

House Bill 965

By: Representatives Ridley of the 6th, Powell of the 32nd, Gravley of the 67th, Pirkle of the 155th, and Tarvin of the 2nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 40 and Code Section 48-5-504.40 of the Official Code of Georgia Annotated,
2 relating to motor vehicles and watercraft and all-terrain vehicles held in inventory for resale
3 exempt from ad valorem taxation for limited period of time, respectively, so as to provide
4 for definitions relative to all-terrain vehicles; 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 Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles, is amended
9 in Code Section 40-1-1, relating to definitions, by revising paragraphs (3), (8.01), and (8.1)
10 as follows:

11 "(3) 'All-terrain vehicle' means ~~any a~~ motorized vehicle ~~designed originally manufactured~~
12 for ~~off-road~~ off-highway use which is equipped with ~~four low-pressure~~ three or more
13 nonhighway tires, ~~a seat designed to be straddled by the operator, and handlebars for~~
14 ~~steering~~ is 80 inches or less in width with a dry weight of 2,500 pounds or less, and is
15 designed for or capable of cross-country travel on or immediately over land, water, snow,
16 ice, marsh, swampland, or other natural terrain."

17 "(8.01) 'Class I all-terrain vehicle' means a motorized, off-highway recreational vehicle
18 50 inches or less in width with a dry weight of 1,200 pounds or less that travels on three
19 or more nonhighway tires ~~and is designed for or capable of cross-country travel on or~~
20 ~~immediately over land, water, sand, snow, ice, marsh, swampland, or other natural~~
21 ~~terrain.~~

22 (8.1) 'Class II all-terrain vehicle' means a motorized, off-highway recreational vehicle
23 which is not a class I all-terrain vehicle and which is ~~65~~ 80 inches or less in width with
24 a dry weight of ~~2,000~~ 2,500 pounds or less that travels on four or more nonhighway tires
25 ~~and is designed for or capable of cross-country travel on or immediately over land, water,~~
26 ~~sand, snow, ice, marsh, swampland, or other natural terrain."~~

27 **SECTION 2.**

28 Said title is further amended in Code Section 40-8-91.1, relating to marking and equipment
29 of all-terrain vehicles used as law enforcement vehicles, by revising subsection (a) as
30 follows:

31 "(a) As used in this Code section, the term 'all-terrain vehicle' ~~means any motorized vehicle~~
32 ~~designed for off-road use which is equipped with four or more nonhighway tires and which~~
33 ~~is 50 inches or less in width~~ shall have the same meaning as provided for in paragraph (3)
34 of Code Section 40-1-1."

35 **SECTION 3.**

36 Code Section 48-5-504.40 of the Official Code of Georgia Annotated, relating to watercraft
37 and all-terrain vehicles held in inventory for resale exempt from ad valorem taxation for
38 limited period of time, is amended by revising subsection (a) as follows:

39 "(a) As used in this Code section, the term:

40 (1) 'All-terrain vehicle' ~~means any motorized vehicle designed for off-road use which is~~
41 ~~equipped with four low-pressure tires, a seat designed to be straddled by the operator, and~~
42 ~~handlebars for steering~~ shall have the same meaning as provided for in paragraph (3) of
43 Code Section 40-1-1.

44 (2) 'Dealer' means any person who is engaged in the business of selling watercraft or
45 all-terrain vehicles at retail.

46 (3) 'Watercraft' means any vehicle which is self-propelled or which is capable of
47 self-propelled water transportation, or both."

48 **SECTION 4.**

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