

House Bill 308 (AS PASSED HOUSE AND SENATE)

By: Representatives Clifton of the 131<sup>st</sup>, Wiedower of the 121<sup>st</sup>, Rhodes of the 124<sup>th</sup>, Corbett of the 174<sup>th</sup>, Dickey of the 134<sup>th</sup>, 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 provide a sentencing court with authority to order the installation of a device which limits  
9 the speed of a motor vehicle as part of the punishment for conviction of the offense of  
10 reckless stunt driving; to provide for procedures and conditions upon issuance of such orders;  
11 to provide for notification to the Department of Revenue; to provide for a penalty; to revise  
12 and provide for definitions; to provide that fingerprints shall not be obtained for offenses  
13 relating to operation of a motor vehicle with unauthorized levels of window or windshield  
14 tinting or unlawful installation of such; to revise and provide for a definition; to provide for  
15 the issuance of a refusal to sign citation; to provide for a penalty; to amend Code Section  
16 48-5-473 of the Official Code of Georgia Annotated, relating to returns for taxation and  
17 application for and issuance of license plates upon payment of taxes due, so as to provide for

18 payment of ad valorem taxes upon miniature on-road vehicles; to provide for related matters;  
19 to provide for an effective date; to repeal conflicting laws; and for other purposes.

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

21 **SECTION 1.**

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

25 "(27.1) 'Miniature on-road vehicle' means any motorized vehicle designed and  
26 manufactured for use upon roadways in another country that has been imported into the  
27 United States with a valid certificate of title or registration from the exporting country  
28 and in compliance with all federal importation requirements and which has the following  
29 characteristics:

30 (A) Has the capability to transport persons;

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

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

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

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

37 (F) Contains a nonstraddle seat;

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

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

41 (27.2) 'Minimal risk condition' means a low-risk operating mode in which a fully  
42 autonomous vehicle operating without a human driver achieves a reasonably safe state,

43 such as bringing the vehicle to a complete stop, upon experiencing a failure of the  
44 vehicle's automated driving system that renders the vehicle unable to perform the entire  
45 dynamic driving task."

46 **SECTION 2.**

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

51 "(e) The provisions of subsection (a) of this Code section shall not apply to applications  
52 for certificates of registration for former military motor vehicles that are less than 25 years  
53 old and manufactured for the United States military, ~~or~~ multipurpose off-highway vehicles  
54 manufactured after January 1, 2000, or miniature on-road vehicles manufactured more than  
55 25 years prior to application; provided, however, that the exception provided by this  
56 subsection shall be applicable to miniature on-road vehicles manufactured less than 25  
57 years prior to application that have been modified by an importer registered with the United  
58 States Department of Transportation to comply with applicable federal motor vehicle safety  
59 standards issued pursuant to 49 U.S.C. Section 30101, et seq., and certified by such  
60 importer as such."

61 **SECTION 3.**

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

65 "(b) License plates issued pursuant to this chapter shall be at least six inches wide and not  
66 less than 12 inches in length, except that motorcycle license plates shall be at least four  
67 inches wide and not less than seven inches in length and license plates for low-speed

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

87 **SECTION 4.**

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

90 "(b) License plates issued pursuant to this chapter shall be at least six inches wide and not  
91 less than 12 inches in length, except that motorcycle license plates shall be at least four  
92 inches wide and not less than seven inches in length and license plates for low-speed  
93 vehicles, miniature on-road vehicles, and multipurpose off-highway vehicles shall be a size

