

## **Definitions**

**Antique or hobby or special interest vehicle.** Any motor vehicle which is over 25 years old or a motor vehicle which has been designed and manufactured to resemble an antique or historical vehicle and which is owned as a collector's item and for participation in club activities, exhibitions, tours, parades, and similar uses but which may be used for general transportation.

**"Assembled motor vehicle or motorcycle" or "kit motor vehicle or motorcycle."** Any motor vehicle or motorcycle that is:

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

(i) By an owner;

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

(iii) Such manufacturer is not manufacturing and testing in accordance with federal safety standards issued pursuant to 49 U.S.C.A. Section 30101, et seq., unless and until the United States Customs Service or the United States Department of Transportation has certified that the motor vehicle complies with such applicable federal standards;

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

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

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

**Authentic historical Georgia license plate.** A license plate originally issued in the year 1970 or earlier and originally required to be displayed on motor vehicles operated upon the streets and highways of this state in the year 1970 or earlier pursuant to former motor vehicle registration laws of this state.

**Rebuilt motor vehicle.** Any motor vehicle which has been damaged and subsequently restored to an operable condition by the replacement of two or more major component parts.

**Unconventional motor vehicle or motorcycle.** Any motor vehicle or motorcycle that is manufactured, including, but not limited to, all-terrain vehicles, off-road vehicles, motorized carts, motor driven cycles, and mopeds, and that is not in compliance with the following:

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

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

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

**Salvage Motor Vehicle.** Any motor vehicle:

(A) Which has been damaged to the extent that its **restoration** to an **operable** condition would require the replacement of two or more major component parts;

(B) For which an insurance company has paid a total loss claim and the vehicle has not been repaired, regardless of the extent of damage to such vehicle or the number of major component parts required to repair such vehicle, but shall not mean or include any stolen motor vehicle which has been recovered with the public manufacturer's vehicle identification number plate intact and the vehicle:

(i) Is undamaged;

(ii) Has only cosmetic damage; or

(iii) Has been damaged but only to the extent that its **restoration** to an **operable** condition will not require the replacement of two or more major component parts;

(C) Which is an imported motor vehicle which has been damaged in shipment and disclaimed by the manufacturer as a result of the damage, has never been the subject of a retail sale to a consumer, and has never been issued a certificate of title.

The term salvage motor vehicle shall not include any motor vehicle for which a total loss claim has been paid which vehicle has sustained only cosmetic damage from causes other than fire or flood.

## **Titling & Registration**

### **From Georgia Motor Vehicle Division:**

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#### **Is a Georgia Title Required for My Vehicle?**

##### **Vehicle Title Required**

- 1986 & newer year model motor vehicles
- 1986 & newer travel trailers
- 1986 & newer car/tow dollies weighing 2,001 lbs., or more
- 1986 & newer motorcycles
- 1986 & newer campers
- 1963 & newer mobile homes
- 1963 & newer manufactured homes

##### **Vehicle Title Optional**

- You can title a 1963-1985 year model vehicle if you have a title issued in your name.
- You can title a 1963-1985 year model vehicle if the owner on the front of the title has assigned the title to you.
- You can title a 1963-1985 year model vehicle if the owner on the front of the title has assigned the title to a dealer and the dealer has assigned the title to you.
- A title will not be issued for a 1963-1985 year model vehicle if the vehicle has been registered in someone else's name(s) other than the owner(s) shown on the face of the Georgia title.

##### **Vehicle Title Not Required/Not Issued**

- 1962 and older year model vehicles
- Agricultural, horticultural or livestock raising equipment or vehicles that are not required to be registered
- Airplanes, aircraft
- All terrain vehicles, off-road vehicles
- Boat trailers
- Boats, watercraft
- Buses owned and operated by an urban transit system
- Cable cars, trolleys
- Crane
- Driver education vehicles used in public or private schools
- Fifth wheel
- Homemade car/tow dollies
- Homemade trailers
- Invalid tricycles
- Moped
- Nonresidents' vehicles (vehicles owned by people that do not have a Georgia address)\*
- Pole trailers
- Self-propelled wheelchairs
- Tow dollies (car) weighing 2,000 lbs or less
- Trailers weighing 2,000 lbs or less
- Vehicles not manufactured for highway use

\*A title may be issued to an out-of-state resident in cases of inheritance or repossession when the vehicle is currently titled in Georgia. Also, if you have moved out-of-state and your Georgia title is lost, stolen, or mutilated, a replacement title can be issued and mailed to your out-of-state address.

## Title Brand/Legends

Based on the documents presented to obtain a Georgia certificate of title and/or the information recorded on our state's title database, Georgia certificates of title may be printed to reflect brands, a/k/a legends, to indicate

### Status of Title

- Original
- Replacement
- Issued based on a surety bond
- Undisclosed liens\*
- Issued with "Joint Tenants With Rights of Survivorship" - Allowing surviving owner to transfer title by attaching a copy of the deceased's death certificate.
- 'Minor' - Title issued in guardian or adult's name and the name of a minor.

### Odometer Reading At the Time of Application or Ownership Transfer - When an Odometer Disclosure is Required

- Exempt - Vehicle exempt from the odometer disclosure requirements of the Federal Truth in Mileage Act.
- Odometer reading reflects the total actual distance the vehicle has traveled.
- The total actual distance the vehicle has traveled exceeds the mechanical limits of the vehicle's odometer (i.e. In excess of 99,999 on a five-digit odometer or in excess of 999,999 miles on a six-digit odometer). .
- The odometer reading does **not** reflect the total distance the vehicle has traveled (Odometer broken or replaced) - **Warning: Odometer Discrepancy.**

### Vehicle's Condition:

- Rebuilt.
- Salvage (Vehicle is damaged, unsafe and **cannot** be operated until it has been restored to a safe operative condition and has passed an inspection by an inspector of the Department of Revenue, Motor Vehicle Division, Inspection Team.
- Flood Damaged.
- Manufacturer's Buy Back\*
- Fire Damage.
- Special Construction\*
- Out-of-State Salvage\*

\*Sometimes these brands are placed on a Georgia title when the document supporting its issuance was an out-of-state or country title or registration that reflected such a brand.

