

House Bill 1235 (AS PASSED HOUSE AND SENATE)

By: Representative Scott of the 153rd

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Code Section 40-6-10 of the Official Code of Georgia Annotated, relating to
2 insurance requirements for operation of motor vehicles generally, so as to provide a penalty
3 for wrongfully towing or impounding a fleet vehicle with valid insurance; to provide for
4 related matters; to provide for an effective date; to repeal conflicting laws; and for other
5 purposes.

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

7 **SECTION 1.**

8 Code Section 40-6-10 of the Official Code of Georgia Annotated, relating to insurance
9 requirements for operation of motor vehicles generally, is amended by revising subparagraph
10 (a)(8)(B) as follows:

11 "(B) For purposes of this Code section on and after January 1, 2004, a valid insurance
12 card shall be sufficient proof of insurance only for any vehicle covered under a fleet
13 policy as defined in Code Section 40-5-71. The insurance card for a fleet policy shall
14 contain at least the name of the insurer, policy number, policy issue or effective date,
15 policy expiration date, and the name of the insured and may, but shall not be required
16 to, include the year, make, model, and vehicle identification number of the vehicle
17 insured. If the operator of any vehicle covered under a fleet policy as defined in Code
18 Section 40-5-71 presents a valid insurance card for a fleet policy to any law
19 enforcement officer or agency, and the officer or agency does not recognize the
20 insurance card as valid proof of insurance and impounds or tows such vehicle for lack
21 of proof of insurance, the law enforcement agency or political subdivision shall be
22 liable for and limited to the fees of the wrongful impoundment or towing of the vehicle,
23 which in no way waives or diminishes any sovereign immunity of such governmental
24 entity."

1

SECTION 2.

2 This Act shall become effective on July 1, 2008.

3

SECTION 3.

4 All laws and parts of laws in conflict with this Act are repealed.