

House Bill 113

By: Representatives Powell of the 29<sup>th</sup>, Rice of the 51<sup>st</sup>, Battles of the 15<sup>th</sup>, and Harden of the 28<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 11 of Title 40 of the Official Code of Georgia Annotated,  
2 relating to abandoned motor vehicles generally, so as to provide for changed definitions; to  
3 change provisions relating to contents of abandoned vehicles; to provide for related matters;  
4 to provide for an effective date; to repeal conflicting provisions; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 SECTION 1.

7 Article 1 of Chapter 11 of Title 40 of the Official Code of Georgia Annotated, relating to  
8 abandoned motor vehicles generally, is amended by revising paragraphs (2) and (3) of Code  
9 Section 40-11-1, relating to definitions, as follows:

10 "(2) 'Motor vehicle' or 'vehicle' means a motor vehicle or trailer and its contents.

11 (3) 'Owner' or 'owners' means the registered owner, the owner as recorded on the title,  
12 lessor, lessee, security interest holders, and all lienholders as shown on the records of the  
13 Department of Revenue or the records from the vehicle's state of registration."

14 SECTION 2.

15 Said article is further amended by adding a new subsection to Code Section 40-11-2, relating  
16 to duty of person removing or storing motor vehicle, as follows:

17 "(d.1) Any person or facility that legally tows, transports, or stores any motor vehicle shall  
18 have a lien on the vehicle and its contents for the first 30 days of storage. The amount of  
19 this lien is limited to the reasonable towing and storage fees, plus the costs of notification  
20 to the vehicle's owner where applicable. The vehicle's owner shall be liable for all fees  
21 incurred. Such lien shall include the vehicle's contents, except for:

- 22 (1) Prescription drugs or eyewear;
- 23 (2) Any medical device;
- 24 (3) Any child safety restraining devices;
- 25 (4) Any keys, except the keys to the vehicle; or

26 (5) Any personal documentation such as birth records, passports, or death records."

27 **SECTION 3.**

28 This Act shall become effective on July 1, 2011.

29 **SECTION 4.**

30 All laws and parts of laws in conflict with this Act are repealed.