

House Bill 884

By: Representative Sims of the 169th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated,
2 relating to general provisions for the registration and licensing of motor vehicles, so as to
3 provide for temporary plates or "drive-out tags" for trailers; to provide for related matters;
4 to provide an effective date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Article 1 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to
8 general provisions for the registration and licensing of motor vehicles, is amended by
9 revising Code Section 40-2-8, relating to the operation of unregistered vehicles or vehicles
10 without current license plates, revalidation decals, or county decals, storage of unlicensed
11 vehicle, jurisdiction, display of temporary plate, revision and extension of temporary plate,
12 and disposition of fines, as follows:

13 "40-2-8.

14 (a) Any person owning or operating any vehicle described in Code Section 40-2-20 on any
15 public highway or street without complying with that Code section shall be guilty of a
16 misdemeanor, provided that a person shall register his or her motor vehicle within 30 days
17 after becoming a resident of this state. Any person renting, leasing, or loaning any vehicle
18 described in Code Section 40-2-20 which is being used on any public highway or street
19 without complying with that Code section shall be guilty of a misdemeanor and, upon
20 conviction thereof, shall be punished by a fine of \$100.00 for each violation; and each day
21 that such vehicle is operated in violation of Code Section 40-2-20 shall be deemed to be
22 a separate and distinct offense.

23 (b)(1) Any vehicle operated in the State of Georgia which is required to be registered and
24 which does not have attached to the rear thereof a numbered license plate and current
25 revalidation decal affixed to a corner or corners of the license plate as designated by the
26 commissioner, if required, shall be stored at the owner's risk and expense by any law

27 enforcement officer of the State of Georgia, unless such operation is otherwise permitted
28 by this chapter.

29 (2)(A) It shall be a misdemeanor to operate any vehicle required to be registered in the
30 State of Georgia without a valid numbered license plate properly validated, unless such
31 operation is otherwise permitted under this chapter; and provided, further, that the
32 purchaser of a new vehicle or a used vehicle from a dealer of new or used motor
33 vehicles who displays a temporary plate issued as provided by subparagraph (B) of this
34 paragraph may operate such vehicle on the public highways and streets of this state
35 without a current valid license plate during the period within which the purchaser is
36 required by Code Section 40-2-20. An owner acquiring a motor vehicle from an entity
37 that is not a new or used vehicle dealer shall register such vehicle as provided for in
38 Code Section 40-2-29 unless such vehicle is to be registered under the International
39 Registration Plan pursuant to Article 3A of this chapter.

40 (B)(i) Any dealer of new or used motor vehicles shall issue to the purchaser of a
41 vehicle at the time of sale thereof, unless at such time the purchaser makes application
42 to transfer to such vehicle in accordance with this chapter a valid license plate issued
43 to him or her or unless such vehicle is to be registered under the International
44 Registration Plan, a temporary plate as provided for by department rules or
45 regulations which may bear the dealer's name and location and shall bear the
46 expiration date of the period within which the purchaser is required by Code Section
47 40-2-20 to register such vehicle. The expiration date of such a temporary plate may
48 be revised and extended by the county tag agent only if an extension of the
49 purchaser's initial registration period has been granted as provided by Code Section
50 40-2-20. Such temporary plate shall not resemble a license plate issued by this state
51 and shall be issued without charge or fee therefore. Such temporary plate shall be
52 surrendered to the tag agent at the time the vehicle is registered, and the tag agent
53 shall destroy such temporary plate. The requirements of this subparagraph do not
54 apply to a dealer whose primary business is the sale of salvage motor vehicles and
55 other vehicles on which total loss claims have been paid by insurers.

56 (ii) All temporary plates issued by dealers to purchasers of vehicles shall be of a
57 standard design prescribed by regulation promulgated by the department. The
58 department may provide by rule or regulation for the sale and distribution of such
59 temporary plates by third parties in accordance with paragraph (3) of this subsection.

60 (C)(i) Any dealer of new or used trailers shall be authorized to issue to the purchaser
61 of a trailer at the time of sale, unless the purchaser applies in accordance with this
62 chapter to transfer a valid license plate issued to him or her to such trailer, a
63 temporary plate as provided for by department rules or regulations which may bear

64 the dealer's name and location and shall bear the expiration date allowing for 30 days
65 from the date of purchase or lease to register the trailer and obtain a tag. Such
66 temporary plate shall not resemble a license plate issued by this state and shall be
67 issued without charge or fee. Such temporary plate shall be surrendered to the tag
68 agent at the time the trailer is registered, and the tag agent shall destroy such
69 temporary plate.

70 (ii) All temporary plates issued by dealers to purchasers of trailers shall be of a
71 standard design prescribed by regulation promulgated by the department. The
72 department shall provide by rule or regulation for the sale and distribution of such
73 temporary plates by third parties in accordance with paragraph (3) of this subsection.

74 (3) All sellers and distributors of temporary license plates shall register with the
75 department and shall be assigned a distinct identifier by the department. All sellers and
76 distributors of temporary license plates shall maintain an inventory record of temporary
77 license plates by number and name of the dealer.

78 (4) The purchaser and operator of a vehicle shall not be subject to the penalties set forth
79 in this Code section during the period allowed for the registration. If the owner of such
80 vehicle presents evidence that such owner has properly applied for the registration of
81 such vehicle, but that the license plate or revalidation decal has not been delivered to such
82 owner, then the owner shall not be subject to the penalties enumerated in this subsection.

83 (c) It shall be unlawful and punishable as for a misdemeanor to operate any vehicle
84 required to be registered in the State of Georgia without a valid county decal designating
85 the county where the vehicle was last registered, unless such operation is otherwise
86 permitted under this chapter. Any person convicted of such offense shall be punished by
87 a fine of \$25.00 for a first offense and \$100.00 for a second or subsequent such offense.
88 However, a county name decal shall not be required if there is no space provided for a
89 county name decal on the current license plate."

90 **SECTION 2.**

91 This Act shall become effective on January 1, 2013.

92 **SECTION 3.**

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