

House Bill 1235

By: Representative Scott of the 153rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and
2 traffic, so as to change notice of insurance issuance requirements for fleet policies; to provide
3 for the reporting of fleet vehicles to the Georgia Department of Revenue minimum liability
4 insurance data base; to provide for related matters; to provide an effective date; to repeal
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, is
9 amended by revising subparagraph (b)(1)(A) and striking subparagraph (b)(1)(D) of Code
10 Section 40-5-71, relating to notice of insurance issuance, renewal, or termination, lapse fee,
11 and suspension of license following insurance termination and restricted driving permits, as
12 follows:

13 "(b)(1)(A) For purposes of aiding in the enforcement of the requirement of minimum
14 motor vehicle liability insurance, any insurer issuing or renewing in this state any
15 policy of motor vehicle liability insurance required by Chapter 34 of Title 33 ~~other than~~
16 ~~a fleet policy~~ shall within 30 days after the date the insurance agent binds the coverage
17 or on the date such coverage was renewed, whichever is applicable, provide notice of
18 such insurance coverage by electronic transmission to the department; except that once
19 coverage data has been electronically transmitted to the department, there shall be no
20 requirement to report on subsequent renewals of that coverage. Insurance coverage
21 information included in such notice of issue or renewal shall be limited exclusively to
22 name of insurer; vehicle identification number; the make and year of the insured motor
23 vehicle; and policy effective date. The department shall not require the policy limits
24 to be disclosed for purposes of this subparagraph. For the purposes of this Code
25 section, the vehicle identification number shall be the vehicle identification number as
26 that number is shown in the records of the department. For the purposes of this Code

1 section, the Commissioner of Insurance shall furnish such notices to the department
2 upon issuance of a certificate of self-insurance."

3 ~~"(D) The reports required of insurers and the Commissioner of Insurance shall not~~
4 ~~apply to any vehicle for which the vehicle coverage is provided by a fleet policy."~~

5 SECTION 2.

6 Said title is further amended in subsection (a) by revising paragraph (2.1) and subparagraph
7 (a)(8)(B) and by adding a new subparagraph to paragraph (8) of Code Section 40-6-10,
8 relating to insurance requirements for operation of motor vehicles generally, as follows:

9 ~~"(2.1) If the vehicle is insured under a fleet policy as defined in Code Section 40-2-137~~
10 ~~providing the required minimum insurance coverage or if the vehicle is engaged in~~
11 ~~interstate commerce and registered under the provisions of Article 3A of Chapter 2 of this~~
12 ~~title, the insurance information card issued by the insurer shall be considered satisfactory~~
13 ~~proof of required minimum insurance coverage for the vehicle."~~

14 "(B) For purposes of this Code section on and after January 1, 2004, and prior to
15 January 1, 2009, a valid insurance card shall be sufficient proof of insurance only for
16 any vehicle covered under a fleet policy as defined in Code Section 40-5-71. The
17 insurance card for a fleet policy shall contain at least the name of the insurer, policy
18 number, policy issue or effective date, policy expiration date, and the name of the
19 insured and may, but shall not be required to, include the year, make, model, and
20 vehicle identification number of the vehicle insured.

21 (B.1) For purposes of this Code section on and after January 1, 2009, a valid insurance
22 card shall no longer be sufficient proof of insurance for any vehicle covered under a
23 fleet policy as defined in Code Section 40-5-71. The vehicle shall be included in the
24 minimum liability insurance data base of the Department of Revenue."

25 SECTION 3.

26 Said title is further amended by revising subsection (d) of Code Section 40-6-10, relating to
27 insurance requirements for operation of motor vehicles generally, as follows:

28 ~~"(d) Except for vehicles insured under a fleet policy as defined in Code Section 40-2-137~~
29 ~~or under a plan of self-insurance approved by the Commissioner of Insurance, insurance~~
30 ~~coverage information from records of the department shall be prima-facie evidence of the~~
31 ~~facts stated therein and shall be admissible as evidence in accordance with Code Section~~
32 ~~24-3-17 for the purposes of this Code section."~~

33 SECTION 4.

34 This Act shall become effective on January 1, 2009.

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SECTION 5.

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