

House Bill 250 (AS PASSED HOUSE AND SENATE)

By: Representatives Powell of the 23<sup>rd</sup> and Parham of the 122<sup>nd</sup>

A BILL TO BE ENTITLED  
AN ACT

To amend Titles 40 and 48 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic and to revenue and taxation, respectively, so as to redesignate certain provisions relating to motor vehicle license fees and plates; to correct certain cross-references and conform to such redesignation; to amend Title 32 of the Official Code of Georgia Annotated, relating to highways, bridges, and ferries, so as to correct certain cross-references and conform to such redesignation; to provide for applicability; to provide that this Act shall not abate or affect prosecutions, punishments, penalties, administrative proceedings or remedies, or civil actions related to certain violations; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Titles 40 and 48 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic and to revenue and taxation, respectively, are amended by:

- (1) Redesignating Code Section 48-10-1, relating to definitions relative to motor vehicle license fees and plates, as Code Section 40-2-150;
- (2) Redesignating Code Section 48-10-2, relating to annual license fees for operation of vehicles and fees for permanent licensing of certain trailers, as Code Section 40-2-151;
- (3) Redesignating Code Section 48-10-2.1, relating to fees for apportionable vehicles and restricted license plates for vehicles, as Code Section 40-2-152;
- (4) Redesignating Code Section 48-10-3, relating to registration and licensing of makers and dealers of motor vehicles, applications, fees, dealers' number plates, prohibited uses, licensing of persons transporting motor vehicles, mobile home, or house trailers, and exemption of farm tractors, as Code Section 40-2-153;
- (5) Redesignating Code Section 48-10-4, relating to license plates for different classes of vehicles and distinguishing markings, as Code Section 40-2-154;
- (6) Striking reserved Code Section 48-10-5;

(7) Redesignating Code Section 48-10-6, relating to transfers of annual licenses and plates to certain other vehicles, applications and fees, and payment of additional fees when substituted vehicles are required to have higher priced plates, as Code Section 40-2-155;

(8) Redesignating Code Section 48-10-7, relating to rate of annual license fees for certain vehicles registered during specified parts of the year, as Code Section 40-2-156;

(9) Redesignating Code Section 48-10-7.1, relating to payment of fees under the International Registration Plan, as Code Section 40-2-157;

(10) Redesignating Code Section 48-10-7.2, relating to fees assessed to registrants, as Code Section 40-2-158;

(11) Redesignating Code Section 48-10-8, relating to time of applications and payment for plates, as Code Section 40-2-159;

(12) Redesignating Code Section 48-10-9, relating to liability of resident and nonresident motor vehicle operators for payment of taxes and fees, proration on daily basis of fees imposed on motor vehicles hauling seasonal agricultural products grown in state, and issuance of special plates, as Code Section 40-2-160;

(13) Redesignating Code Section 48-10-10, relating to rate of annual license fee for vehicles carrying passengers over route of 50 miles or less, as Code Section 40-2-161;

(14) Striking reserved Code Section 48-10-11;

(15) Redesignating Code Section 48-10-12, relating to apportionment of cost of annual license fees of motor buses to motor common carriers of passengers for hire operating partially outside state, formula, and rules, as Code Section 40-2-162;

(16) Redesignating Code Section 48-10-13, relating to purchase by truck or tractor owner of higher weight license plate and payment of difference between fees, as Code Section 40-2-163;

(17) Redesignating Code Section 48-10-14, relating to decrease of allowable maximum weight (license class) for trucks and tractors, time, and certain trucks not entitled to partial year license, as Code Section 40-2-164;

(18) Redesignating Code Section 48-10-15, relating to purchase of new license plate by owner of truck weighing more than carried plate permits and credit for surrendered plate, as Code Section 40-2-165; and

(19) Redesignating Code Section 48-10-16, relating to violation of chapter and penalties, as Code Section 40-2-166.

## **SECTION 2.**

Said Title 48, relating to revenue and taxation, is further amended by reserving the designation of Chapter 10.

**SECTION 3.**

Said Title 40, relating to motor vehicles and traffic, is further amended by designating Code Sections 40-2-150 through 40-2-166, inclusively, as Article 7 of Chapter 2.

