

Senate Bill 128

By: Senators Shafer of the 48th, Hudgens of the 47th, Pearson of the 51st, Hawkins of the 49th, Mullis of the 53rd and others

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to
2 registration and licensing of motor vehicles, and so as to provide for the issuances, at the
3 option of the owner, of permanent license plates for boat trailers, utility trailers, and
4 noncommercial cattle and livestock trailers; to provide for fees; to provide that such license
5 plates shall not be transferable; to provide for administration; to provide for an effective date
6 and for applicability; to provide for related matters; to repeal conflicting laws; and for other
7 purposes.

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

9 **SECTION 1.**

10 Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and
11 licensing of motor vehicles, is amended by revising subparagraph (A) of paragraph (1) of
12 subsection (a) of Code Section 40-2-20, relating to registration and license requirements,
13 extension of registration period, and penalties, as follows:

14 "(a)(1)(A) Except as provided in subsection (b) of this Code section and subsection (a)
15 of Code Section 40-2-47, every owner of a motor vehicle, including a tractor or
16 motorcycle, and every owner of a trailer shall, during the owner's registration period in
17 each year, register such vehicle as provided in this chapter and obtain a license to
18 operate it for the 12 month period until such person's next registration period."

19 **SECTION 2.**

20 Said chapter is further amended by revising Code Section 40-2-47, relating to permanent
21 registration and license plates for certain trailers and the definition of "leased or rented
22 trailer," as follows:

23 "40-2-47.

24 (a) Notwithstanding any other provision of this chapter to the contrary, the owner of any
25 trailer, including:

26 ~~(1) any~~ Any leased or rented trailer and including single pole and twin-beam trailers and
 27 other trailers used in commercial logging or commercial trailers used for the hauling of
 28 unprocessed farm products used as or in connection with a motor vehicle, truck, or tractor
 29 used as a common or contract carrier for hire, a private carrier, or a motor carrier of
 30 property; or

31 (2) Any boat trailer, utility trailer, or noncommercial cattle and livestock trailer,
 32 shall have the option of obtaining a permanent registration and license plate for such trailer,
 33 in lieu of an annual registration and license plate, upon the payment of the one-time fee
 34 specified in Code Section 40-2-151 and compliance with the provisions of this Code
 35 section; ~~provided, however, that boat trailers, utility trailers, and noncommercial cattle and~~
 36 ~~livestock trailers shall not qualify for such permanent registration and license plate.~~

37 (b) The certificate of registration and license plate issued for a specific trailer under this
 38 Code section shall continue to be valid for the duration of the owner's interest in such
 39 trailer. No registration or license plate issued for any trailer under this Code section shall
 40 be transferred for any reason and a new registration and license plate shall be required
 41 when ownership of the trailer is transferred to a new owner. The payment of the fee for a
 42 permanent registration and license plate shall be in addition to and not in lieu of the
 43 payment of annual ad valorem taxes on such trailer during the period of December 1 to
 44 February 15.

45 ~~(b)~~(c) As used in this Code section, the term 'leased or rented trailer' means any utility
 46 trailer that is owned by and leased or rented out by a person, firm, or corporation in the
 47 business of leasing or renting out such trailers."

48 **SECTION 3.**

49 Said chapter is further amended by revising subsection (b) of Code Section 40-2-151, relating
 50 to annual license fees for operation of vehicles and fee for permanent licensing of certain
 51 trailers, as follows:

52 "(b) In lieu of the annual fee provided in ~~paragraph~~ paragraphs (6), (7) or (8) of subsection
 53 (a) of this Code section, the optional one-time fee for a permanent registration and license
 54 plate for:

55 (1) any Any trailer used as or in connection with a motor vehicle, truck, or tractor used
 56 as a common or contract carrier for hire, a private carrier, or a motor carrier of property;
 57 or

58 (2) Any boat trailer, utility trailer, or noncommercial cattle and livestock trailer and
 59 authorized to obtain a permanent registration and license plate under the provisions of
 60 Code Section 40-2-47 shall be \$48.00."

61 **SECTION 4.**

62 This Act shall become effective on January 1, 2010, and shall apply to registration and
63 licensing of trailers on and after such date.

64 **SECTION 5.**

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