

House Bill 1239 (COMMITTEE SUBSTITUTE)

By: Representatives Collins of the 71st, Corbett of the 174th, Rhodes of the 124th, Jasperse of the 11th, and Dickey of the 145th

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 the operation of miniature on-road vehicles on certain highways;
3 to provide for standards for registration of such vehicles; to provide for issuance of license
4 plates for miniature on-road vehicles; to provide for an annual licensing fee for such vehicles;
5 to provide for issuance of certificates of title by the Department of Revenue for such
6 vehicles; to provide for equipment and operating standards for such vehicles; to provide local
7 authorities with the power to prohibit operation of miniature on-road vehicles; to require
8 posting of notice of such prohibition upon highways; to revise and provide for a definition;
9 to provide for related matters; to provide for an effective date; to repeal conflicting laws; and
10 for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 **SECTION 1.**

13 Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, is
14 amended in Code Section 40-1-1, relating to definitions, by revising paragraph (27.1) and
15 adding a new paragraph to read as follows:

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"(e) The provisions of subsection (a) of this Code section shall not apply to applications for certificates of registration for former military motor vehicles that are less than 25 years old and manufactured for the United States military, ~~or~~ multipurpose off-highway vehicles manufactured after January 1, 2000, or miniature on-road vehicles manufactured more than 25 years prior to application; provided, however, that the exception provided by this subsection shall be applicable to miniature on-road vehicles manufactured less than 25 years prior to application that have been modified by an importer registered with the United States Department of Transportation to comply with applicable federal motor vehicle safety standards issued pursuant to 49 U.S.C.A. Section 30101, et seq., and certified by such importer as such."

SECTION 3.

Said title is further amended in Code Section 40-2-31, relating to license plate design and revalidation and county decals, by revising subsection (b) as follows:

"(b) License plates issued pursuant to this chapter shall be at least six inches wide and not less than 12 inches in length, except that motorcycle license plates shall be at least four inches wide and not less than seven inches in length and license plates for low-speed vehicles, miniature on-road vehicles, and multipurpose off-highway vehicles shall be a size determined by the commissioner. All license plates shall show in boldface characters the month and year of expiration, the serial number, and either the full name or the abbreviation of the name of the state, shall designate the county from which the license plate was issued unless specifically stated otherwise in this chapter, and shall show such other distinctive markings as in the judgment of the commissioner may be deemed advisable, so as to indicate the class or weight of the vehicle for which the license plate was issued. Any license plate for a low-speed vehicle, miniature on-road vehicle, or multipurpose off-highway vehicle shall designate the vehicle as such. Such plates may also bear such figures, characters, letters, or combinations thereof as in the judgment of the

commissioner will to the best advantage advertise, popularize, and otherwise promote Georgia as the 'Peach State.' Except for license plates issued pursuant to Article 2B of this chapter, any license plate issued pursuant to this chapter shall be of such strength and quality that the plate shall provide a minimum service period of at least five years. The commissioner shall adopt rules and regulations, pursuant to the provisions of Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act,' for the design and issuance of new license plates and to implement the other provisions of this Code section."

SECTION 4.

Said title is further amended in Code Section 40-2-33, relating to issuance of license plates and decals, transfer of registration to a digital license plate, compensation of tag agents, and required identification, by revising paragraph (2.1) of subsection (a) as follows:

"(2.1) The commissioner may provide for the issuance of a temporary operating permit for any ~~multipurpose off-highway~~ miniature on-road vehicle, to be displayed until such time as a license plate of the design required by Code Section 40-2-31 has been issued to the registrant as a replacement for such temporary operating permit; provided, however, that any such temporary operating permit shall designate the ~~multipurpose off-highway~~ miniature on-road vehicle as such; and provided, further, that the commissioner shall make available for issuance ~~multipurpose off-highway~~ miniature on-road vehicle license plates of the design required by Code Section 40-2-31 not later than January 1, ~~2024~~ 2025."

SECTION 5.

Said title is further amended in Code Section 40-2-151, relating to annual license fees for operation of vehicles, by revising paragraph (2) of subsection (a) as follows:

"(2) For each motorcycle, miniature on-road vehicle, or multipurpose off-highway vehicle 20.00 "

SECTION 6.

