

House Bill 1069

By: Representative Martin of the 49th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 40-2-8 of the Official Code of Georgia Annotated, relating to
2 operation of an unregistered vehicle or vehicle without a current license plate, revalidation
3 decal, or county decal; storage of an unlicensed vehicle; display, revision, and extension of
4 temporary license plates; and fines, so as to provide for the issuance of a temporary plate to
5 a tag service company; to provide for a definition; to provide for conditions upon the
6 issuance of such temporary plates; to provide for related matters; to repeal conflicting laws;
7 and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 SECTION 1.

10 Code Section 40-2-8 of the Official Code of Georgia Annotated, relating to operation of an
11 unregistered vehicle or vehicle without a current license plate, revalidation decal, or county
12 decal; storage of an unlicensed vehicle; display, revision, and extension of temporary license
13 plates; and fines, is amended by revising subsection (b) as follows:

14 "(b)(1) As used in this Code section, the term 'tag service company' means a person
15 within this state who submits an application for the registration of a motor vehicle on
16 behalf of a third party who intends to transfer title of a motor vehicle at a later date to a
17 transferee.

18 (2) Any vehicle operated in the State of Georgia which is required to be registered and
19 which does not have attached to the rear thereof a numbered license plate and current
20 revalidation decal affixed to a corner or corners of the license plate as designated by the
21 commissioner, if required, shall be stored at the owner's risk and expense by any law
22 enforcement officer of the State of Georgia, unless such operation is otherwise permitted
23 by this chapter.

24 ~~(2)~~(3)(A) It shall be a misdemeanor to operate any vehicle required to be registered in
25 the State of Georgia without a valid numbered license plate properly validated, unless
26 such operation is otherwise permitted under this chapter; and provided, further, that the

27 purchaser of a new vehicle or a used vehicle from a dealer of new or used motor
28 vehicles who displays a temporary plate issued as provided by subparagraph (B) of this
29 paragraph may operate such vehicle on the public highways and streets of this state
30 without a current valid license plate during the period within which the purchaser is
31 required by Code Section 40-2-20. An owner acquiring a motor vehicle from an entity
32 that is not a new or used vehicle dealer shall register such vehicle as provided for in
33 Code Section 40-2-29 unless such vehicle is to be registered under the International
34 Registration Plan pursuant to Article 3A of this chapter.

35 (B)(i) Any dealer of new or used motor vehicles shall issue to the purchaser of a
36 vehicle at the time of sale thereof, unless such vehicle is to be registered under the
37 International Registration Plan, a temporary plate as provided for by department rules
38 or regulations which may bear the dealer's name and location and shall bear the
39 expiration date of the period within which the purchaser is required by Code Section
40 40-2-20 to register such vehicle. The expiration date of such a temporary plate may
41 be revised and extended by the county tag agent upon application by the dealer, the
42 purchaser, or the transferee if an extension of the purchaser's initial registration period
43 has been granted as provided by Code Section 40-2-20. Such temporary plate shall
44 not resemble a license plate issued by this state and shall be issued without charge or
45 fee. The requirements of this subparagraph do not apply to a dealer whose primary
46 business is the sale of salvage motor vehicles and other vehicles on which total loss
47 claims have been paid by insurers.

48 (ii) A tag service company shall issue a temporary plate as provided for by department
49 rules or regulations to any third party upon receipt of request for services provided
50 that a vehicle is not to be registered under the International Registration Plan. Such
51 temporary plate may bear the tag service company's name and location and shall bear
52 the expiration date of the period within which the third party is required by Code
53 Section 40-2-20 to register such vehicle. The expiration date of such temporary plate
54 may be revised and extended by a county tag agent upon application by the tag
55 service company, the third party, or the transferee if an extension of the third party's
56 initial registration period has been granted pursuant to Code Section 40-2-20. Such
57 temporary plate shall not resemble a license plate issued by this state and shall be
58 issued without charge or fee. The requirements of this subparagraph do not apply to
59 a dealer whose primary business is the sale of salvage motor vehicles and other
60 vehicles on which total loss claims have been paid by insurers.

61 (iii) All temporary plates issued by dealers to purchasers of vehicles or tag service
62 companies to third parties shall be of a standard design prescribed by regulation
63 promulgated by the department. The department may provide by rule or regulation

64 for the sale and distribution of such temporary plates by third parties in accordance
65 with paragraph (3) of this subsection.

66 ~~(3)~~(4) All sellers and distributors of temporary license plates shall maintain an inventory
67 record of temporary license plates by number and name of the dealer or tag service
68 company.

69 ~~(4)~~(5) The purchaser and operator of a vehicle shall not be subject to the penalties set
70 forth in this Code section during the period allowed for the registration. If the owner of
71 such vehicle presents evidence that such owner has properly applied for the registration
72 of such vehicle, but that the license plate or revalidation decal has not been delivered to
73 such owner, then the owner shall not be subject to the penalties enumerated in this
74 subsection."

75 **SECTION 2.**

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