

House Bill 861

By: Representatives Wiedower of the 119th, Jones of the 47th, Gravley of the 67th, Gaines of the 117th, Barton of the 5th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 40 of the Official Code of Georgia Annotated, relating to
2 identification and regulation of motor vehicles, so as to amend certain definitions relating to
3 commercial carriers; to provide for an effective date; to repeal conflicting laws; and for other
4 purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

7 Chapter 1 of Title 40 of the Official Code of Georgia Annotated, relating to identification and
8 regulation of motor vehicles, is amended by revising paragraph (8.1) of Code Section 40-1-1,
9 relating to definitions, as follows:

10 "(8.1) 'Commercial motor vehicle' means any self-propelled or towed motor vehicle used
11 on a highway in intrastate ~~and~~ or interstate commerce or both to transport passengers or
12 property when the vehicle:

13 (A) Has a gross vehicle weight rating, gross combination weight rating, gross vehicle
14 weight, or gross combination weight of 4,536 kg (10,001 lbs.) or more;

15 (B) Is designed or used to transport more than eight passengers, including the driver,
16 for compensation;

17 (C) Is designed or used to transport more than 15 passengers, including the driver, and
18 is not used to transport passengers for compensation; or

19 (D) Is used to transport material determined to be hazardous by the secretary of the
20 United States Department of Transportation under 49 U.S.C. Section 5103 and
21 transported in a quantity that requires placards under regulations prescribed under 49
22 C.F.R., Subtitle B, Chapter I, Subchapter C."

23 style="text-align:center">**SECTION 2.**

24 Said chapter is further amended by revising paragraph (3) of subsection (a) of Code Section
25 40-1-8, relating to safe operations of motor carriers, as follows:

26 "(3) 'Present regulations' means the regulations promulgated under 49 C.F.R. in force and
27 effect on January 1, ~~2019~~ 2020."

28 **SECTION 2.**

29 This Act shall become effective upon its approval by the Governor or upon its becoming law
30 without such approval.

31 **SECTION 3.**

32 All laws and parts of laws in conflict with this Act are repealed.