

Senate Bill 644

By: Senators Dixon of the 45th, Hatchett of the 50th and Goodman of the 8th

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and
2 traffic, so as to provide for an inspection of converted motor vehicles; to revise provisions
3 relating to certificates of title for converted motor vehicles; to provide for a definition; to
4 provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, is
8 amended in Code Section 40-2-27, relating to registration of motor vehicles not
9 manufactured to comply with federal emission and safety standards, certificate of registration
10 for an assembled motor vehicle or motorcycle or a converted motor vehicle, and former
11 military motor vehicles, by revising paragraph (2) of subsection (d) as follows:

12 "(2) Before a certificate of registration is issued for a converted motor vehicle ~~as such~~
13 ~~term is defined in Code Section 40-3-30.1, such converted motor vehicle shall have been~~
14 ~~issued a certificate of title in Georgia upon compliance with the inspection provisions of~~
15 ~~such Code section, the department or any agent thereof shall inspect such converted~~
16 motor vehicle to verify that such vehicle complies with the equipment requirements set

17 forth in Chapter 8 of this title. The department or agent thereof shall be authorized to
18 charge a fee for such inspection. The department or agent thereof shall not be required
19 to verify that such converted motor vehicle complies with any state or federal laws
20 relating to low-speed vehicles other than the requirements of this paragraph. No
21 certificate of title shall be issued for a converted motor vehicle. For purposes of this
22 Code section, the term 'converted motor vehicle' means any unconventional motor
23 vehicle, as such term is defined in Code Section 40-3-30.1, that has been altered from the
24 original manufactured condition by an owner or third party in order to comply with
25 standards based upon those federal motor vehicle safety standards for low-speed vehicles
26 set forth in 49 C.F.R. Section 571.500, as amended, and the equipment requirements set
27 forth in Chapter 8 of this title."

28

SECTION 2.

29 Said title is further amended in Code Section 40-3-30, relating to requirement of compliance
30 with federal safety standards, by revising subsection (d) as follows:

31 ~~"(d) The provisions of subsection (a) of this Code section shall not apply to applications~~
32 ~~for certificates of title for converted motor vehicles as such term is defined in Code~~
33 ~~Section 40-3-30.1."~~

34

SECTION 3.

35 Said title is further amended by revising Code Section 40-3-30.1, relating to standards for
36 issuance to assembled motor vehicle and motorcycle or converted motor vehicle and
37 inspections, as follows:

38 "40-3-30.1.

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

40 (1) 'Assembled motor vehicle or motorcycle' means any motor vehicle or motorcycle that
41 is:

42 (A) Manufactured from a manufacturer's kit or manufacturer's fabricated parts,
43 including replicas and original designs:

44 (i)(I) By an owner; or

45 (II) At the request of the owner by a third-party manufacturer of motor vehicles or
46 motorcycles; and

47 (ii)(I) Such owner or third-party manufacturer is not manufacturing and testing in
48 accordance with federal safety standards issued pursuant to 49 U.S.C.A. Section
49 30101, et seq.; and

50 (II) The United States Customs Service or the United States Department of
51 Transportation has not certified that the motor vehicle complies with such
52 applicable federal standards;

53 (B) A new vehicle and consists of a prefabricated body, chassis, and drive train;

54 (C) Handmade and not mass produced by any manufacturer for retail sale; or

55 (D) Not otherwise excluded from emission requirements and is in compliance with
56 Chapter 8 of Title 40, relating to equipment and inspection of motor vehicles.

57 ~~(2) 'Converted motor vehicle' means any unconventional motor vehicle that has been~~
58 ~~altered from the original manufactured condition by an owner or third party in order to~~
59 ~~comply with certain state and federal requirements relating to low-speed vehicles.~~

60 ~~(3)~~(2)(A) 'Unconventional motor vehicle or motorcycle' means any motor vehicle or
61 motorcycle that is not manufactured in compliance with the following:

62 (i) Chapter 8 of Title 40, relating to equipment and inspection of motor vehicles;

63 (ii) Applicable federal motor vehicle safety standards issued pursuant to 49 U.S.C.A.
64 Section 30101, et seq., unless and until the United States Customs and Border
65 Protection Agency or the United States Department of Transportation has certified
66 that the motor vehicle complies with such applicable federal standards; or

67 (iii) Applicable federal emission standards issued pursuant to 42 U.S.C.A.
68 Section 7401 through Section 7642, the '~~Clean Air Act,~~ Clean Air Act, as amended.

69 (B) Such term shall not include former military motor vehicles.

70 (b) In addition to the requirements contained in Code Section 40-3-30, prior to the
71 issuance of a certificate of title to the owner of an assembled motor vehicle or motorcycle,
72 the owner shall cause such assembled motor vehicle or motorcycle to be inspected in order
73 to establish:

74 (1) The existence of a verifiable Manufacturer's Certificate of Origin (MCO) or other
75 verifiable documentation of purchase of all major components; and

76 (2) That such assembled motor vehicle or motorcycle complies with:

77 (A) Chapter 8 of Title 40, relating to equipment and inspection of motor vehicles; and

78 (B) If applicable, federal emission standards issued pursuant to 42 U.S.C.A.
79 Section 7401 through Section 7642, the '~~Clean Air Act,~~ Clean Air Act, as amended.

80 ~~(c) Prior to the issuance of a certificate of title to the owner of a converted motor vehicle,
81 the owner shall cause such converted motor vehicle to be inspected in order to establish
82 that such vehicle complies with:~~

83 ~~(1) Chapter 8 of Title 40, relating to equipment and inspection of motor vehicles; and~~

84 ~~(2) Standards for low-speed vehicles based upon applicable standards set forth in 49
85 C.F.R. Section 571.500, as amended.~~

86 ~~(d)~~(c) The ~~inspections~~ inspection conducted under subsection (b) and ~~subsection (c)~~ of this
87 Code section shall only be for the purpose of establishing that such inspected motor vehicle
88 or motorcycle is eligible to receive a certificate of title.

89 ~~(e)~~(d) The department shall be authorized to charge an inspection fee.

90 ~~(f)~~(e) Unconventional motor vehicles or motorcycles shall not be titled or registered."

91 **SECTION 4.**

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