## **Vehicles Exempt from the Odometer Disclosure Requirements of the Federal Truth in Mileage Act**

The following vehicles are exempt from the odometer disclosure requirements of the Federal Truth in Mileage Act:

- A vehicle with a gross weight rating of more than 16,000 pounds;
- A vehicle not self-propelled (i.e. Trailer, etc.);
- Vehicles ten (10) model years old or older (e.g. Current calendar year minus ten (10) equals the first year model exempt.) In the calendar year 2007, 1997 and older year model vehicles are exempt. In calendar year 2008, 1998 and older year model vehicles will be exempt.
- A vehicle sold directly by the manufacturer to any U.S. government agency in compliance with a contract's specifications and;
- A transferor (seller) of a new vehicle prior to its first transfer to a retail customer need not disclose the vehicle's odometer reading (i.e. Sale of a new vehicle from one dealer to another dealer before the vehicle is sold to the first retail customer).

When completing any document or form providing a space for an odometer reading, enter the word exempt' when the vehicle is exempt from the odometer declaration requirements. If the vehicle is not 'exempt', then an odometer reading must be entered and the appropriate box checked when the odometer does not reflect the total distance the vehicle has traveled.

## **What is needed to apply for a title for a vehicle that has been rebuilt or restored?**

Any one who rebuilds or repairs a salvage vehicle is required to apply for a rebuilt title, when a Georgia title is required, and an inspection of the vehicle at the same time once the vehicle has been restored but before the vehicle is painted.

A rebuilt vehicle must pass an inspection by this Department's Inspection Section of the Motor Vehicle Division (MVD) before a Georgia title (when a Georgia title is required) and/or license plate can be issued.

Your vehicle may be inspected at one of the privately owned inspection stations approved by the state or at your home or business, located in Georgia.

### ***Re-builder must be Licensed***

Anyone who purchases a salvage or wrecked motor vehicle for the purpose of restoring or rebuilding it must be licensed as a re-builder. For licensing requirements, please contact the State Board of Registration of Used Motor Vehicle Dealers & Used Motor Vehicle Parts Dealers.

### ***How to apply for a Rebuilt Georgia Title & an MVD Inspection***

To apply for a rebuilt title and an MVD inspection, submit the following to either one of the privately-owned Inspection Stations approved by the state with the vehicle (towed not driven) or to this Department's Salvage Section of the Motor Vehicle Division at the following address:

Attention: Salvage Section  
DOR/ Motor Vehicle Division  
PO Box 740384  
Atlanta, GA 30374-0384.

The vehicle and the paperwork must be present at the same time for the vehicle to be inspected at an Inspection Station. Please do not submit the paperwork to the station ahead of time. The Inspection Stations charge a fee for the use of their facilities. Contact the station for additional information. For example: Their fee; acceptable methods of payment; directions to their station; the days and hours they are open for inspections, etc.

- One or more photographs of the vehicle in its salvaged/wrecked condition before any repairs are made.
- A completed tag and/or title application (Form MV-1) - Except for the signature, this application must be typed, completed electronically and printed, or printed legibly by-hand in blue or black ink in the vehicle owner's full legal name. The owner must sign this completed application. If jointly owned, individual owner's full legal name, valid driver's license number and signature is required. An individual's full legal name is his/her complete name as it appears on his/her valid driver's license. Click on any form name or number on this page to electronically complete it for signing and submission by mail or in-person.
- Original valid salvage title issued in the vehicle owner's name or properly assigned to the vehicle owner, using his/her legal name.
- A completed Form T-22R, Request for Inspection of a Rebuilt Motor Vehicle, must be submitted. Except for the signature, this form must be typed, electronically completed and printed, or printed legibly by-hand in blue or black ink.
- A completed Labor and Parts Certification, Form T-129. Except for the signature, this form must be typed, completed electronically and printed or printed legibly by-hand in blue or black ink for submission by mail or in-person.
- Bills of sale for all parts used to restore/rebuild the vehicle showing the vehicle owner or the re-builder as the purchaser. The re-builder's name, as shown on the parts' bills of sale, must be shown on the Labor and Parts Certification, Form T-129. For all new parts used in restoring the vehicle, the part's name and stock number must be shown on the bill of sale. All bills of sale for used parts must show the part's name and the VIN (vehicle's identification number) of the

vehicle from which the part was taken. The title for the part's vehicle must be on file with this Department or submitted at the time of application. Read §40-3-36 of Georgia law regarding dismantled vehicles. If the title for the vehicle the parts were taken from was surrendered to another state, a letter of certification must be obtained and submitted at the time of application.

- A check or money order in the amount of \$118 made payable to the Department of Revenue. This fee includes the \$18 title fee and the \$100 inspection fee. An inspection fee (\$100) is required each time the vehicle is inspected.

**Important:** A vehicle cannot be driven to an inspection station; it must be towed.

### ***Branded Out-of-State Titles***

A vehicle whose current out-of-state title is branded "Salvage", "Rebuilt", "Restored" or any similar brand must pass an inspection by this Department's Inspection Section of the Motor Vehicle Division (MVD) before a Georgia title and/or license plate (tag) will be issued.

If the out-of-state title is branded "Salvage", "Permit to Dismantle" or any other brand indicating the vehicle has not been rebuilt or restored, you must comply with the entire procedures, as shown above, after the vehicle is rebuilt/restored.

If the out-of-state title is branded "Rebuilt", "Restored", or any other brand, indicating the vehicle is no longer in a damaged condition, the procedures, as shown above, must be complied with except for the following:

- Photographs of the vehicle in its salvaged/wrecked condition are not required.
- Bills of sale for parts used to restore the vehicle are not required.
- A Labor and Parts Certification, Form 129, is not required.

### ***Inspections at Your Home or Business***

Once the required forms, documents and fees have been received, this Department's Inspection Section will be notified. An inspector will telephone your contact person at the telephone numbers listed on your Request for an Inspection, Form T-22R, during business hours to set up an appointment for an inspection of your vehicle. Vehicles are inspected during normal business hours, Monday through Friday, except for state holidays, unless otherwise instructed by the Inspector.

### ***Types of Title Brands***

As of July 1, 2004, if the restored vehicle was issued salvage title and passed the Georgia a Motor Vehicle ? insert: Division Inspection, the new title, when issued, will reflect the brand Rebuilt'.

### ***Fire or Water Damaged Vehicles***

If the vehicle was damaged in shipment or as the result of fire or flood/water, the title, when issued, will reflect a brand indicating the type of damage, i.e. "Fire Damage" or "Flood Damage", regardless of the number of major component parts used to restore the vehicle.

### ***Glider Kit***

A Georgia title, when issued, for a tractor cab restored with a glider kit\*\*\* will always be branded Rebuilt'. See the definition of a glider kit\*\*\* below.

