

Senator Dolezal of 27th offered the following amendment:

1 *Amend the House substitute to SB 110 (LC 39 4407S) by replacing all language from line 1*  
2 *to the end with the following:*  
3 To amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and  
4 traffic, so as to provide for vehicle registration of special mobile equipment that are  
5 self-propelled cranes in order to authorize operation of such upon public highways; to  
6 provide for exceptions from certain federal requirements for certain vehicles and equipment  
7 to allow for registration; to authorize the issuance of certificates of title for self-propelled  
8 cranes; to provide for an annual licensing fee for such equipment; to revise responsibilities  
9 of motor vehicle operators when encountering a funeral procession on a two-lane highway;  
10 to revise and provide for definitions; to provide for standards of operation for bicyclists  
11 approaching certain intersections with stop signs; to amend Article 10 of Chapter 5 of Title  
12 48 of the Official Code of Georgia Annotated, relating to ad valorem taxation of motor  
13 vehicles and motor homes, so as to provide for a definition; to subclassify multipurpose  
14 off-highway vehicles for ad valorem taxation purposes; to provide that such vehicles shall  
15 not be returned or taxed for ad valorem taxation purposes; to provide for related matters; to  
16 provide for effective dates and applicability; to repeal conflicting laws; and for other  
17 purposes.

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

19

**SECTION 1.**

20 Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, is  
 21 amended in Code Section 40-1-1, relating to definitions, by revising paragraphs (33.1) and  
 22 (59) and by adding a new paragraph to read as follows:

23 "(33.1)(A) 'Multipurpose off-highway vehicle' means any self-propelled, motorized  
 24 vehicle having features that:

25 (i) Has features specifically intended for utility use and having the following  
 26 characteristics;

27 (ii) Was originally manufactured to be primarily used off-highway;

28 ~~(A)~~(iii) Has the capability to transport persons or cargo or both;

29 ~~(B)~~(iv) Operates between 25 miles per hour (40.2 40 kilometers per hour) and 65  
 30 miles per hour (104.6 105 kilometers per hour);

31 ~~(C)~~(v) Has an overall width of 80 inches (2,030 millimeters) (203 centimeters) or  
 32 less, exclusive of accessories or attachments;

33 ~~(D)~~(vi) Is designed to travel on four or more wheels;

34 ~~(E)~~(vii) Uses a steering wheel for steering control;

35 ~~(F)~~(viii) Contains a nonstraddle seat;

36 ~~(G)~~(ix) Has a gross vehicle weight rating of less than 4,000 pounds (1,814  
 37 kilograms); and

38 ~~(H)~~(x) Has a minimum cargo capacity of 350 pounds (159 kilograms).

39 (B) Such term shall not include any all-terrain vehicle, low-speed vehicle, passenger  
 40 car, or personal transportation vehicle."

41 "(55.1) 'Self-propelled crane' means special mobile equipment manufactured to lift and  
 42 transport loads suspended from a hook or other type of holding mechanism that is  
 43 equipped with rubber tires in compliance with Code Section 40-8-74."

44 "(59) 'Special mobile equipment' means every vehicle not designed or used primarily for  
 45 the transportation of persons or property and only incidentally operated or moved over

46 a highway, including but not limited to: ditch-digging apparatus, well-boring apparatus,  
 47 and road construction and maintenance machinery such as asphalt spreaders, bituminous  
 48 mixers, bucket loaders, tractors other than truck tractors, ditchers, leveling graders,  
 49 finishing machines, motor graders, road rollers, scarifiers, earth-moving carryalls and  
 50 scrapers, power shovels and drag lines, and ~~self-propelled cranes~~ and earth-moving  
 51 equipment. The term does not include house trailers, dump trucks, truck mounted transit  
 52 mixers, cranes or shovels, or other vehicles designed for the transportation of persons or  
 53 property to which machinery has been attached."

