

House Bill 521

By: Representatives Williams of the 87th, Brooks of the 55th, Jones of the 62nd, Mayo of the 84th, Bryant of the 162nd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 11 of Title 40 of the Official Code of Georgia Annotated, relating to
2 abandoned motor vehicles, so as to provide for notice to owners of motor vehicles removed
3 from private property; to provide for the classification of personal property left within a
4 motor vehicle that is no longer abandoned; to provide for related matters; to repeal
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 11 of Title 40 of the Official Code of Georgia Annotated, relating to abandoned
9 motor vehicles, is amended in Code Section 40-11-2, relating to duties of a person removing
10 or storing motor vehicles, by revising subsections (b) and (d) as follows:

11 "(b) Any person who removes a motor vehicle from private property at the request of the
12 property owner or stores such vehicle shall, if the owner of the vehicle or some person
13 acting for the owner is not present, notify in writing a local law enforcement agency of the
14 location of the vehicle, the manufacturer's vehicle identification number, license number,
15 model, year, and make of the vehicle within ~~three~~ two business days of the removal of such
16 vehicle and shall seek from the local law enforcement agency or from the State of Georgia
17 by direct electronic access as provided through its agencies and authorities the identity and
18 address of all known owners of such vehicle and any information indicating that such
19 vehicle is a stolen motor vehicle. The local law enforcement agency shall furnish such
20 information to the person removing such vehicle within ~~three~~ two business days after
21 receipt of such request."

22 "(d) If any motor vehicle removed under conditions set forth in subsection (a) or (b) of this
23 Code section is determined not to be a stolen vehicle or is not a vehicle being repaired by
24 a repair facility or is not being stored by an insurance company providing insurance to
25 cover damages to the vehicle, the person removing or storing such motor vehicle shall,
26 within ~~seven~~ five calendar days of the day such motor vehicle was removed or one business

27 day after the information is furnished to the remover or storer pursuant to subsection (a)
 28 or (b) of this Code section, whichever is later, notify all owners, if known, by written
 29 acknowledgment signed thereby or by certified or registered mail or statutory overnight
 30 delivery, of the location of such motor vehicle, the fees connected with removal and
 31 storage of such motor vehicle, and the fact that such motor vehicle will be deemed
 32 abandoned under this chapter unless the owner, security interest holder, or lienholder
 33 redeems such motor vehicle within 30 days of the day such vehicle was removed."

34 **SECTION 2.**

35 Said chapter is further amended by revising Code Section 40-11-10, relating to the
 36 disposition of contents in abandoned vehicles, as follows:

37 "40-11-10.

38 (a) As used in this Code section, the term 'contents' means only the following:

- 39 (1) Prescription drugs or eyewear;
 40 (2) Personal documents, including, but not limited to, birth records, passports, or death
 41 records;
 42 (3) Firearms;
 43 (4) Medical devices;
 44 (5) Child safety restraining devices; or
 45 (6) Keys, except the keys to the abandoned motor vehicle.

46 (b) Any person who stores an abandoned motor vehicle pursuant to the provisions of this
 47 article shall allow the owner of such vehicle to retrieve the contents from such vehicle, and
 48 the owner of a motor vehicle shall be allowed to retrieve contents and any other item from
 49 such vehicle if such retrieval occurs within the first 30 days that such vehicle is stored.

50 (c) If a motor vehicle is redeemed and all fees paid in connection with the removal and
 51 storage of the vehicle within the first 30 days, the property located inside such vehicle shall
 52 not be deemed abandoned.

53 (d) Prior to the sale or other final disposition of an abandoned motor vehicle, if the person
 54 who stores such vehicle locates contents, as defined in paragraphs (1) through (3) of
 55 subsection (a) of this Code section, in such vehicle, such person shall surrender such
 56 contents to the nearest law enforcement agency."

57 **SECTION 3.**

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