

The House Committee on Motor Vehicles offers the following substitute to HB 113:

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 Code Section 40-11-1, relating
9 to definitions, as follows:

10 "40-11-1.

11 As used in this article, the term:

12 (1) 'Abandoned motor vehicle' means a motor vehicle or trailer and its contents:

13 (A) Which has been left by the owner or some person acting for the owner with an
14 automobile dealer, repairman, or wrecker service for repair or for some other reason
15 and has not been called for by such owner or other person within a period of 30 days
16 after the time agreed upon; or within 30 days after such vehicle is turned over to such
17 dealer, repairman, or wrecker service when no time is agreed upon; or within 30 days
18 after the completion of necessary repairs;

19 (B) Which is left unattended on a public street, road, or highway or other public
20 property for a period of at least five days and when it reasonably appears to a law
21 enforcement officer that the individual who left such motor vehicle unattended does not
22 intend to return and remove such motor vehicle. However, on the state highway
23 system, any law enforcement officer may authorize the immediate removal of vehicles
24 posing a threat to public health or safety or to mitigate congestion;

25 (C) Which has been lawfully towed onto the property of another at the request of a law
 26 enforcement officer and left there for a period of not less than 30 days without anyone
 27 having paid all reasonable current charges for such towing and storage;

28 (D) Which has been lawfully towed onto the property of another at the request of a
 29 property owner on whose property the vehicle was abandoned and left there for a period
 30 of not less than 30 days without anyone having paid all reasonable current charges for
 31 such towing and storage; or

32 (E) Which has been left unattended on private property for a period of not less than 30
 33 days.

34 (2) 'Contents' shall not include:

35 (A) Prescription drugs or eyewear;

36 (B) Any medical device;

37 (C) Any child safety restraining devices;

38 (D) Any keys, except the keys to the vehicle;

39 (E) Any personal documentation such as birth records, passports, or death records; or

40 (F) Firearms.

41 ~~(2)~~(3) 'Motor vehicle' or 'vehicle' means motor vehicle or trailer.

42 ~~(3)~~(4) 'Owner' or 'owners' means the registered owner, the owner as recorded on the title,
 43 lessor, lessee, security interest holders, and all lienholders as shown on the records of the
 44 Department of Revenue or the records from the vehicle's state of registration."

45 **SECTION 2.**

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

47 **SECTION 3.**

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