54 **SECTION 2.**

55 Said title is further amended in Code Section 40-2-27, relating to registration of motor  
 56 vehicles not manufactured to comply with federal emission and safety standards, certificate  
 57 of registration for an assembled motor vehicle or motorcycle or a converted motor vehicle,  
 58 and former military motor vehicles, by revising subsection (e) as follows:

59 "(e) The provisions of subsection (a) of this Code section shall not apply to applications  
 60 for certificates of registration for ~~former~~;

61 (1) Former military motor vehicles that are less than 25 years old and manufactured for  
 62 the United States military ~~or multipurpose~~;

63 (2) Multipurpose off-highway vehicles manufactured after January 1, 2000; or

64 (3) Self-propelled cranes."

65 **SECTION 3.**

66 Said title is further amended in Code Section 40-2-151, relating to annual license fees for  
 67 operation of vehicles, by revising paragraph (3) of subsection (a) as follows:

68 "(3)(A) For each private commercial motor vehicle and self-propelled crane  
 69 in accordance with the owner declared gross vehicle weight rating, as follows:

70 (i) Less than 18,001 lbs. . . . . 25

71 (ii) 18,001 to 26,000 lbs. . . . . 38  
72 (iii) 26,001 to 30,000 lbs. . . . . 45  
73 (iv) 30,001 to 36,000 lbs. . . . . 70  
74 (v) 36,001 to 44,000 lbs. . . . . 115  
75 (vi) 44,001 to 54,999 lbs. . . . . 190  
76 (vii) 55,000 to 63,280 lbs. . . . . 300  
77 (viii) 63,281 lbs. to maximum permitted . . . . . 400

78 (B) Subparagraph (A) of this paragraph notwithstanding:

- 79 (i) A straight truck which is not a truck-tractor shall not be classified higher  
80 than \$75.00;  
81 (ii) A straight truck hauling fertilizer or agricultural products shall not be  
82 classified higher than \$31.00; and  
83 (iii) A truck-tractor hauling fertilizer, milk, or crops as defined in  
84 paragraph (7.1) of Code Section 1-3-3 shall not be classified higher than  
85 \$220.00;"

86 **SECTION 4.**

87 Said title is further amended in Code Section 40-3-4, relating to exclusions from issuance of  
88 certificate of title, by revising paragraph (7) as follows:

89 "(7) Special mobile equipment other than self-propelled cranes;"

90 **SECTION 5.**

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

93 "(c) The provisions of subsection (a) of this Code section shall not apply to applications  
94 for certificates of title for ~~former~~;

95 (1) Former military motor vehicles that are less than 25 years old and manufactured for  
96 the United States military;:  
97 ~~(d)(2) Converted~~ ~~The provisions of subsection (a) of this Code section shall not apply~~  
98 ~~to applications for certificates of title for converted~~ motor vehicles as such term is defined  
99 in Code Section 40-3-30.1; or  
100 (3) Self-propelled cranes."

101 **SECTION 6.**

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

105 "(B) Such term shall not include former military motor vehicles or self-propelled  
106 cranes."

107 **SECTION 7.**

108 Said title is further amended by revising Code Section 40-6-76, relating to funeral  
109 processions, as follows:

110 "40-6-76.

111 (a) As used in this Code section, ~~a~~ the term 'funeral procession' means an array of motor  
112 vehicles in which the lead vehicle displays a sign, pennant, flag, or other insignia furnished  
113 by a funeral home indicating a funeral procession unless led by a state or local law  
114 enforcement vehicle and each vehicle participating in the funeral procession is operating  
115 its headlights.

116 (b) Funeral processions shall have the right of way at intersections subject to the following  
117 conditions and exceptions:

