

House Bill 898

By: Representatives Powell of the 32nd, Ridley of the 6th, Trammell of the 132nd, and Hatchett of the 150th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to
2 registration and licensing of motor vehicles, so as to revise provisions relative to fleet
3 vehicles and fleet vehicle registration plans; to provide for definitions; to provide for fleet
4 enrollment procedures; to provide for procedures for registering and licensing vehicles
5 enrolled in a fleet; to provide for license plates; to remove revalidation decal requirements
6 for vehicles in a fleet vehicle registration plan; to provide for the transfer of license plates
7 between vehicles registered under a fleet vehicle registration plan; to provide for termination
8 of participation in a fleet vehicle registration plan program; to provide for related matters;
9 to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 SECTION 1.

12 Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and
13 licensing of motor vehicles, is amended by revising Article 2A, relating to fleet vehicles, as
14 follows:

15 "ARTICLE 2A

16 40-2-50.

17 As used in this article, the term:

18 (1) 'Fleet' means ~~1,000~~ 100 or more motor vehicles.

19 (2) 'Fleet registration plan' means the method of registering the motor vehicles of a fleet
20 as provided in this article.

21 40-2-51.

22 (a)(~~1~~) A corporation or firm which has an established place of business in this state or
23 which is controlled by a parent corporation which has an established place of business in

24 this state and which owns or operates under a lease agreement a fleet which is not required
 25 to be registered under the International Registration Plan in accordance with Article 3A of
 26 this chapter may enroll in the fleet registration plan and register and obtain licenses to
 27 operate the motor vehicles in such fleet as provided in this article.

28 ~~(2) The provisions of this article for fleet enrollment, registration, and licensing shall not~~
 29 ~~apply to any corporation or firm which leases or rents motor vehicles to other persons for~~
 30 ~~use thereby.~~

31 (b)(1) Applications for enrollment of a fleet under the fleet registration plan may be
 32 submitted to the department in the form and manner prescribed ~~thereby during the period~~
 33 ~~of December 1 of the prior registration year to February 15 of the year for which the~~
 34 ~~license plates are to be issued. Motor vehicles of a fleet shall be enrolled separately by~~
 35 ~~classes and by counties where the vehicles are to be registered~~ by the commissioner.

36 ~~(2)(A)~~ An applicant for enrollment of a fleet under the fleet registration plan shall pay
 37 a fleet enrollment fee of ~~\$200.00~~ \$50.00 for initial enrollment of the fleet.

38 ~~(B) If the applicant for enrollment of a fleet or the parent corporation or firm thereof~~
 39 ~~has not had an established place of business in this state for a period of ten consecutive~~
 40 ~~years or more, the applicant shall post a \$25,000.00 surety bond at the time of applying~~
 41 ~~for enrollment.~~

42 (3) If the department determines that the applicant is eligible for fleet registration and
 43 proper application has been made, the department shall enroll the fleet, indicate the
 44 amount of license fees due for the fleet, ~~validate the enrollment form or forms for the~~
 45 ~~applicable county or counties, and mail the validated original enrollment form or forms~~
 46 ~~with fees indicated to the applicant. Such enrollment shall be valid for a period which~~
 47 ~~is concurrent with that period for which regular license plates are issued for use under~~
 48 ~~Code Section 40-2-31. Thereafter, the department shall, prior to December 1 of each year~~
 49 ~~of the enrollment period, mail the enrollee a statement of the amount of license fees due~~
 50 ~~and payable during the forthcoming registration period for such fleet~~ and assign a unique
 51 registration account number to the applicant.

52 40-2-52.

53 (a) ~~After~~ Within 30 days of receipt of a validated fleet enrollment form, the owner or
 54 operator of the enrolled fleet shall register and obtain licenses to operate the motor vehicles
 55 ~~thereof during the period of December 1 of the prior registration year to February 15 of the~~
 56 ~~year for which the license plates are to be issued~~ by submitting properly completed
 57 certificates of title for each vehicle in a fleet and any supporting documents required by the
 58 commissioner. The owner or operator of the enrolled fleet which acquires a vehicle after
 59 approval of fleet enrollment shall submit the properly completed certificates of title and

60 required supporting documentation for any additional vehicles within 30 days from the date
 61 of acquisition of such vehicle.

62 ~~(b) An applicant for registration of a vehicle of an enrolled fleet shall submit a validated~~
 63 ~~original fleet enrollment form to the county tag agent in each county in which vehicles~~
 64 ~~enrolled under the fleet registration plan are to be registered. All certificates of title by the~~
 65 ~~owner or operator of an enrolled fleet required under this article shall be submitted to the~~
 66 ~~department electronically and in a manner prescribed by the commissioner.~~

67 (c) Any applicable state and local title and ad valorem taxes required pursuant to Code
 68 Section 48-5C-1 shall be paid for any new motor vehicle to be included in an enrolled fleet.

69 ~~(c)~~(d) The provisions of Article 2 of this chapter for registering and licensing motor
 70 vehicles generally which are not inconsistent with the provisions of this article shall apply
 71 to the registration and licensing of each vehicle of an enrolled fleet.

