

House Bill 308 (COMMITTEE SUBSTITUTE)

By: Representatives Clifton of the 131st, Wiedower of the 121st, Rhodes of the 124th, Corbett of the 174th, Dickey of the 134th, and others

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 exempt such vehicles from certificate of title requirements; to provide for equipment and
6 operating standards for such vehicles; to provide local authorities with the power to prohibit
7 operation of such vehicles; to require posting of notice of such prohibition upon highways;
8 to revise and provide for a definition; to amend Code Section 48-5-473 of the Official Code
9 of Georgia Annotated, relating to returns for taxation and application for and issuance of
10 license plates upon payment of taxes due, so as to provide for payment of ad valorem taxes
11 upon such vehicles; to provide for related matters; to provide for an effective date; to repeal
12 conflicting laws; and for other purposes.

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

14 **SECTION 1.**

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

18 "(27.1) 'Miniature on-road vehicle' means any motorized vehicle designed and
19 manufactured for use upon roadways in another country that has been imported into the
20 United States with a valid certificate of title or registration from the exporting country
21 and in compliance with all federal importation requirements and which has the following
22 characteristics:

23 (A) Has the capability to transport persons;

24 (B) Operates between 25 miles per hour (40.2 kilometers per hour) and 65 miles per
25 hour (104.6 kilometers per hour);

26 (C) Has an overall width of 80 inches (2,030 millimeters) or less, exclusive of
27 accessories or attachments;

28 (D) Is designed to travel on four or more wheels;

29 (E) Uses a steering wheel for steering control;

30 (F) Contains a nonstraddle seat;

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

32 (H) Is not designed or manufactured as a golf cart, all-terrain vehicle, or multipurpose
33 off-highway vehicle.

34 (27.2) 'Minimal risk condition' means a low-risk operating mode in which a fully
35 autonomous vehicle operating without a human driver achieves a reasonably safe state,
36 such as bringing the vehicle to a complete stop, upon experiencing a failure of the
37 vehicle's automated driving system that renders the vehicle unable to perform the entire
38 dynamic driving task."

39 **SECTION 2.**

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

44 "(e) The provisions of subsection (a) of this Code section shall not apply to applications
 45 for certificates of registration for former military motor vehicles that are less than 25 years
 46 old and manufactured for the United States military, ~~or~~ multipurpose off-highway vehicles
 47 manufactured after January 1, 2000, or miniature on-road vehicles manufactured more than
 48 25 years prior to application; provided, however, that the exception provided by this
 49 subsection shall be applicable to miniature on-road vehicles manufactured less than 25
 50 years prior to application that have been modified by an importer registered with the United
 51 States Department of Transportation to comply with applicable federal motor vehicle safety
 52 standards issued pursuant to 49 U.S.C. Section 30101, et seq., and certified by such
 53 importer as such."

54 **SECTION 3.**

55 Said title is further amended in Code Section 40-2-31, relating to license plate design,
 56 retention of manufacturing and delivery costs, revalidation, county, and "In God We Trust"
 57 decals, by revising subsection (b) as follows:

58 "(b) License plates issued pursuant to this chapter shall be at least six inches wide and not
 59 less than 12 inches in length, except that motorcycle license plates shall be at least four
 60 inches wide and not less than seven inches in length and license plates for low-speed
 61 vehicles, miniature on-road vehicles, and multipurpose off-highway vehicles shall be a size
 62 determined by the commissioner. All license plates shall show in boldface characters the
 63 month and year of expiration, the serial number, and either the full name or the
 64 abbreviation of the name of the state, shall designate the county from which the license