### ***Definitions***

\*\*\*A **glider kit** is a new tractor cab and tractor front axle used to replace a wrecked or retired cab and front axle.

\*\*\*A **major component part** is any one of the following sub-assemblies of a motor vehicle: (A) Front clip assembly (Fenders, hood and bumper); (B) Rear clip assembly (Quarter panels, floor panel assembly and the roof assembly, excluding soft tops); (C) Engine and transmission; (D) Frame; or a (E) Complete side (Fender, door, and quarter) of a vehicle (including fenders, door(s) and quarter panel).

## Privately-Owned Registered Inspection Locations

The following counties have an inspector registered to inspect salvaged or assembled vehicles. You should contact the inspector for their fee, acceptable method of payment, directions, days and hours the inspection location is open or to schedule an appointment.

**Please Note:**

- The location fee can not be more than \$50.00
- The inspector fee can not be more than \$50.00
- A private inspector may travel to a re-builders location and may charge their travel expenses to the owner

County	Inspector's Name	Location Name & Address	City	Phone number / email
Catoosa	Glenn Deakins Jonathon Broom	Glenn's UTL 2544 Highway 41	Ringgold	706-937-3737
Clayton	Dean McDonald	McDonald's Collision Repair 4367 Jonesboro Rd	Forest Park	404-363-9030
Cobb	Samuel Baird	Atlanta Commercial Collision Corp 7160 Delta Circle	Austell	770-944-3747
Cobb	Ladi Olaofe	Will travel to owner's location	Austell	678-668-3324 <a href="mailto:ladiolaofe@yahoo.com">ladiolaofe@yahoo.com</a>
Cobb	Hugh Dayton	Will travel to owner's location	Marietta	404-408-0342
Coweta	Chris Calderon	Will travel to owner's location	Newnan	404-978-3174 <a href="mailto:chriscal@gmail.com">chriscal@gmail.com</a>
DeKalb	Ali Reza Esmailian	A R E Auto Service, Inc 3488 Ponce De Leon Ave Scottdale, GA 30079	Scottdale	404-292-2499
DeKalb	Robert Lilly	Auto World Super Store, LLC 6154 Memorial Dr	Stone Mountain	770-498-2300
DeKalb	Ravinder Basran	All Around Body Shop, Inc 2224 G Stone Mountain Lithonia Rd	Lithonia	770-482-8400
DeKalb	Michael Campbell	Colors Now, Inc. 833 McLendon Dr	Decatur	770-315-7328
DeKalb	Allan Wedderburn	East Side Collision & Car Care Center 7666 Old Covington Hwy	Lithonia	770-482-4920
Douglas	Michael Fagbamiye	Will travel to owner's location	Douglasville	404-840-7122 <a href="mailto:mikefagb@bellsouth.net">mikefagb@bellsouth.net</a>



Fannin	Mike Weaver	Will travel to owner's location	McCaysville	706-455-1042 <a href="mailto:Fcf624@gmail.com">Fcf624@gmail.com</a>
Fayette	James Jankowski	Fayette Collision 155 Industrial Way	Fayetteville	678-519-1465
Fulton	Christian Barillas	Will travel to owner's location	Sandy Springs	678-642-0921 <a href="mailto:christianbarillas@hotmail.com">christianbarillas@hotmail.com</a>
Habersham	Ricky Umbehant	Will travel to owner's location	Cornelia	706-499-6954 <a href="mailto:rickumba@windstream.net">rickumba@windstream.net</a>
Hall	Aldo Ramos	Will travel to owner's location	Gainesville	770-369-3973 <a href="mailto:salvageinspections@gmail.com">salvageinspections@gmail.com</a>
Henry	Fred Parker	Fairview Car Care Center, Inc 683 Fairview Rd	Ellenwood	770-389-5211
Peach	Sidney McLeod Sonny McLeod	McLeod Auto Co. 3731 Lakeview Rd	Ft. Valley	478-953-5000
Rockdale	Steven King	Will travel to owner's location	Conyers	678-776-1374 stephen.kmc@gmail.com
Ware	Dedra L. McBride	Will travel to owner's location	Waycross	912-286-0922 <a href="mailto:dedramcbride@wayxcable.com">dedramcbride@wayxcable.com</a>

### **Other Privately-Owned Registered Inspection Locations**

Listed below are registered inspection locations that schedule appointments when a DOR employee inspector is available to complete the inspection:

- The location fee can not be more than \$50.00
- There is no inspector fee for an inspection completed by a DOR employee inspector

<b>County</b>	<b>Name of Facility</b>	<b>Address</b>	<b>City</b>	<b>Phone number</b>
Clark	Modern Body Shop	1105 Hull Rd	Athens	706-548-1169
Grady	Automotive Collision Center	1664 Ga. Hwy 93 South	Cairo	229-377-6565
Jeff Davis	R & D Auto-Truck Salvage, Inc	565 Baxley Hwy	Hazlehurst	912-375-0084
Troup	All American Truck and Equipment Repair, Inc.	6572 Hogansville Rd. Hogansville, GA 30230	Hogansville	706-637-4322

- Inspections by DOR employee inspectors begin at 8:00 AM and will continue until close of the business.
- Owner must make an appointment and the vehicles will be inspected in order of arrival.
- The vehicle and required paperwork must arrive at least 90 minutes before your scheduled appointment.
- Vehicle must be towed to and from the inspection location.
- The vehicle must pass an inspection before a Georgia title, registration and license plate will be issued.

The location and inspection fee is not included in the fees due the state to process an application for a rebuilt or assembled certificate of title:

- \$100.00 state fee
- \$18.00 title fee

Fees due the state must be paid with a check or money order payable to the Department of Revenue with your application for a rebuilt or assembled Title. The fees are required each time the title application is submitted.

If an inspection location is not accessible, you may schedule an inspection by a DOR employee inspector based on availability. To have your vehicle inspected WITHOUT going to an inspection station:

- Mail your request on Form T-22R with your name, address and daytime phone number
- Include the \$18.00 title fee plus **one** of the following:
- \$100.00 salvage inspection fee; or
- \$125.00 assembled motorcycle fee or \$150.00 assembled motor vehicle fee
- Include all required documents

Mail to this address:

**ATTN: SALVAGE/ASSEMBLED UNIT  
MOTOR VEHICLE PROCESSING  
PO BOX 740384  
ATLANTA , GA 30374-0384**

After receipt of your request, a DOR inspector will contact you to discuss scheduling an appointment.

