

House Bill 1643

By: Representative Smith of the 76th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 44-1-13 of the Official Code of Georgia Annotated, relating to the
2 removal of improperly parked cars or trespassing personal property, procedure, prohibition
3 of automatic surveillance, and a penalty, so as to provide that certain license fees shall be
4 structured according to usage; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Code Section 44-1-13 of the Official Code of Georgia Annotated, relating to the removal of
8 improperly parked cars or trespassing personal property, procedure, prohibition of automatic
9 surveillance, and a penalty, is amended by striking in its entirety subsection (d) and inserting
10 in lieu thereof the following:

11 "(d) The governing authority of each municipality having towing and storage firms
12 operating within its territorial boundaries may issue a license or permit to engage in private
13 trespass towing pursuant to this Code section to any firm meeting the qualifications
14 imposed by said governing authority. The fee for the license or permit shall be set by such
15 governing authority; provided, however, that the fee shall be structured according to the
16 frequency of usage with not less than three tiers of fee amounts. The maximum reasonable
17 costs of removal, relocation, and storage pursuant to the provisions of this Code section
18 shall be compensatory, as such term is used in the public utility rate-making procedures,
19 and shall be established annually by the governing authority of each municipality having
20 towing and storage firms operating within its territorial boundaries; provided, however, that
21 no storage fees shall be charged for the first 24 hour period which begins at the time the
22 vehicle is removed from the property, and no such fees shall be allowed for the removal
23 and storage of vehicles removed by towing and storage firms found to be in violation of
24 this Code section."

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SECTION 2.

2 All laws and parts of laws in conflict with this Act are repealed.