

House Bill 858

By: Representatives Rogers of the 26<sup>th</sup>, Purcell of the 159<sup>th</sup>, and Talton of the 145<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and  
2 traffic, so as to add certain persons to those authorized to receive motor vehicle registration  
3 records; to add certain persons to the list of persons authorized to receive motor vehicle  
4 certificate of title records; to provide for related matters; to provide for an effective date; to  
5 repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, is  
9 amended by revising subsection (c) of Code Section 40-2-130, relating to records of  
10 certificates of registration, as follows:

11 "(c) The motor vehicle registration records which the commissioner is required to maintain  
12 under this Code section or any other provision are exempt from the provisions of any law  
13 of this state requiring that such records be open for public inspection; provided, however,  
14 that, subject to subsection (d) of this Code section, the records may be disclosed for use as  
15 provided in the federal Driver's Privacy Protection Act of 1994, 18 U.S.C. Chapter 123, and  
16 by the following:

- 17 (1) Any licensed dealer of new or used motor vehicles;  
18 (2) Any tax collector, tax receiver, or tax commissioner;  
19 (3) The director of the Environmental Protection Division of the Department of Natural  
20 Resources or his or her designee;  
21 (4) Any private person who has met the requirements of Code Section 40-2-25, provided  
22 that the information shall be used for the sole purpose of effectuating the registration or  
23 renewal of motor vehicles by electronic or similar means and that the private person  
24 requesting the information has entered into an agreement to provide electronic services  
25 to the commissioner or a county tag agent; provided, further, that the information made  
26 available pursuant to this paragraph for such purpose shall be limited to the vehicle

27 identification number, the license tag number, the date of expiration of registration, and  
28 the amount of tax owed; ~~and~~

29 (5) A person or entity authorized by the commissioner for use in providing notice to the  
30 owners of towed or impounded vehicles; and

31 (6) A person or entity licensed and authorized to conduct investigations by the Secretary  
32 of State under the provisions of Chapter 38 of Title 43."

33 **SECTION 2.**

34 Said title is further amended by revising subsection (d) of Code Section 40-3-23, relating to  
35 issuance of certificates of title, as follows:

36 "(d) The motor vehicle records which the commissioner or the commissioner's duly  
37 authorized county tag agent is required to maintain under this Code section or any other  
38 provision are exempt from the provisions of any law of this state requiring that such  
39 records be open for public inspection; provided, however, that, subject to subsection (f) of  
40 this Code section, the records may be disclosed for use as provided in the federal Driver's  
41 Privacy Protection Act of 1994, 18 U.S.C. Chapter 123, and by the following:

42 (1) Any licensed dealer of new or used motor vehicles;

43 (2) Any tax collector, tax receiver, or tax commissioner; ~~and~~

44 (3) A person or entity authorized by the commissioner for use in providing notice to the  
45 owners of towed or impounded vehicles; and

46 (4) A person or entity licensed and authorized to conduct investigations by the Secretary  
47 of State under the provisions of Chapter 38 of Title 43."

48 **SECTION 3.**

49 This Act shall become effective on July 1, 2012.

50 **SECTION 4.**

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