## **The serial plate on my vehicle is missing or is damaged. How can I obtain a replacement?**

You should apply for a replacement serial plate by submitting the following to this Department's Salvage Unit of the Motor Vehicle Division, together:

- A completed MV-1 application - typed or printed in blue or black ink electronically or legibly by-hand in the owner(s)' full legal name(s) and signed. If jointly owned, each owner must sign. A natural person's full legal name would be his or her complete name as it appears on his or her valid Georgia driver's license or state-issued identification card. For natural persons, enter each owner(s)' valid Georgia driver's license number or Georgia identification card number in the spaces provided on this application.
- Original valid Certificate of Origin or Title, issued in the applicant(s)' name(s) or properly assigned to the applicant(s) using their full legal name(s).
- The damaged serial plate, if applicable.
- A completed T-128 Missing Serial Plate Affidavit - typed or printed in blue or black ink in your full legal name(s) and signed. If jointly owned, each owner must sign. Please enter the missing or altered serial plate number on this form in the space provided. Your signature(s) on this form must be notarized. In addition to his or her signature, the notary public must affix his or her seal and stamp and the date his or her notary commission expires.
- Pay all fees due with cash, check or money order payable to the Department of Revenue: \$18.00 title fee plus any other title penalties that may be due. Please do not send cash through the mail! A \$10.00 title penalty is due if the owner(s) fail to apply for a Georgia title in their name(s) for this vehicle (when a Georgia title is required) within thirty-days (30) of the vehicle's purchase or acquisition date.
- Upon receipt of the above listed documents properly completed and the applicable fees, the Motor Vehicle Division of the Department of Revenue will issue a replacement serial plate to the vehicle's owner(s) and a partially completed T-22 form. The serial plate should be affixed to your vehicle with rivets. Once the serial plate has been affixed, you should have a Georgia law enforcement officer or your county Tax Commissioner or his or her designee complete and sign the T-22 form certifying that the replacement serial plate has been properly affixed to your vehicle. You should return the completed T-22 form to the Salvage Unit of the Motor Vehicle Division of the Department of Revenue for the issuance of a new title.

Note: If the vehicle is a Rebuilt Salvage vehicle, please comply with the procedure for applying for a Rebuilt Vehicle Title.

## **I do not have the required documents to obtain a title for my vehicle. How can I obtain a Georgia Title?**

If you, the vehicle owner, do not have the required proof of ownership documents to obtain a Georgia title in your name for your vehicle, you may apply for a Georgia title on the basis of a surety bond. To apply, submit the following documents & fees to either your County Tag Office or to State Motor Vehicle Division.

**Important:** To obtain a Georgia title based on a title bond (surety bond), you, the vehicle owner, must be a legal resident of Georgia & the vehicle must be a vehicle that requires a Georgia title. Click here to determine if your vehicle requires a Georgia title.

- A completed DOR Title/Tag Application, Form MV-1 - This application must be typed, electronically completed & printed or printed legibly by-hand in blue or black ink, in the vehicle owner's full legal name & signed by the vehicle owner. If jointly owned, each owner's legal name and signature is required. An individual's full legal name is their complete name as it appears on their valid driver's license. For individuals, enter each owner's valid driver's license in the spaces provided. This application can be used to apply for both a title & license plate at your County Tag Office.
- A Certificate of Title Bond, Form MV-46, backed by an insurance company licensed to issue surety insurance in Georgia naming the vehicle owner as the principal. In all spaces requiring either the owner's name or the principal's name, enter the vehicle owner's legal name.
  - No matter what condition the vehicle is in, the bond must be written in the amount of the average retail value of the vehicle according to values used by this department & established by the GA Department of Revenue, Property Tax Division.
  - The vehicle owner & the agent for the insurance company must sign this form in the designated spaces. If jointly owned, each owner must sign.
  - All signatures on the bond must be witnessed. The witness should sign in the designated spaces.
  - A power of attorney authorizing the agent to write the bond on behalf of the insurance company must be attached to the bond.
- A completed Certificate of Title Bond Affidavit, Form MV-46A. - This form must be typed, electronically completed & printed or printed legibly by-hand in blue or black ink. The reason why the applicant cannot obtain the required ownership (supporting documents) must be recorded on this form (i.e. I lost the original title assigned to me. A replacement title cannot be obtained because the seller has moved to another state & I do not have his current address.).
  - The Certificate of Title Bond Affidavit, Form MV-46A, must be completed in the same name as the name shown on the Certificate of Title Bond, Form MV-46. The vehicle owner's name must be shown on any form &/or application requiring the owner's name or the principal's name. If jointly owned, each owner's full legal name & signature is required.
  - The signature on this form must be notarized. The notary public must sign, affix his or her notary seal or stamp & record the date their notary commission expires.
- A completed Certification of Inspection by a Duly Constituted Georgia City, County or State Law Enforcement Officer or County Tag, Form T-22B. - Except for the signature, this form must be typed, electronically completed & printed, or printed legibly by-hand in blue or black ink. This form must be completed & signed by a Georgia law enforcement officer or a Georgia County Tag Agent or his or her designated employee after making a visual inspection of your vehicle's serial plate. The vehicle's identification number (VIN) on all forms must agree with the VIN on your vehicle.
- Any available ownership papers (e.g. Title, bill of sale, lien release, etc.)
- \$10.00 title penalty is due if you, the vehicle owner, fail to apply for a Georgia title in your name within thirty-days (30) of the vehicle's purchase or transfer date.
- \$10.00 additional title penalty is due if you previously applied for a Georgia title in your name for this vehicle & your application was returned requesting additional action before title issuance & compliance has not been made within sixty-days (60) of the accompanying letter's date.
- \$18.00 title fee.

Pay all fees due in cash, check or money order payable to the office processing your application, Office of the Tax Commissioner or Department of Revenue. Please do **not** send cash through the mail! Some counties accept credit cards.

### ***Where to Apply***

Apply for your title at either the Tag Office in the county in Georgia where you reside or at this department's Motor Vehicle Division. If you are applying for a title & license plate at the same time, you **must** apply at your County Tag Office.

**Save money!** Apply for your title & license plate at the same time at your County Tag Office. Most title applications processed at any of the County Tag Offices in this state, result in the printing & mailing of the titles by State Motor Vehicle Division within three (3) business days of the county's entry & approval at **no additional charge**.