- 118 (1) Operators of vehicles in a funeral procession shall yield the right of way upon the  
119 approach of an authorized emergency vehicle or law enforcement vehicle giving an  
120 audible and visual signal; and
- 121 (2) Operators of vehicles in a funeral procession shall yield the right of way when  
122 directed to do so by a traffic officer.
- 123 (c) Funeral processions in which both the lead and rear vehicles display flashing hazard  
124 lights or which are escorted by the police, a sheriff, or a sheriff's deputy shall have the right  
125 of way in any street or highway through which they may pass, and, upon any two-lane  
126 highway, the operator of every vehicle not participating in such funeral procession shall  
127 yield the right of way and shall immediately drive to a position parallel to, and as close as  
128 possible to, the right-hand edge or curb of the roadway clear of any intersection and shall  
129 stop and remain in such position until the funeral procession has passed, except when  
130 otherwise directed by a traffic officer. Local governments may, by ordinance, provide for  
131 such law enforcement escort service and provide for the imposition of reasonable fees to  
132 defray the cost of such service.
- 133 (d) The operator of a vehicle not in a funeral procession shall not interrupt a funeral  
134 procession except when authorized to do so by a traffic officer or when such vehicle is an  
135 authorized emergency vehicle or law enforcement vehicle giving an audible and visual  
136 signal.
- 137 (e) Operators of vehicles not a part of a funeral procession shall not join a funeral  
138 procession by operating their headlights for the purpose of securing the right of way  
139 granted by this Code section to funeral processions.
- 140 (f) The operator of a vehicle not in a funeral procession shall not attempt to pass vehicles  
141 in a funeral procession on a two-lane highway.
- 142 (g) Any person violating ~~subsection (d), (e), or (f)~~ of this Code section shall be guilty of  
143 a misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed  
144 \$100.00.

145 (h) Any law enforcement officer who is directing or escorting a funeral procession in this  
146 state, whether such service is provided while on duty or not, shall enjoy the same  
147 immunities from liability as the officer possesses while in the performance of other official  
148 duties."

149

**SECTION 8.**

150 Said title is further amended in Code Section 40-6-291, relating to traffic laws applicable to  
151 bicycles, operation upon paved shoulder, and signaling of right hand turns, by adding a new  
152 subsection to read as follows:

153 "(d) Any person operating a bicycle approaching a stop sign at an intersection or junction  
154 with a highway with two or fewer lanes shall slow down to a speed reasonable for the  
155 existing conditions and, if required for safety or if a motor vehicle is at or approaching a  
156 stop sign at the intersection or junction, shall stop at the point nearest the roadway of such  
157 intersection or junction where the operator of the bicycle has a view of approaching traffic  
158 before entering such intersection or junction. The operator of the bicycle shall stop and  
159 yield the right of way to any vehicle at or approaching a stop sign at the intersection or  
160 junction, in the intersection or junction, or approaching the intersection or junction on  
161 another highway so closely as to constitute an immediate hazard during the time the  
162 operator of the bicycle is moving across or within the intersection or junction; provided,  
163 however, that, after slowing to a reasonable speed, the operator of a bicycle may make a  
164 turn or proceed through an intersection without stopping when no other vehicle is stopped  
165 at a stop sign or approaching the intersection or junction so closely as to constitute a hazard  
166 for the operator of the bicycle to turn or proceed."

167

**SECTION 9.**

168 Article 10 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to ad  
169 valorem taxation of motor vehicles and motor homes, is amended by adding a new part to  
170 read as follows:

171

**"Part 8**172 48-5-504.50.

173 (a) As used in this Code section, the term 'multipurpose off-highway vehicle' shall have  
174 the same meaning as provided in Code Section 40-1-1.

175 (b) As authorized pursuant to Article VII, Section I, Paragraph III(b)(3) of the Constitution  
176 of Georgia, multipurpose off-highway vehicles shall constitute a separate classification of  
177 self-propelled vehicles for ad valorem taxation purposes.

178 (c) On and after January 1, 2025, no multipurpose off-highway vehicle shall be returned  
179 for or subject to ad valorem taxation. The procedures prescribed in this chapter for  
180 returning tangible personal property for ad valorem taxation and collecting the ad valorem  
181 taxes imposed on tangible personal property shall not apply to any multipurpose  
182 off-highway vehicle."

183

**SECTION 10.**

184 (a) Except as provided for in subsection (b) of this Section, this Act shall become effective  
185 upon its approval by the Governor or upon its becoming law without such approval.

186 (b) Section 9 of this Act shall become effective on January 1, 2025, and shall be applicable  
187 to taxable years beginning on or after January 1, 2025.

188

**SECTION 11.**

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