

House Bill 852

By: Representative Rice of the 51st

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 4 of Title 40 of the Official Code of Georgia Annotated,
2 relating to purchase and resale of used motor vehicles, used parts, and farm tractors, so as to
3 provide a penalty for nondisclosure of known defects by a seller of a used car; to provide a
4 penalty for alteration of a document to conceal damage to a used car; to provide for related
5 matters; to provide for an effective date and applicability; to repeal conflicting laws; and for
6 other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 3 of Chapter 4 of Title 40 of the Official Code of Georgia Annotated, relating to
10 purchase and resale of used motor vehicles, used parts, and farm tractors, is revised by
11 adding a new Code section to read as follows:

12 "40-4-44.1.

13 (a) Any person who sells or trades a used motor vehicle shall disclose to the purchaser or
14 recipient of such vehicle any known defects or damage to such vehicle. Withholding the
15 information regarding known defects or damage to the vehicle from the purchaser or
16 recipient of the vehicle shall be punishable as provided in subsection (c) of this Code
17 section.

18 (b) Any person who alters a document that evidences known defects or damage to a used
19 motor vehicle in order to conceal the evidence of such defects or damage to such vehicle
20 and uses the altered document in the sale or trade of the motor vehicle upon conviction
21 thereof shall be subject to the punishment provided in subsection (c) of this Code section.

22 (c) Any person convicted of a violation of subsection (a) of this Code section shall be
23 guilty of a misdemeanor punishable by imprisonment for up to three months and a fine not
24 to exceed \$1,000.00, or both. Any person convicted of a violation of subsection (b) of this
25 Code section shall be guilty of a misdemeanor punishable by imprisonment for up to six
26 months and a fine not to exceed \$1,000.00, or both."

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SECTION 2.

28 This Act shall become effective upon its approval by the Governor or upon its becoming law
29 without such approval and shall apply to transactions occurring on or after that date.

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SECTION 3.

31 All laws and parts of laws in conflict with this Act are repealed.