If your vehicle requires a Georgia title, you will be unable to register your vehicle & obtain a Georgia license plate unless you already have a Georgia title issued in your name for the vehicle or you apply for a title at the time of registration. You have thirty-days (30) from the vehicle's purchase or transfer date to register & obtain a license plate for your vehicle to avoid being fined if stopped by law enforcement or if your vehicle is involved in an accident.

The title must be applied for within six-months (6) of the bond's issue date. The minimum acceptable bond amount is \$100.00. For verification of the bond amount, your insurance company may call (404) 362-6482 or (404) 362-6483. Certain bond amounts may be obtained from your County Tag Office.

You cannot obtain a Georgia title on the basis of a surety bond for the following vehicles:

- An abandoned vehicle.
- A 1985 or older year model vehicle.
- A vehicle that does not require a Georgia title. [Click here](#) for a list of vehicles that do not require a Georgia title.

## Major Component Parts of a Motor Vehicle

A major component part of a motor vehicle is any one of the following sub-assemblies:

Front clip assembly (Fender, hood and bumper),

Rear clip assembly (Quarter panels and floor panel assembly, and Roof Assembly, excluding a Soft Top

Engine and transmission,

Frame; or,

A complete side of a vehicle (including fenders, door(s) and quarter panel).

A Georgia title for a damaged, restored or rebuilt motor vehicle, requiring the replacement of one or more major component parts (see above) to restore to a safe operating condition, and passing an inspection by the MVD Inspection Section will be issued a Georgia title branded 'Rebuilt'.

If the vehicle's restoration to a safe operating condition required the replacement of less than one major component part, as listed above, a Georgia title will be issued branded 'Rebuilt'. If the damage to the vehicle was the result of fire, flood, or water, the title will be issued reflecting the applicable cause of damage (i.e. Fire, Flood or Water).

A Georgia title issued for a cab and front axle altered by the installation of a glider kit will always be branded 'Rebuilt'.

### Definition:

A glider kit is a 'new' tractor cab and tractor front axle used to replace a wrecked or retired cab and front axle.

In this state, a **salvage vehicle** is any motor vehicle:

- Damaged to the extent that its restoration to an operable condition would require the replacement of one or more major component parts as listed above,
- That an insurance company has paid a 'total loss claim' and the vehicle has not been repaired, regardless of the extent of damage to such vehicle or the number of major component parts required to repair such vehicle.
- That is an imported motor vehicle that has been damaged in shipment and disclaimed by the manufacturer as a result of the damage, has never been the subject of a retail sale to a consumer; and, has never been issued a certificate of title.

A salvage motor vehicle is not a motor vehicle:

- That has been recovered with the manufacturer's vehicle identification intact (a/k/a serial plate); the vehicle is undamaged; has only cosmetic damage; or has been damaged but only to the extent that its restoration to an operative condition will not require the replacement of one or more major component parts, as listed above;

- For which a 'total loss claim' has been paid and for which the vehicle has sustained only cosmetic damage from causes other than by fire or flood.

## **DUNE BUGGY**

In order for a title to be issued for a homemade *dune buggy*, the following documents must be submitted together to:

### **ATTN: Salvage Section**

DOR/Motor Vehicle

Post Office Box 740384

Atlanta, Georgia 30374-0384.

A completed tag/title application, Form MV-1 - This application must be completed in detail – typed, electronically completed and printed or legibly hand printed in blue or black ink in the re-builder's full legal name and signed by the re-builder.

Transfer Document - The current certificate of title for the *used* vehicle must be issued in the applicant(s)' name(s) or properly assigned to the applicant(s) using his/her full legal name(s). If transfer documents are not available, a surety bond must be obtained and submitted to obtain a title. Refer to the section entitled *Surety Bond* for additional information.

Serial Plate - The serial plate taken from the vehicle the parts where taken from must be submitted. A Georgia assigned serial plate number will be assigned to be affixed to the *frame* of the *dune buggy*.

Bills of Sale - Bill(s) of sale showing the re-builder as the purchaser, listing each part used in repairing the vehicle. These bill(s) of sale must indicate whether the part was *new* or *used*. The *stock number* or *part number* must be shown along with the *part name*, if the part is *new*. If the part is *used*, the serial number of the vehicle the part was taken from must be shown. Each parts bill of sale must be signed with the full signature of the seller.

Request for an Inspection of a Rebuilt Motor Vehicle, Form T-22R - A completed and signed Form T-22R requesting an inspection of the vehicle by the Motor Vehicle Inspection Section must be submitted.

Labor and Parts Certification (Form T-129) - A signed and notarized Labor Parts Certification, Form T-129, must be completed and submitted by the vehicle owner(s).

Processing Fees - Remit a certified check or money order payable to the Department of Revenue in the amount of \$118.00 (includes the \$18 title fee and the \$100 inspection fee).

**Note:** If the vehicle requires a re-inspection by the Motor Vehicle Inspection Unit, an additional \$100 inspection fee will be charged for each inspection thereafter.

MV will issue two (2) serial plates (assigned & rebuilt) showing the Georgia assigned identification number. The rebuilt plate must be affixed to the *left doorpost* and the Georgia assigned number to the *frame*. If the inspection indicates that the vehicle meets all requirements of law, they will authorize the issuance of a certificate of title.

## **KIT VEHICLE**

In order for a Georgia title to be issued for a vehicle built from a *kit*, the following documents and fees must be submitted to Motor Vehicle at the following address:

### **ATTN: Salvage Section**

DOR/Motor Vehicle  
Post Office Box 740384  
Atlanta, Georgia 30374-0384.

Upon receipt of all properly executed documents and required fees, a copy of all documents and Form T-22R will be forwarded to the Inspection Section for an inspection of the vehicle. If the vehicle requires a re-inspection by the Motor Vehicle Inspection Section, an additional \$100 inspection fee is required for each inspection thereafter. If the Inspection Section determines that the vehicle has been properly rebuilt, they will authorize the issuance of a certificate of title.

A completed tag/title application, Form MV-1 - This application must be completed in detail – typed, electronically completed and printed, or legibly hand printed in blue or black ink in the vehicle owner(s)' full legal name(s) and signed by the owner(s).

Manufacturer's Statement of Origin (MSO) - The manufacturer's statement of origin (MSO) or current title must be submitted for the frame of the vehicle. This document must be issued in the applicant's name (s) or properly assigned to the applicant(s) using his/her full legal name(s).

Serial Plate - The serial plate from the frame of this vehicle must be submitted.

