

The House Committee on Motor Vehicles offers the following substitute to SB 251:

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 to 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 provide for an effective date; to repeal conflicting laws; and
11 for other purposes.

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

13 **SECTION 1.**

14 Article 1 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to the
15 registration and licensing of motor vehicles, is amended by adding a new Code Section
16 40-2-11 to read as follows:

17 "40-2-11.

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

1 law enforcement authorities in this state with a notation that such vehicle has been reported
2 as being stolen. Such website shall be designed in a manner and contain other such criteria
3 as may be determined by the Department of Revenue to make such website useful for the
4 public to determine if a vehicle reported as stolen has in fact been towed or impounded.
5 Such website shall be accessible for viewing by the public.

6 (b)(1) Each tow truck and wrecker operator in this state shall, within 24 hours of towing
7 a motor vehicle without the knowledge or consent of the owner or operator of such motor
8 vehicle, enter or cause to be stored on the website established under subsection (a) of this
9 Code section the vehicle identification number and license plate number of such vehicle
10 and a notation of the location where such vehicle is stored and a contact number for such
11 storage facility.

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

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

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

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

22 (3) Any tow truck or wrecker operator or operator of any storage facility or repair shop
23 who fails to comply with the requirements of paragraphs (1) and (2) of this subsection
24 due to lack of Internet capability shall report the required information to the Department
25 of Revenue by an alternative method to be established by the department.

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

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

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

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

9 **SECTION 2.**

10 This Act shall become effective on January 1, 2008.

11 **SECTION 3.**

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