

Senate Bill 149

By: Senators Robertson of the 29th, Harbin of the 16th, Mullis of the 53rd, Albers of the 56th, Brass of the 28th and others

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Article 1 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 permit the owner
3 or operator of a vehicle which has a valid number license plate without the required
4 revalidation decal affixed to the plate to retain custody of the vehicle under certain
5 conditions; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 1 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 in Code Section 40-2-8,
10 relating to operation of unregistered vehicle or vehicle without current license plate or
11 revalidation decal, by revising paragraphs (1) and (4) of subsection (b) as follows:

12 "(b)(1) Any vehicle operated in the State of Georgia which is required to be registered
13 and which does not have attached to the rear thereof a numbered license plate ~~and current~~
14 ~~revalidation decal affixed to a corner or corners of the license plate as designated by the~~
15 ~~commissioner, if required, issued to such vehicle by the department~~ shall be stored at the
16 owner's risk and expense by any law enforcement officer of the State of Georgia, unless
17 such operation is otherwise permitted by this chapter."

18 "(4) The ~~purchaser~~ owner and operator of a vehicle shall not be subject to the penalties
19 set forth in this Code section during the period allowed for the registration. If the owner
20 of such vehicle presents evidence that such owner has properly applied for the
21 registration of such vehicle, but that the license plate ~~or revalidation decal~~ has not been
22 delivered to such owner, then the owner shall not be subject to the penalties enumerated
23 in this subsection."

24 **SECTION 2.**

25 Said article is further amended by revising Code Section 40-2-8.1, relating to operation of
26 vehicle without revalidation decal on license plate, as follows:

27 "40-2-8.1.

28 Notwithstanding Code Section 40-2-8 or any other provision of law, a any person who
29 operates a vehicle or any owner who knowingly permits a vehicle to be operated which is
30 required to be registered in this state and which has attached to the rear thereof a valid
31 numbered license plate without having the required revalidation decal affixed upon that
32 plate, ~~which person is otherwise guilty of a misdemeanor for not having such decal affixed~~
33 ~~to the plate, shall be subject for that offense only to a fine not to exceed \$25.00 if~~ shall be
34 guilty of a misdemeanor, provided that, if any person convicted of a violation of this Code
35 section shows to the court having jurisdiction of the offense that the proper revalidation
36 decal had been obtained prior to the time of the offense is displayed on such vehicle upon
37 his or her appearance before the court, a fine of no greater than \$50.00 shall be imposed.
38 The motor vehicle upon which a conviction for a violation of this Code section was based
39 shall be subject to storage at the owner's risk and expense by law enforcement unless the
40 person convicted provides the court having jurisdiction of the offense with evidence that
41 the proper revalidation decal is displayed on such vehicle."

42 **SECTION 3.**

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