Statement of Origin - The statement of origin for the kit properly assigned to the applicant(s) using his/her full legal name must be submitted. If the statement of origin is not available, a surety bond must be submitted.

Labor and Parts Certification (Form T-129) - Form T-129, Labor and Parts Certification, must be completed and submitted by the person who built this vehicle stating he/she performed the labor. This form must be signed by the rebuilder and his/her signature notarized. In addition to signing, the notary public must affix his/her notary seal or stamp and record the date his/her notary commission expires.

Bills of Sale - Bill(s) of sale showing the rebuilder as the purchaser, listing each part used in repairing the vehicle. These bill(s) of sale must indicate whether the part was *new* or *used*. The *stock number* or *part number* must be shown along with the *part name*, if the part is *new*. If the part is *used*, the serial number of the vehicle it was taken from must be shown. Each parts bill of sale must be signed with the full signature of the seller. If parts bill(s) of sale are not available, a surety bond must be obtained and submitted to obtain a title.

Request for an Inspection of a Rebuilt Motor Vehicle, Form T-22R - must be completed and submitted requesting an inspection of this vehicle by MV Inspection Section.

Processing Fees - Pay all fees due (\$143.00 or \$168.00 that includes the \$18 title fee and the \$125 assembled motorcycle or \$150 assembled motor vehicle inspection fee) with a certified check or money order payable to the Department of Revenue.

If the vehicle requires a re-inspection by the Motor Vehicle Inspection Section, an additional \$100 inspection fee will be charged for each inspection thereafter.

**Notes:** The vehicle should not be painted until after it passes a Motor Vehicle inspection.

The *year model* of this vehicle will be the year that the vehicle was built. The *make* of this vehicle will be the trade name of the *kit vehicle* (i.e. Bradley GT, Gazelle, etc.). The *model name* of the vehicle will be the model shown on the manufacturer's statement of origin (MSO) for the *kit* (i.e. Replica of a 1929 Mercedes Benz).



MV will issue two (2) serial plates (rebuilt and reassigned) in addition to the serial plate issued with the *kit*. The plates will reflect the same vehicle identification number as shown on the serial plate issued with the *kit*. The rebuilt serial plate must be affixed to the *left doorpost* and the plate with the reassigned number issued by Motor Vehicle must be affixed to the *frame*.

Upon receipt of all properly executed documents and the required fees, Motor Vehicle will forward a copy of all documents and Form T-22R requesting an inspection of the vehicle to MV Inspection Section for an inspection to be scheduled. If the vehicle requires a re-inspection by MV Inspection Section, an additional \$100.00 inspection fee will be charged for each inspection thereafter.

If this inspection by MV Inspection Section determines that the vehicle has been properly rebuilt, they will authorize MV to issue a certificate of title. Upon receipt of this authorization from MV Inspection Section, a certificate of title will be issued and mailed to the applicant or security interest holder, if one is recorded on the title application.

If any parts used to build this *kit vehicle* are taken from another vehicle, the title to that vehicle must be submitted or a letter of verification must be submitted from the state that is holding the title.

## Hobby Antique

Manufacturing Fee: \$25.00\* (one time fee)  
Annual Registration Fee: \$20.00  
Annual Special Tag Fee: \$35.00  
Ad Valorem Tax Required: Yes  
Where do the funds go? State Treasury  
Is the county name decal required? Yes



This tag may be issued to a motor vehicle (private passenger car, truck weighing less than 14,000 lbs., or motorcycle) that is more than twenty-five (25) years old or to a vehicle that has been designed and manufactured to resemble an antique or historical vehicle.

This tag may be transferred to another antique, hobby or special interest vehicle.

\*If you prepaid the manufacturing fee please include your original receipt showing payment to avoid being charged twice.

### Cost and Fees Distribution:

Initial cost: \$80 plus applicable ad valorem tax.

Cost to renew annually: \$55.00 plus applicable ad valorem tax.

Of the Initial \$80 fees collected for the issuance of these tags, the fees shall be distributed as follows:

\$20 Annual License Reg. Fee

\$1 to the County Tag Agent

\$59 to State of Georgia General Treasury

### Annual Renewal:

\$20 Annual License Reg. Fee

\$35 to State of Georgia General Treasury

## **From Rules and Regulations of the State of Georgia:**

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### **560-10-30-.07 Assembled Motor Vehicle or Assembled Motorcycle.**

(1) An "assembled or kit" motor vehicle or motorcycle is :

(a) Any motor vehicle or motorcycle manufactured from a manufacturer's kit or manufacturer's fabricated parts, including replicas and original designs by an owner, or at the direction of the owner, by a third-party manufacturer of motor vehicles or motorcycles;

1. A third-party manufacturer is a manufacturer who is not manufacturing and testing in accordance with federal safety standards.

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

(c) Handmade and not mass-produced by any manufacturer for retail sale; and

(d) Not otherwise excluded from emission requirements and in compliance with Chapter 8 Title 40 of the Code.

Authority O.C.G.A. Secs. 40-2-11, 40-3-30.1, 48-2-12. **History.** Original Rule entitled "Assembled Motor Vehicle or Assembled Motorcycles" adopted as ER. 560-10-30-0.28-.07. F. and eff. June 16, 2008, the date of adoption. **Amended:** Permanent Rule of same title adopted. F. Aug. 1, 2008; eff. Aug. 21, 2008.

**560-10-30-.08 Unconventional Motor Vehicle or Unconventional Motorcycle.**

(1) "Unconventional" motor vehicle or "Unconventional" motorcycle is any motor vehicle or motorcycle that is manufactured and not in compliance with:

(a) Chapter 8 Title 40 of the Code, relating to equipment and inspection of motor vehicles;

(b) Applicable federal motor vehicle safety standards issued pursuant to 49 U.S.C.A. Section 30101 et seq. , unless the United States Customs Service or the United States Department of Transportation has certified that such motor vehicle or motorcycle complies with such applicable federal standards;

(c) Applicable federal emissions standards; or

(d) Does not qualify as an Assembled motor vehicle or Assembled motorcycle.

(2) An Unconventional motor vehicle or Unconventional motorcycle shall not be issued a certificate of title or registered by the State of Georgia.

Authority O.C.G.A. Secs. 40-2-11, 40-3-30.1, 48-2-12. **History.** Original Rule entitled "Unconventional Motor Vehicle or Unconventional Motorcycle" adopted as ER. 560-10-30-0.28-.08. F. and eff. June 16, 2008, the date of adoption. **Amended:** Permanent Rule of same title adopted. F. Aug. 1, 2008; eff. Aug. 21, 2008.