Said title is further amended in Code Section 40-3-30.1, relating to standards for issuance to assembled motor vehicle and motorcycle or converted motor vehicle and inspections, by revising subsection (f) as follows:

"(f) Unconventional motor vehicles or motorcycles shall not be titled or registered; provided, however, that ~~a multipurpose off-highway vehicle manufactured after January 1, 2000,~~ the following unconventional motor vehicles shall be registered upon proper application and payment of the required fee:

(1) A multipurpose off-highway vehicle manufactured after January 1, 2000;

(2) A miniature on-road vehicle manufactured more than 25 years prior to application;

and

(3) A miniature on-road vehicle manufactured less than 25 years prior to application that has been modified by an importer registered with the United States Department of Transportation to comply with applicable federal motor vehicle safety standards issued pursuant to 49 U.S.C.A. Section 30101, et seq., and certified by such importer as such."

SECTION 7.

Said title is further amended by revising Part 5 of Article 13 of Chapter 6, relating to low-speed or multipurpose off-highway vehicles, as follows:

"Part 5

40-6-359.

Multipurpose off-highway vehicles and miniature on-road vehicles shall be equipped with:

(1) Headlights;

(2) Brake lights;

(3) Taillights;

- 117 (4) A rearview mirror; and
118 (5) Safety belts.

119 40-6-360.

120 Every person operating a low-speed vehicle, miniature on-road vehicle, or multipurpose
121 off-highway vehicle shall be granted all the rights and shall be subject to all the duties
122 applicable to the driver of any other vehicle under this chapter except as to special
123 regulations in this part and except as to those provisions of this chapter which by their
124 nature can have no application.

125 40-6-361.

126 (a) All low-speed vehicles, miniature on-road vehicles, and multipurpose off-highway
127 vehicles are entitled to full use of a lane, and no motor vehicle shall be driven in such a
128 manner as to deprive any such vehicles of the full use of a lane.

129 (b) The operator of a low-speed vehicle, miniature on-road vehicle, or multipurpose
130 off-highway vehicle shall not overtake and pass in the same lane occupied by the vehicle
131 being overtaken.

132 (c) No person shall operate a low-speed vehicle, miniature on-road vehicle, or
133 multipurpose off-highway vehicle between lanes of traffic or between adjacent lines or
134 rows of vehicles.

135 (d) Low-speed vehicles, miniature on-road vehicles, and multipurpose off-highway
136 vehicles shall not be operated two or more abreast in a single lane.

137 40-6-362.

138 (a) Low-speed vehicles shall be operated only on any highway where the posted speed
139 limit does not exceed 35 miles per hour. The operator of a low-speed vehicle shall not

operate such vehicle on any highway where the posted speed limit exceeds 35 miles per hour.

(b) Multipurpose off-highway vehicles shall be operated only on highways that are part of a county road system and shall be authorized to cross highways that are part of a municipal street system or are part of the state highway system.

(c) Miniature on-road vehicles shall be operated only on highways that are part of a municipal street system or county road system, provided that such operation has not been prohibited through ordinance or resolution within a local jurisdiction, and shall be authorized to cross highways that are part of the state highway system."

SECTION 8.

Said title is further amended in Code Section 40-6-371, relating to powers of local authorities generally, by revising paragraphs (18.1) through (20) of subsection (a) and subsection (c) as follows:

~~"(18.1)~~(19) Regulating the operation of electric personal assistive mobility devices, provided that such regulations are no less restrictive than those imposed by Part 2A of Article 13 of this chapter;

~~(18.2)~~(20) Regulating the operation of personal transportation vehicles, provided that such regulations comply with Parts 3 and 6 of Article 13 of this chapter;

(21) Prohibiting the operation of miniature on-road vehicles as authorized in Code Section 40-6-362;

~~(19)~~(22) Adopting and enforcing such temporary or experimental regulations as may be necessary to cover emergencies or special conditions; or

~~(20)~~(23) Adopting such other traffic regulations as are specifically authorized by this chapter."

"(c) No ordinance or regulation enacted under paragraph (4), (5), (6), (8), (9), (10), (11), (12), (13), (14), (15), (16), (17), (18), ~~or (18.2)~~ (20), or (21) of subsection (a) of this Code

166 section shall be effective until official traffic-control devices giving notice of such local
167 traffic regulations are erected upon or at the entrances to the highway or the part thereof
168 affected as may be most appropriate."

169 **SECTION 9.**

170 This Act shall become effective on October 1, 2024.

171 **SECTION 10.**

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