**SECTION 4.**

Said Title 40 is further amended by striking "chapter" and inserting in lieu thereof "article" wherever the former term appears in:

- (1) Code Section 40-2-150, relating to definitions;
- (2) Code Section 40-2-151, relating to annual license fees for operation of vehicles and fees for permanent licensing of certain trailers;
- (3) Code Section 40-2-154, relating to license plates for different classes of vehicles and distinguishing markings;
- (4) Code Section 40-2-156, relating to rate of annual license fees for certain vehicles registered during specified parts of the year;
- (5) Code Section 40-2-157, relating to payment of fees under the International Registration Plan;
- (6) Code Section 40-2-159, relating to time of applications and payment for plates;
- (7) Code Section 40-2-160, relating to liability of resident and nonresident motor vehicle operators for payment of taxes and fees, proration on daily basis of fees imposed on motor vehicles hauling seasonal agricultural products grown in state, and issuance of special plates;
- (8) Code Section 40-2-161, relating to rate of annual license fee for vehicles carrying passengers over route of 50 miles or less; and
- (9) Code Section 40-2-166, relating to violation of chapter and penalties.

**SECTION 5.**

Titles 32, 40, and 48 of the Official Code of Georgia Annotated, relating to highways, bridges, and ferries; motor vehicles and traffic; and revenue and taxation, respectively, are amended by:

- (1) Striking "Code Section 48-10-1" and inserting in lieu thereof "Code Section 40-2-150" wherever the former reference appears in:
  - (A) Code Section 32-6-30, relating to stopping vehicles for purposes of weighing, measuring, or inspecting, reports of violations, and refusal to stop; and
  - (B) Code Section 48-9-2, relating to definitions relative to motor fuel and road taxes;
- (2) Striking "Code Section 48-10-2" and inserting in lieu thereof "Code Section 40-2-151" wherever the former reference appears in:

- (A) Code Section 40-2-47, relating to permanent registration and license plates for certain trailers;
- (B) Code Section 40-2-65, relating to special license plates for members of active reserve components of the United States;
- (C) Code Section 40-2-84, relating to license plates for veterans awarded the Purple Heart;
- (D) Code Section 40-2-136, relating to surrender of license plates of habitual violators;
- (E) Code Section 40-2-152, relating to fees for apportionable vehicles and restricted license plates for vehicles;
- (F) Code Section 40-2-155, relating to transfers of annual licenses and plates to certain other vehicles, applications and fees, and payment of additional fees when substituted vehicles are required to have higher priced plates;
- (G) Code Section 40-2-156, relating to rate of annual license fees for certain vehicles registered during specified parts of the year;
- (H) Code Section 40-2-163, relating to purchase by truck or tractor owner of higher weight license plate and payment of difference between fees;
- (I) Code Section 40-2-164, relating to decrease of allowable maximum weight (license class) for trucks and tractors, time, and certain trucks not entitled to partial year license; and
- (J) Code Section 40-2-165, relating to purchase of new license plate by owner of truck weighing more than carried plate permits and credit for surrendered plate;
- (3) Striking "Code Section 48-10-12" and inserting in lieu thereof "Code Section 40-2-162" wherever the former reference appears in Code Section 32-6-30, relating to stopping vehicles for purposes of weighing, measuring, or inspecting, reports of violations, and refusal to stop; and
- (4) Striking ", 48-10-16," where such reference and punctuation appear in subsection (d) of Code Section 48-11-14, relating to registration, reports, and tax payments of persons acquiring cigars and cigarettes subject to tax under Code Section 48-11-13, assessment of tax due from person failing to file or filing incorrect report, hearing, and penalties.

## SECTION 6.

Said Title 40, relating to motor vehicles and traffic, is further amended by striking "Chapter 10 of Title 48" and inserting in lieu thereof "Article 7 of this chapter" wherever the former reference appears in Code Section 40-2-70, relating to special license plates for disabled veterans not qualifying under Code Section 40-2-69.

**SECTION 7.**

The amendments made by this Act shall apply to provisions of such Code sections as currently existing and as amended after approval of this Act by any Act approved prior to this Act, particularly but not exclusively by an Act approved April 28, 2000 (Ga. L. 2000, p. 951).

**SECTION 8.**

This Act shall not abate any prosecution, punishment, penalty, administrative proceedings or remedies, or civil action related to any violation of law committed prior to the effective date of this Act.

**SECTION 9.**

This Act shall become effective on July 1, 2002.

**SECTION 10.**

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