**560-10-30-.09 Certificate of Title of an Assembled Motor Vehicle or Assembled Motorcycle.**

(1) An owner applying for a certificate of title, and to register an assembled motor vehicle or assembled motorcycle in Georgia, shall submit:

- (a) A title application on a form provided by the Commissioner along with the requisite supporting documentation;
- (b) A Manufacturer's Statement of Origin or present certificate of title and required supporting documentation;
- (c) A labor and parts form prescribed by the Commissioner;
- (d) A request for inspection of the assembled motor vehicle or assembled motorcycle on a form provided by the Commissioner; and
- (e) Payment of all applicable fees for such inspection.

(2) The Department shall assess the following state fees for inspection of Assembled Motor Vehicles and Assembled Motorcycles:

- (a) Motorcycle: \$125.00
- (b) Motor Vehicle: \$150.00

(3) Upon completion and submission of all required forms and payment of all fees as set forth by the Commissioner, the Department shall:

- (a) Schedule an inspection of the motor vehicle or motorcycle; and
- (b) Complete the inspection report on the form prescribed by the Commissioner.

(4) Upon determination by the Department that the application is acceptable along with the appropriate documentation that payment of all required fees has been received by the Department and that the Assembled Motor Vehicle has passed the inspection, the Department shall issue a Georgia Certificate of Title that states "Assembled Vehicle" in the legend.

(5) A person who has received the Georgia Certificate of Title for an Assembled motor vehicle or Assembled motorcycle shall then register such vehicle in the manner set forth by the Code.

Authority O.C.G.A. Secs. 40-2-11, 40-3-30.1, 48-2-12. **History.** Original Rule entitled "Certificate of Title of an Assembled Motor Vehicle or Assembled Motorcycle" adopted as ER. 560 -10-30-0.28-.09. F. and eff. June 16, 2008, the date of adoption. **Amended:** Permanent Rule of same title adopted. F. Aug. 1, 2008; eff. Aug. 21, 2008.

**560-10-30-.10 Inspection of an Assembled Motor Vehicle or Assembled Motorcycle.**

(1) In addition to the requirements set forth in O.C.G.A. § 40-3-30.1, prior to applying for a certificate of title for an Assembled vehicle or Assembled motorcycle, an applicant shall have that vehicle inspected in the manner set forth by the Department.

(2) The applicant shall provide the following information at the time of inspection of the Assembled vehicle or Assembled motorcycle:

(a) The existence of a verifiable Manufacturer's Statement of Origin (MSO) or other appropriate documentation of the purchase of all major components; and

(b) That the vehicle complies with:

1. Chapter 8 Title 40 of the Code, and
2. Applicable Federal emissions standards.

(3) The purpose of the inspection shall be solely to establish whether or not the vehicle is eligible to receive a Georgia Certificate of Title as an Assembled motor vehicle or Assembled motorcycle.

(4) The Department shall charge a fee for all such inspections.

Authority O.C.G.A. Secs. 40-2-11, 40-3-30.1, 48-2-12. **History.** Original Rule entitled "Inspection of an Assembled Motor Vehicle or Assembled Motorcycle" adopted as ER. 560-10-30-0.28-.10. F. and eff. June 16, 2008, the date of adoption. **Amended:** Permanent Rule of same title adopted. F. Aug. 1, 2008; eff. Aug. 21, 2008.

**560-10-30-.11 Registration of an Assembled Motor Vehicle, Assembled Motorcycle, or Unconventional Vehicle.**

(1) Prior to an applicant for registration of an Assembled vehicle or Assembled motorcycle being issued a Certificate, the applicant must have been issued a Georgia Certificate of Title in compliance with the Code and Regulations governing Assembled motor vehicles or Assembled motorcycles.

(2) Upon presentation of a Georgia Certificate of Title, a Certificate of Registration will be issued in the same manner as are motor vehicle registrations.

(3) Any Unconventional vehicle or Unconventional motorcycle, or any motor vehicle that has not been issued a certificate of title in compliance with the Code and these Regulations, shall not be registered in the State of Georgia.

Authority O.C.G.A. Secs. 40-2-11, 40-3-30.1, 48-2-12. **History.** Original Rule entitled "Registration of an Assembled Motor Vehicle, Assembled Motorcycle, or Unconventional Vehicle" adopted as ER. 560-10-30-0.28-.11. F. and eff. June 16, 2008, the date of adoption. **Amended:** Permanent Rule of same title adopted. F. Aug. 1, 2008; eff. Aug. 21, 2008.

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\*\*\* Current Through the 2009 Regular Session \*\*\*

\*\*\* Annotations Current Through January 29, 2016 \*\*\*

TITLE 40. MOTOR VEHICLES AND TRAFFIC

CHAPTER 3. CERTIFICATES OF TITLE, SECURITY INTERESTS, AND LIENS

ARTICLE 1. GENERAL PROVISIONS

**Go to the Georgia Code Archive Directory**

O.C.G.A. § 40-3-4 (2016)

§ 40-3-4. Exclusions

No certificate of title shall be obtained for:

- (1) A vehicle owned by the United States unless it is registered in this state;
- (2) A vehicle owned by a manufacturer of or dealer in vehicles and held for sale, even though incidentally used on the highway or used for purpose of testing or demonstration; a vehicle owned by a manufacturer headquarters or its affiliate and registered and licensed pursuant to Code Section 40-2-38; a vehicle owned by a dealer in vehicles but used by any Georgia public or private school for driver education purposes; or a vehicle used by a manufacturer solely for testing; except that all dealers acquiring new vehicles after July 1, 1962, from a manufacturer for resale shall obtain such evidence of origin of title from the manufacturer as the commissioner shall by rule and regulation prescribe;
- (3) A vehicle owned by a nonresident of this state and not required by law to be registered in this state;
- (4) A vehicle regularly engaged in the interstate transportation of persons or property for which a currently effective certificate of title has been issued in another state;
- (5) A vehicle moved solely by human or animal power;
- (6) An implement of husbandry;
- (7) Special mobile equipment;
- (8) A self-propelled wheelchair or invalid tricycle;
- (9) A pole trailer;
- (10) Motor buses used for the transportation of persons by a street railroad or other company engaged in the operation of an urban transit system over fixed routes;
- (11) A boat trailer;
- (12) A homemade trailer;
- (13) A device used exclusively upon stationary rails or tracks or which obtains motive power from fixed overhead electric wires;
- (14) (A) A vehicle, other than a mobile home or crane, the model year of which is prior to 1986.  
(B) The owner of any vehicle which has a valid certificate of title and which becomes subject to the exclusion provided in subparagraph (A) of this paragraph may retain the certificate of title. Each subsequent transferee of any vehicle covered by subparagraph (A) of this paragraph, for which the certificate of title has been retained, may obtain a certificate of title by complying with Code Section 40-3-32. However, the failure of any subsequent transferee to comply with Code Section 40-3-32 shall preclude transferees subsequent to that transferee from obtaining a certificate of title. The department shall maintain such records as may be necessary to allow owners to obtain a certificate of title under this



subparagraph. No certificate of title authorized to be issued under this subparagraph shall be issued under Code Section 40-3-28.