65 plate was issued unless specifically stated otherwise in this chapter, and shall show such
66 other distinctive markings as in the judgment of the commissioner may be deemed
67 advisable, so as to indicate the class of weight of the vehicle for which the license plate was
68 issued. Any license plate for a low-speed vehicle, miniature on-road vehicle, or
69 multipurpose off-highway vehicle shall designate the vehicle as such. Such plates may also
70 bear such figures, characters, letters, or combinations thereof as in the judgment of the
71 commissioner will to the best advantage advertise, popularize, and otherwise promote
72 Georgia as the 'Peach State.' Plates issued during the years 2026 through 2030 shall
73 include the design approved pursuant to Code Section 40-2-31.1. Except for license plates
74 issued pursuant to Article 2B of this chapter, any license plate issued pursuant to this
75 chapter shall be of such strength and quality that the plate shall provide a minimum service
76 period of at least five years. The commissioner shall adopt rules and regulations, pursuant
77 to the provisions of Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act,' for
78 the design and issuance of new license plates and to implement the other provisions of this
79 Code section."

80

SECTION 4.

81 Said title is further amended in said Code section, as in effect on January 1, 2032, by revising
82 subsection (b) as follows:

83 "(b) License plates issued pursuant to this chapter shall be at least six inches wide and not
84 less than 12 inches in length, except that motorcycle license plates shall be at least four
85 inches wide and not less than seven inches in length and license plates for low-speed
86 vehicles, miniature on-road vehicles, and multipurpose off-highway vehicles shall be a size
87 determined by the commissioner. All license plates shall show in boldface characters the
88 month and year of expiration, the serial number, and either the full name or the
89 abbreviation of the name of the state, shall designate the county from which the license
90 plate was issued unless specifically stated otherwise in this chapter, and shall show such

91 other distinctive markings as in the judgment of the commissioner may be deemed
 92 advisable, so as to indicate the class of weight of the vehicle for which the license plate was
 93 issued. Any license plate for a low-speed vehicle, miniature on-road vehicle, or
 94 multipurpose off-highway vehicle shall designate the vehicle as such. Such plates may also
 95 bear such figures, characters, letters, or combinations thereof as in the judgment of the
 96 commissioner will to the best advantage advertise, popularize, and otherwise promote
 97 Georgia as the 'Peach State.' Except for license plates issued pursuant to Article 2B of this
 98 chapter, any license plate issued pursuant to this chapter shall be of such strength and
 99 quality that the plate shall provide a minimum service period of at least five years. The
 100 commissioner shall adopt rules and regulations, pursuant to the provisions of Chapter 13
 101 of Title 50, the 'Georgia Administrative Procedure Act,' for the design and issuance of new
 102 license plates and to implement the other provisions of this Code section."

103 **SECTION 5.**

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

107 "(2.1) The commissioner may provide for the issuance of a temporary operating permit
 108 for any ~~multipurpose off-highway~~ miniature on-road vehicle, to be displayed until such
 109 time as a license plate of the design required by Code Section 40-2-31 has been issued
 110 to the registrant as a replacement for such temporary operating permit; provided,
 111 however, that any such temporary operating permit shall designate the ~~multipurpose~~
 112 ~~off-highway~~ miniature on-road vehicle as such; and provided, further, that the
 113 commissioner shall make available for issuance ~~multipurpose off-highway~~ miniature
 114 on-road vehicle license plates of the design required by Code Section 40-2-31 not later
 115 than January 1, ~~2024~~ 2026."

116 **SECTION 6.**

117 Said title is further amended in Code Section 40-2-151, relating to annual license fees for
118 operation of vehicles, fee for permanent licensing of certain trailers, and fee for new
119 passenger car with paid title ad valorem taxes, by revising paragraph (2) of subsection (a) as
120 follows:

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

123 **SECTION 7.**

124 Said title is further amended in Code Section 40-3-30.1, relating to standards for issuance to
125 assembled motor vehicle and motorcycle or converted motor vehicle, inspections,
126 unconventional motor vehicle or motorcycle not to be titled or registered, and exception, by
127 revising subsection (f) as follows:

128 "(f) Unconventional motor vehicles or motorcycles shall not be titled or registered;
129 provided, however, that ~~a multipurpose off-highway vehicle manufactured after January~~
130 ~~1, 2000~~, the following unconventional motor vehicles shall be registered upon proper
131 application and payment of the required fee:

- 132 (1) A multipurpose off-highway vehicle manufactured after January 1, 2000;
- 133 (2) A miniature on-road vehicle manufactured more than 25 years prior to application;
- 134 and
- 135 (3) A miniature on-road vehicle manufactured less than 25 years prior to application that
136 has been modified by an importer registered with the United States Department of
137 Transportation to comply with applicable federal motor vehicle safety standards issued
138 pursuant to 49 U.S.C. Section 30101, et seq., and certified by such importer as such."