94 determined by the commissioner. All license plates shall show in boldface characters the  
95 month and year of expiration, the serial number, and either the full name or the  
96 abbreviation of the name of the state, shall designate the county from which the license  
97 plate was issued unless specifically stated otherwise in this chapter, and shall show such  
98 other distinctive markings as in the judgment of the commissioner may be deemed  
99 advisable, so as to indicate the class of weight of the vehicle for which the license plate was  
100 issued. Any license plate for a low-speed vehicle, miniature on-road vehicle, or  
101 multipurpose off-highway vehicle shall designate the vehicle as such. Such plates may also  
102 bear such figures, characters, letters, or combinations thereof as in the judgment of the  
103 commissioner will to the best advantage advertise, popularize, and otherwise promote  
104 Georgia as the 'Peach State.' Except for license plates issued pursuant to Article 2B of this  
105 chapter, any license plate issued pursuant to this chapter shall be of such strength and  
106 quality that the plate shall provide a minimum service period of at least five years. The  
107 commissioner shall adopt rules and regulations, pursuant to the provisions of Chapter 13  
108 of Title 50, the 'Georgia Administrative Procedure Act,' for the design and issuance of new  
109 license plates and to implement the other provisions of this Code section."

110

**SECTION 5.**

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

114 "(2.1) The commissioner may provide for the issuance of a temporary operating permit  
115 for any ~~multipurpose off-highway~~ miniature on-road vehicle, to be displayed until such  
116 time as a license plate of the design required by Code Section 40-2-31 has been issued  
117 to the registrant as a replacement for such temporary operating permit; provided,  
118 however, that any such temporary operating permit shall designate the ~~multipurpose~~  
119 ~~off-highway~~ miniature on-road vehicle as such; and provided, further, that the

120 commissioner shall make available for issuance ~~multipurpose off-highway~~ miniature  
121 on-road vehicle license plates of the design required by Code Section 40-2-31 not later  
122 than January 1, ~~2024~~ 2026."

123 **SECTION 6.**

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

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

130 **SECTION 7.**

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

135 "(f) Unconventional motor vehicles or motorcycles shall not be titled or registered;  
136 provided, however, that a ~~multipurpose off-highway vehicle manufactured after January~~  
137 ~~1, 2000~~, the following unconventional motor vehicles shall be registered upon proper  
138 application and payment of the required fee:

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

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

142 (3) A miniature on-road vehicle manufactured less than 25 years prior to application that  
143 has been modified by an importer registered with the United States Department of

144 Transportation to comply with applicable federal motor vehicle safety standards issued  
145 pursuant to 49 U.S.C. Section 30101, et seq., and certified by such importer as such."

146 **SECTION 8.**

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

149 "Part 5

150 40-6-359.

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

- 152 (1) Headlights;  
153 (2) Brake lights;  
154 (3) Taillights;  
155 (4) A rearview mirror; and  
156 (5) Safety belts.

157 40-6-360.

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

163 40-6-361.

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

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

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

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

175 40-6-362.

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

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

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

187 **SECTION 9.**

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

191 ~~"(18.1)(19)~~ Regulating the operation of electric personal assistive mobility devices,  
 192 provided that such regulations are no less restrictive than those imposed by Part 2A of  
 193 Article 13 of this chapter;

194 ~~(18.2)(20)~~ Regulating the operation of personal transportation vehicles, provided that  
 195 such regulations comply with Parts 3 and 6 of Article 13 of this chapter;

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

198 ~~(19)(22)~~ Adopting and enforcing such temporary or experimental regulations as may be  
 199 necessary to cover emergencies or special conditions; or

200 ~~(20)(23)~~ Adopting such other traffic regulations as are specifically authorized by this  
 201 chapter."

202 "(c) No ordinance or regulation enacted under paragraph (4), (5), (6), (8), (9), (10), (11),  
 203 (12), (13), (14), (15), (16), (17), (18), ~~or (18.2) (20), or (21)~~ of subsection (a) of this Code  
 204 section shall be effective until official traffic-control devices giving notice of such local  
 205 traffic regulations are erected upon or at the entrances to the highway or the part thereof  
 206 affected as may be most appropriate."

207 **SECTION 10.**

208 Said title is further amended in Code Section 40-6-390.1, relating to reckless stunt driving,  
 209 by adding a new subsection to read as follows:

210 "(b.1)(1) As used in this subsection, the term 'intelligent speed assistance device' means  
 211 a device designed to be installed within a motor vehicle to actively monitor and prevent  
 212 the operator from exceeding a preset speed. Such term shall not include any technology

213 provided by the motor vehicle manufacturer as a component of a motor vehicle that  
214 controls or affects the speed of a motor vehicle.

