

ADOPTED

Senator Mullis of the 53rd offered the following amendment:

1 *Amend the Senate Transportation Committee substitute to HB 112 by inserting after "fees;"*
2 *on line 20 the following:*
3 *to correct an internal reference;*

4 *By redesignating Sections 20 through 26 as Sections 21 through 27, respectively, and by*
5 *inserting after line 894 the following:*

SECTION 20.

6
7 Said title is further amended by revising subsection (a) of Code Section 46-7-17, relating to
8 designation and maintenance of agents for service on nonresidence carriers, service of
9 process, and venue, as follows:

10 "(a) Each nonresident motor carrier shall, before any permit is issued to it under this article
11 or at the time of registering as required by Code Section ~~46-7-16~~ 40-2-140, designate and
12 maintain in this state an agent or agents upon whom may be served all summonses or other
13 lawful processes in any action or proceeding against such motor carrier growing out of its
14 carrier operations; and service of process upon or acceptance or acknowledgment of such
15 service by any such agent shall have the same legal force and validity as if duly served
16 upon such nonresident carrier personally. Such designation shall be in writing, shall give
17 the name and address of such agent or agents, and shall be filed in the office of the state
18 revenue commissioner. Upon failure of any nonresident motor carrier to file such
19 designation with the state revenue commissioner or to maintain such an agent in this state
20 at the address given, such nonresident carrier shall be conclusively deemed to have
21 designated the Secretary of State and his or her successors in office as such agent; and
22 service of process upon or acceptance or acknowledgment of such service by the Secretary
23 of State shall have the same legal force and validity as if duly served upon such nonresident
24 carrier personally, provided that notice of such service and a copy of the process are
25 immediately sent by registered or certified mail or statutory overnight delivery by the
26 Secretary of State or his or her successor in office to such nonresident carrier, if its address
27 be known. Service of such process upon the Secretary of State shall be made by delivering
28 to his or her office two copies of such process with a fee of \$10.00."