

Senate Bill 437

By: Senators Mullis of the 53rd, Stoner of the 6th, Powell of the 23rd, Thomas of the 54th,
Rogers of the 21st and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated,
2 relating to registration and licensing of motor vehicles, so as to provide for registration and
3 licensing of assembled motor vehicles and motorcycles; to amend Article 2 of Chapter 3 of
4 Title 40 of the Official Code of Georgia Annotated, relating to certificates of title for motor
5 vehicles, so as to provide for the issuance of certificates of title to owners of assembled
6 motor vehicles and motorcycles; to provide for related matters; to provide for an effective
7 date; to repeal conflicting laws; and for other purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 Article 2 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to
11 registration and licensing of motor vehicles, is amended by revising Code Section 40-2-27,
12 relating to registration of motor vehicles not manufactured to comply with federal emission
13 and safety standards applicable to new motor vehicles, by adding a new subsection to read
14 as follows:

15 "(d) Before a certificate of registration is issued for an assembled motor vehicle or
16 motorcycle, such assembled motor vehicle or motorcycle shall have been issued a
17 certificate of title in Georgia and shall comply with the provisions of Code
18 Section 40-3-30.1."

19 **SECTION 2.**

20 Article 2 of Chapter 3 of Title 40 of the Official Code of Georgia Annotated, relating to
21 certificates of title for motor vehicles, is amended by adding a new Code section to read as
22 follows:

23 "40-3-30.1.

24 (a) As used in this Code section and in Code Section 40-2-27, the term:

1 (1) 'Assembled motor vehicle or motorcycle' or 'kit motor vehicle or motorcycle' means
2 any motor vehicle or motorcycle that is:

3 (A) Manufactured from a manufacturer's kit or fabricated parts, including replicas and
4 original designs:

5 (i) By an owner;

6 (ii) At the request of the owner by a third-party manufacturer of motor vehicles or
7 motorcycles; and

8 (iii) Such manufacturer is not manufacturing and testing in accordance with federal
9 safety standards issued pursuant to 49 U.S.C.A. Section 30101, et seq., unless and
10 until the United States Customs Service or the United States Department of
11 Transportation has certified that the motor vehicle complies with such applicable
12 federal standards;

13 (B) A new vehicle and consists of a prefabricated body, chassis, and drive train;

14 (C) Handmade and not mass produced by any manufacturer for retail sale; or

15 (D) Not otherwise excluded from emission requirements and is in compliance with
16 Chapter 8 of Title 40, relating to equipment and inspection of motor vehicles.

17 (2) 'Unconventional motor vehicle or motorcycle' means any motor vehicle or
18 motorcycle that is manufactured and is not in compliance with:

19 (A) Chapter 8 of Title 40, relating to equipment and inspection of motor vehicles;

20 (B) Applicable federal motor vehicle safety standards issued pursuant to 49 U.S.C.A.
21 Section 30101, et seq., unless and until the United States Customs Service or the United
22 States Department of Transportation has certified that the motor vehicle complies with
23 such applicable federal standards; or

24 (C) Applicable federal emission standards issued pursuant to 42 U.S.C.A. Section 7401
25 through Section 7642, the 'Clean Air Act,' as amended.

26 (b) In addition to the requirements contained in Code Section 40-3-30, prior to the
27 issuance of a certificate of title to the owner of an assembled motor vehicle or motorcycle,
28 the owner shall cause such assembled motor vehicle or motorcycle to be inspected in order
29 to establish:

30 (1) The existence of a verifiable Manufacturer's Certificate of Origin (MCO) or other
31 verifiable documentation of purchase of all major components; and

32 (2) That such assembled motor vehicle or motorcycle complies with:

33 (A) Chapter 8 of Title 40, relating to equipment and inspection of motor vehicles; and

34 (B) If applicable, federal emission standards issued pursuant to 42 U.S.C.A. Section
35 7401 through Section 7642, the 'Clean Air Act,' as amended.

36 (c) The inspection conducted under subsection (b) of this Code section is not a safety
37 inspection and does not certify such assembled motor vehicle or motorcycle to be safe to

- 1 operate on the highways of this state nor that such assembled motor vehicle or motorcycle
2 complies with federal safety standards set forth in 49 U.S.C.A. Section 30101, et seq.
3 (d) The department shall be authorized to charge an inspection fee of \$260.00.
4 (e) Unconventional motor vehicles or motorcycles shall not be titled or registered.”

5 **SECTION 3.**

6 This Act shall become effective upon its approval by the Governor or upon its becoming law
7 without such approval.

8 **SECTION 4.**

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