

Senate Bill 251

By: Senator Thompson of the 5th

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 the registration and licensing of motor vehicles, so as to require the establishment
3 by the Department of Revenue of an Internet website for stolen and towed motor vehicles;
4 to require that certain persons shall post the vehicle identification numbers and license plate
5 numbers of certain motor vehicles that are towed or reported stolen; to provide for penalties
6 for failing to post such information; to provide for certain required features of such website;
7 to require law enforcement agencies in this state to post the vehicle identification numbers
8 and license plate numbers of stolen vehicles on such website; to provide for enforcement by
9 the Department of Revenue; to provide for the promulgation of rules and regulations; to
10 provide for related matters; to repeal conflicting laws; and for other purposes.

11 **BE IT ENACTED THE GENERAL ASSEMBLY OF GEORGIA:**

12 **SECTION 1.**

13 Article 1 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to the
14 registration and licensing of motor vehicles, is amended by adding a new Code Section
15 40-2-11 to read as follows:

16 "40-2-11.

17 (a) The Department of Revenue shall establish an Internet website for the purpose of
18 posting the vehicle identification numbers and license plate numbers of motor vehicles that
19 are towed without the knowledge or consent of the owner or operator of such vehicle and
20 vehicles that have been reported as stolen to law enforcement authorities in this state. Such
21 website shall display the vehicle identification number and license plate number of each
22 such vehicle that was towed without the knowledge or consent of the owner or operator of
23 such vehicle along with a notation of the location where such vehicle is stored and a
24 contact number for such storage facility. Such website shall also display the vehicle
25 identification number and license plate number of each vehicle that has been reported as
26 being stolen to law enforcement authorities in this state with a notation that such vehicle

1 has been reported as being stolen. Such website shall be designed in a manner and contain
2 other such criteria as may be determined by the Department of Revenue to make such
3 website useful for the public. Such website shall be accessible for viewing by the public.

4 (b)(1) Each tow truck and wrecker operator in this state shall, within 12 hours of towing
5 a motor vehicle without the knowledge or consent of the owner or operator of such motor
6 vehicle, enter or cause to be posted on the website established under subsection (a) of this
7 Code section the vehicle identification number and license plate number of such vehicle
8 and a notation of the location where such vehicle is stored and a contact number for such
9 storage facility.

10 (2) The operator of any storage facility or repair shop in which a vehicle is stored:

11 (A) After such vehicle has been towed without the knowledge or consent of the owner
12 or operator of such vehicle; or

13 (B) After such vehicle has been reported as stolen to law enforcement authorities in
14 this state

15 shall, within 12 hours of such vehicle being towed to such location, verify that the
16 information required under this Code section has been timely entered on the website
17 established under subsection (a) of this Code section. In the event such information has
18 not been entered, the operator shall enter or cause to be posted on the website the required
19 information within 24 hours of such vehicle being towed to such location.

20 (c) Each tow truck or wrecker operator or operator of a storage facility or repair shop who
21 is required to post the information required by subsection (b) of this Code section but who
22 fails timely to post or cause to be posted such information shall be subject to a civil penalty
23 in the amount of \$1,000.00 for each such violation. Additionally, any individual who is
24 required to post the information required by subsection (b) of this Code section but who
25 fails timely to post or cause to be posted such information shall be guilty of a misdemeanor
26 and, upon conviction thereof, shall be punished as for a misdemeanor, shall not be entitled
27 to any storage fees, shall not be eligible to contract with or serve on a rotation list providing
28 wrecker services for this state or any political subdivision thereof, and shall not be licensed
29 by any municipal authority to provide removal of improperly parked cars under Code
30 Section 44-1-13.

31 (d) Each law enforcement agency in this state receiving a report of a stolen motor vehicle
32 shall post or cause to be posted on the website established under subsection (a) of this Code
33 section the vehicle identification numbers and license plate numbers of such motor vehicle.

34 (e) Any person who, without authorization, tampers with such website or in any manner
35 interferes with such website shall be guilty of a misdemeanor of a high and aggravated
36 nature.

- 1 (f) The Department of Revenue shall be authorized to promulgate such rules and
2 regulations as it deems necessary to implement the provisions of this Code section."

3 **SECTION 2.**

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