139 **SECTION 8.**

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

142 "Part 5

143 40-6-359.

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

- 145 (1) Headlights;
- 146 (2) Brake lights;
- 147 (3) Taillights;
- 148 (4) A rearview mirror; and
- 149 (5) Safety belts.

150 40-6-360.

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

156 40-6-361.

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

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

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

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

168 40-6-362.

169 (a) Low-speed vehicles shall be operated only on any highway where the posted speed
170 limit does not exceed 35 miles per hour. The operator of a low-speed vehicle shall not
171 operate such vehicle on any highway where the posted speed limit exceeds 35 miles per
172 hour.

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

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

180 **SECTION 9.**

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

H. B. 308 (SUB)

184 ~~"(18.1)(19)~~ (19) Regulating the operation of electric personal assistive mobility devices,
 185 provided that such regulations are no less restrictive than those imposed by Part 2A of
 186 Article 13 of this chapter;
 187 ~~(18.2)(20)~~ (20) Regulating the operation of personal transportation vehicles, provided that
 188 such regulations comply with Parts 3 and 6 of Article 13 of this chapter;
 189 (21) Prohibiting the operation of miniature on-road vehicles as authorized in Code
 190 Section 40-6-362;
 191 ~~(19)(22)~~ (22) Adopting and enforcing such temporary or experimental regulations as may be
 192 necessary to cover emergencies or special conditions; or
 193 ~~(20)(23)~~ (23) Adopting such other traffic regulations as are specifically authorized by this
 194 chapter."
 195 "(c) No ordinance or regulation enacted under paragraph (4), (5), (6), (8), (9), (10), (11),
 196 (12), (13), (14), (15), (16), (17), (18), ~~or (18.2) (20), or (21)~~ of subsection (a) of this Code
 197 section shall be effective until official traffic-control devices giving notice of such local
 198 traffic regulations are erected upon or at the entrances to the highway or the part thereof
 199 affected as may be most appropriate."

200

SECTION 10.

201 Code Section 48-5-473 of the Official Code of Georgia Annotated, relating to returns for
 202 taxation and application for and issuance of license plates upon payment of taxes due, is
 203 amended by revising subsection (b) as follows:

204 "(b) Notwithstanding subsection (a) of this Code section, in the case of an antique or hobby
 205 or special interest motor vehicle, as defined in Code Section 48-5-440, or a miniature
 206 on-road vehicle, as defined in Code Section 40-1-1, the owner or owners shall certify at the
 207 time of returning ~~the antique or hobby or special interest motor~~ such vehicle for taxation,
 208 paying the taxes due on the motor vehicle, and purchasing a license plate for the motor
 209 vehicle or at the time of the first sale or transfer of the motor vehicle that the vehicle is an

210 antique or hobby or special interest motor vehicle or a miniature on-road vehicle as defined
211 ~~in Code Section 48-5-440~~, and, upon said certification, said vehicle shall be registered and
212 a license plate issued with the imposition of an ad valorem tax based on \$100.00 valuation;
213 provided, however, that taxes shall be due at the time of registration or at the time required
214 by law for registration during the owner's registration period as provided in subsection (a)
215 of this Code section."

216 **SECTION 11.**

217 (a) Except as otherwise provided for in subsection (b) of this section, this Act shall become
218 effective on October 1, 2025.

219 (b) Section 4 of this Act shall become effective on January 1, 2032.

220 **SECTION 12.**

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