215 (2) Upon conviction of a violation of this Code section and in addition to the punishment  
216 provided for in subsection (a) of this Code section, a court shall be authorized to order  
217 the installation of an intelligent speed assistance device upon the motor vehicle operated  
218 by the offender during such violation when the offender is the registered owner of such  
219 motor vehicle as shown in the records of the Department of Revenue. Such order shall  
220 set the maximum speed limit for an intelligent speed assistance device installed upon a  
221 motor vehicle at a speed limit of no greater than 20 percent above the posted speed limit.  
222 An intelligent speed assistance device shall be installed within ten days of the issuance  
223 of such order and remain on the vehicle for a period of time ordered by the court which  
224 shall be no less than six months. The costs relating to the installation of an intelligent  
225 speed assistance device upon a motor vehicle and any monitoring thereof shall be borne  
226 by the offender. Any court which orders an intelligent speed assistance device to be  
227 placed upon a motor vehicle pursuant to this subsection shall provide the Department of  
228 Revenue with a copy of such order. The records of the Department of Revenue shall  
229 contain a record reflecting that the motor vehicle shall only be operated when equipped  
230 with a functioning intelligent speed assistance device. The operation of a motor vehicle  
231 without an intelligent speed assistance device for which an order for installation of an  
232 intelligent speed assistance device has been issued pursuant to this subsection by the  
233 offender issued such order shall be punished as for a misdemeanor."

234 **SECTION 11.**

235 Said title is further amended in Code Section 40-8-73.1, relating to tinting of windows or  
236 windshields of motor vehicles, by revising subsection (h) as follows:

237 "(h) Any person who violates subsection (b) or (e) of this Code section shall be guilty of  
238 a misdemeanor; provided, however, that no fingerprints shall be obtained for a violation  
239 of this Code section."

240 **SECTION 12.**

241 Said title is further amended in Code Section 40-13-2.1, relating to signature on citations  
242 required, effect of failure to sign, exemption for out-of-state drivers, and electronic capture  
243 of signature, by revising subsection (a) as follows:

244 "(a) A person who is issued a citation as provided in this chapter or Code Section 17-6-11,  
245 relating to display of driver's license in lieu of bail, ~~shall~~ may sign the citation to  
246 acknowledge receipt of the citation and of his or her obligation to appear for trial. The  
247 officer shall advise the person that signing the citation is not an admission of guilt and that  
248 failure to sign will result in the person having to ~~post a cash bond~~ appear for trial. If the  
249 person refuses to sign the citation, it shall constitute reasonable cause to believe that the  
250 person will not appear at trial and the officer shall write 'Refusal to Sign' on such citation  
251 and shall give the citation to such person. The officer may bring the person before a  
252 judicial officer or traffic violations bureau to post a bond as is otherwise provided by law."

253 **SECTION 13.**

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

257 "(b) Notwithstanding subsection (a) of this Code section, in the case of an antique or hobby  
258 or special interest motor vehicle, as defined in Code Section 48-5-440, or a miniature  
259 on-road vehicle, as defined in Code Section 40-1-1, the owner or owners shall certify at the

260 time of returning ~~the antique or hobby or special interest motor~~ such vehicle for taxation,  
261 paying the taxes due on the motor vehicle, and purchasing a license plate for the motor  
262 vehicle or at the time of the first sale or transfer of the motor vehicle that the vehicle is an  
263 antique or hobby or special interest motor vehicle or a miniature on-road vehicle ~~as defined~~  
264 ~~in Code Section 48-5-440~~, and, upon said certification, said vehicle shall be registered and  
265 a license plate issued with the imposition of an ad valorem tax based on \$100.00 valuation;  
266 provided, however, that taxes shall be due at the time of registration or at the time required  
267 by law for registration during the owner's registration period as provided in subsection (a)  
268 of this Code section."

269 **SECTION 14.**

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

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

273 **SECTION 15.**

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