72 40-2-53.

73 ~~(a)(1) Upon electronic submission by the applicant of a validated original fleet enrollment~~
 74 ~~form and compliance with of all applicable requirements for registration and licensing of~~
 75 ~~motor vehicles, of this article, the department shall send notification of such to the county~~
 76 ~~tag agent. Upon receipt of such notification from the department, the county tag agent shall~~
 77 ~~issue to the applicant a fleet motor vehicle license plate for each vehicle of the fleet to be~~
 78 ~~registered and licensed in such county.~~

79 ~~(2) The county tag agent shall mark the validated original fleet enrollment form as 'taxes~~
 80 ~~paid' or 'tax exempt,' as applicable, and return such form to the registrant.~~

81 ~~(3) The registrant shall submit to the department the validated original fleet enrollment~~
 82 ~~form which has been marked as provided in paragraph (2) of this subsection.~~

83 (b) Fleet motor vehicle license plates shall be similar in design to ~~and issued for the same~~
 84 ~~period as~~ regular license plates issued under Code Section 40-2-31, except that such fleet
 85 motor vehicle license plates shall contain such words or symbols, in addition to the
 86 numbers and letters otherwise prescribed by law, so as to distinctively identify the motor
 87 vehicles on which they are placed as fleet motor vehicles. ~~It shall be a requirement that a~~
 88 ~~county name decal shall be affixed and displayed on license plates issued under this Code~~
 89 ~~section. Such motor vehicle license plates shall contain the word 'FLEET' in the location~~
 90 ~~of and in lieu of the revalidation decal required under Code Section 40-2-8 so as to~~
 91 ~~distinctly identify the motor vehicle as part of an enrolled fleet.~~

92 ~~(c)(1) License plates issued under this Code section shall be renewed annually with a~~
 93 ~~generic fleet revalidation decal upon payment of a renewal fee to the department. Such fee~~
 94 ~~shall be the same amount that would be charged for a revalidation decal for such vehicle.~~

95 ~~(2) The bond required under subsection (b) of Code Section 40-2-51 shall be required~~
 96 ~~at the time of any renewal of such license plates if at the time of such renewal the~~
 97 ~~registrant or the parent corporation or firm thereof has not had an established place of~~
 98 ~~business in this state for a period of ten consecutive years or more.~~

99 (d) License plates issued under this Code section ~~shall~~ may be transferred between
 100 vehicles in the same manner as provided by Code Section 40-2-80 for special license plates
 101 ~~issued under Article 3 of this chapter~~ of the same class upon electronic submission to the
 102 department of the information required under Code Section 40-2-51 for any vehicle added
 103 to an enrolled fleet and the payment of the required registration fees for such additional
 104 vehicle.

105 40-2-54.

106 ~~(a) If a fleet registrant or the parent corporation or firm thereof has not had an established~~
 107 ~~place of business in this state for a period of ten consecutive years or more, the department~~
 108 ~~or its designated agent shall annually conduct an audit of such fleet registrant to ensure~~
 109 ~~compliance with the requirements of this article which may include, without limitation,~~
 110 ~~examination of records of all vehicles in a fleet, additions to or deletions from a fleet since~~
 111 ~~the most recent such audit, and proof of proper payment of or exemption from ad valorem~~
 112 ~~taxes on fleet vehicles. The fleet registrant shall bear the cost of or reimburse the~~
 113 ~~department for the expenses of any audit required by this subsection.~~

114 ~~(b)~~(a) The department or its designated agent may perform an audit of any fleet registrant
 115 to ensure compliance with the requirements of this article which may include, without
 116 limitation, examination of records of all vehicles in a fleet, additions to or deletions from
 117 a fleet since the most recent such audit, and proof of proper payment of or exemption from
 118 ad valorem taxes on fleet vehicles.

119 (b) The department is authorized to promulgate such rules and regulations as the
 120 department shall find necessary to implement the provisions of this article.

121 40-2-55.

122 An enrollment of a fleet in the fleet registration plan shall be terminated by the department
 123 in the event:

124 ~~(1) The department determines on the basis of an audit that fees for registration and~~
 125 ~~licensing are not paid as required for 20 percent or more of the vehicles in any class of~~
 126 ~~vehicles in the fleet or of those vehicles of the fleet registered in a county;~~

127 ~~(2)~~(1) The department determines on the basis of an audit that fees for registration and
 128 licensing are not paid as required for 5 percent or more of the total vehicles in the fleet
 129 which are registered in this state;

- 130 ~~(3)~~(2) Of the conviction of the fleet registrant for any unlawful use of any license plate
131 issued for a fleet vehicle;
- 132 ~~(4)~~(3) Of the failure of the fleet registrant to pay title and ad valorem taxes as required
133 for any fleet vehicle; or
- 134 ~~(5)~~(4) Of the failure of the fleet registrant to pay enrollment fees as required; ~~or~~
- 135 ~~(6) Of the forfeiture of the surety bond required under Code Section 40-2-52 or 40-2-53."~~

136 **SECTION 2.**

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