the following circumstances:

23 (A) From the manufacturer of the equipment to a facility of a dealer; or

24 (B) From one facility of a dealer to another facility of a dealer; or

25 (5) To test drive a motor vehicle being serviced or repaired by a person who owns or is
26 employed with a motor vehicle mechanic business with a valid business or other license
27 to operate a motor vehicle mechanic business.

28 (b) This Code section shall not be construed to require a motor vehicle or trailer dealer to
29 obtain transporter plates in order to transport vehicles for sale or lease.

30 (c) A person may obtain a transporter plate by filing an application with the Department
31 of Revenue and paying the required fee. The fee for an initial transporter plate shall be
32 \$62.00 and the fee for all additional plates shall be \$12.00. An application for a transporter
33 plate must be on a form provided by the department and must contain the information
34 required by the department. The department is authorized to promulgate regulations
35 consistent with this Code section.

36 (d) A person obtaining a transporter plate for the purpose of test driving vehicles being
37 serviced by a licensed motor vehicle mechanic business shall be entitled to not more than
38 two such transporter plates and shall be required to provide a copy of his or her valid
39 business license with his or her application. Transporter plates issued for the purpose in
40 paragraph (5) of subsection (a) of this Code section shall be subject to revocation if a plate
41 so issued is used for any other purpose.

42 ~~(d)~~(e) Transporter plates issued under this Code section shall be distinguishable from
43 dealer, wholesaler, manufacturer, or distributor plates, as provided for in Code Section
44 40-2-38.

45 ~~(e)~~(f) During the year for which it is issued, a person may transfer a transporter plate from
46 one vehicle to another so long as the vehicle is driven or pulled only for a purpose
47 authorized by subsection (a) of this Code section. In order to obtain a transporter plate, an
48 applicant must demonstrate to the department compliance with all applicable federal and
49 state laws.

50 ~~(f)~~(g) The license plates issued pursuant to this Code section shall be revoked and
51 confiscated upon a determination after a hearing that an applicant has unlawfully used such
52 license plates for purposes other than those expressly permitted by this Code section. If a
53 transporter plate is revoked pursuant to this subsection, a person shall not be eligible to
54 apply for a transporter plate for a period of three years.

55 ~~(g)~~(h) If a license plate issued pursuant to this Code section is lost or stolen, the dealer,
56 manufacturer, distributor, motor vehicle mechanic, or other party to whom the license plate
57 was issued must immediately report the lost or stolen plate to local law enforcement
58 agencies. If a replacement license plate is sought, the dealer, manufacturer, distributor,
59 motor vehicle mechanic, or other party to whom the license plate was issued shall file a
60 notarized affidavit with the department requesting a replacement plate. Such affidavit shall

61 certify under penalty of perjury that the license plate has been lost or stolen and that the
 62 loss has been reported to a local law enforcement agency.

63 ~~(h)(i)~~ This Code section shall not in any way apply to farm tractors.

64 ~~(i)(1)(j)~~ The expiration of a license plate issued pursuant to this Code section shall be the
 65 last day of the registration period as provided in division (a)(1)(A)(ii) of Code Section
 66 40-2-21, except that for the purposes of this subsection, the registration period shall be
 67 determined by the first letter of the legal name of the business listed on the application for
 68 registration or renewal of registration. An application for renewal of registration shall not
 69 be submitted earlier than 90 days prior to the last day of the registration period. A penalty
 70 of 25 percent of the total registration fees due shall be assessed any person registering
 71 pursuant to this Code section who, prior to the expiration of such person's registration
 72 period, fails to apply for renewal or if having applied fails to pay the required fees.

73 ~~(2) A transition period shall commence on October 1, 2007, and conclude on December~~
 74 ~~31, 2007, for all existing registrations and any new registration applications presented~~
 75 ~~prior to January 1, 2008. On or after January 1, 2008, new applications for registration~~
 76 ~~shall be submitted and remain valid until the expiration of such registration as specified~~
 77 ~~in paragraph (1) of this subsection.~~

78 ~~(j)(k)~~ The commissioner shall adopt rules and regulations for the implementation of this
 79 Code section."

80 **SECTION 2.**

81 This Act shall become effective on July 1, 2013.

82 **SECTION 3.**

83 All laws and parts of laws in conflict with this Act are repealed.