

Senate Bill 394

By: Senators Jackson of the 2nd, Anderson of the 43rd and Williams of the 39th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 3 of Title 40 of the Official Code of Georgia Annotated,
2 relating to motor vehicle certificates of title, so as to exempt a surviving spouse from motor
3 vehicle certificate of title application fees when such spouse is removing a decedent joint
4 owner from a certificate of title; to provide for related matters; to repeal conflicting laws; and
5 for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 2 of Chapter 3 of Title 40 of the Official Code of Georgia Annotated, relating to
9 motor vehicle certificates of title, is amended by revising Code Section 40-3-38, relating to
10 application fees, as follows:

11 "40-3-38.

12 (a) An application for a certificate of title shall be accompanied by the required fee when
13 mailed or delivered to the commissioner or a designated agent.

14 (b) An application for the naming of a lienholder on a certificate of title shall be
15 accompanied by the required fee when mailed or delivered to the commissioner or a
16 designated agent.

17 (c) The commissioner shall be paid a fee of \$18.00 for the filing of an application for any
18 certificate of title and for the filing of the notice of a security interest or a lien on vehicles
19 not required by law to be titled in this state. The commissioner may, by appropriate
20 regulation, provide for additional fees not to exceed \$18.00 for the special handling of
21 applications for certificates of title and related documents. The commissioner shall be paid
22 a fee of \$8.00 for the filing of an application for a replacement certificate of title. The fee
23 for issuance of a replacement certificate of title shall be the same whether mailed or
24 delivered to the commissioner or an agent.

25 (d) The above fees shall be required of all applicants except the State of Georgia, and the
26 United States of America, and a surviving spouse upon application for a certificate of title
27 which removes a decedent joint owner upon the death of the decedent spouse."

28 **SECTION 2.**

29 All laws and parts of laws in conflict with this Act are repealed.