(C)

(i) A security interest in or lien against a vehicle which is subject to the exclusion provided for in subparagraph (A) of this paragraph and which arises after such vehicle becomes subject to the operation of subparagraph (A) of this paragraph may be perfected in the same manner as such security interests and liens are perfected on vehicles required by this chapter to have certificates of title.

(ii) The transferee of any vehicle which is subject to the exclusion provided for in subparagraph (A) of this paragraph, regardless of whether that vehicle has a certificate of title issued pursuant to subparagraph (B) of this paragraph, shall take such vehicle subject to any security interest or lien perfected under this paragraph;

(15) (A) Except as provided in subparagraph (B) of this paragraph, a trailer with an unladen gross weight of 2,000 pounds or less.

(B) The exclusion provided in subparagraph (A) of this paragraph shall not apply to a travel trailer or camper, regardless of its unladen gross weight;

(16) A vehicle which is not sold for the purpose of lawful highway use;

(17) A vehicle with a model year prior to 1963;

(18) A moped; or

(19) A personal transportation vehicle

**HISTORY:** Ga. L. 1961, p. 68, § 4; Ga. L. 1962, p. 79, § 2; Ga. L. 1964, p. 178, § 2; Ga. L. 1980, p. 518, § 2; Ga. L. 1981, p. 617, § 1; Ga. L. 1985, p. 1271, § 1; Ga. L. 1987, p. 655, § 2; Ga. L. 1990, p. 2048, § 3; Ga. L. 1993, p. 1260, § 5; Ga. L. 1994, p. 97, § 40; Ga. L. 1994, p. 741, § 1; Ga. L. 1997, p. 143, § 40; Ga. L. 1997, p. 1515, § 1; Ga. L. 1998, p. 1179, §§ 31, 32; Ga. L. 1999, p. 334, § 3; Ga. L. 2000, p. 951, § 4-2; Ga. L. 2002, p. 506, § 4; Ga. L. 2002, p. 512, § 8; Ga. L. 2014, p. 745, § 3/ HB 877; Ga. L. 2015, p. 1219, § 3/ HB 202.

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TITLE 40. MOTOR VEHICLES AND TRAFFIC  
CHAPTER 2. REGISTRATION AND LICENSING OF MOTOR VEHICLES  
ARTICLE 2. REGISTRATION AND LICENSING GENERALLY

**Georgia Code**

O.C.G.A. § 40-2-27 (2016)

§ 40-2-27. Registration of motor vehicles not manufactured to comply with federal emission and safety standards applicable to new motor vehicles; certificate of title

(a) No application shall be accepted and no certificate of registration shall be issued to any motor vehicle which was not manufactured to comply with applicable federal emission standards issued pursuant to 42 U.S.C.A. Section 7401 through Section 7642, known as the Clean Air Act, as amended, and applicable federal motor vehicle safety standards issued pursuant to 49 U.S.C.A. Section 30101, et seq., unless and until the United States Customs Service or the United States Department of Transportation has certified that the motor vehicle complies with such applicable federal standards and unless all documents required by the commissioner for processing an application for a certificate of registration or title are printed and filled out in the English language or are accompanied by an English translation.

(b) The provisions of subsection (a) of this Code section shall only apply to applications for certificates of registration for such motor vehicles first registered in Georgia after July 1, 1985. Certification of compliance shall only be required at the time of application for the issuance of the initial Georgia certificate of registration.

(c) Applications for registration of such motor vehicles shall be accompanied by a Georgia certificate of title, proof that an application for a Georgia certificate of title has been properly submitted, or such other information and documentation of ownership as the commissioner shall deem proper.

(d) Before a certificate of registration is issued for an **assembled** motor **vehicle** or motorcycle, such **assembled** motor **vehicle** or motorcycle shall have been issued a certificate of title in Georgia and shall comply with the provisions of Code Section 40-3-30.1.

**HISTORY:** Code 1981, § 40-2-25.1, enacted by Ga. L. 1985, p. 693, § 1; Code 1981, § 40-2-27, as redesignated by Ga. L. 1990, p. 2048, § 2; Ga. L. 1994, p. 97, § 40; Ga. L. 2000, p. 951, § 3-5; Ga. L. 2002, p. 512, § 5; Ga. L. 2002, p. 1378, § 2; Ga. L. 2008, p. 835, § 3/SB 437.

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TITLE 40. MOTOR VEHICLES AND TRAFFIC

CHAPTER 3. CERTIFICATES OF TITLE, SECURITY INTERESTS, AND LIENS

ARTICLE 2. CERTIFICATES OF TITLE

**Georgia Code**

O.C.G.A. § 40-3-30.1 (2016)

§ 40-3-30.1. Definitions; inspections

(a) As used in this Code section and in Code Section 40-2-27, the term:

(1) "Assembled motor vehicle or motorcycle" or "kit motor vehicle or motorcycle" means any motor vehicle or motorcycle that is:

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

(i) By an owner;

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

(iii) Such manufacturer is not manufacturing and testing in accordance with federal safety standards issued pursuant to 49 U.S.C.A. Section 30101, et seq., unless and until the United States Customs Service or the United States Department of Transportation has certified that the motor vehicle complies with such applicable federal standards;

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

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

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

(2) (A) "Unconventional motor vehicle or motorcycle" means any motor vehicle or motorcycle that is manufactured, including, but not limited to, all-terrain vehicles, off-road vehicles, motor driven cycles, mopeds, and personal transportation vehicles, and that is not in compliance with the following:

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

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

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

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

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

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

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

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

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

(c) The inspection conducted under subsection (b) of this Code section shall only be for the purpose of establishing that such assembled motor vehicle or motorcycle is eligible to receive a certificate of title.

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

(e) Unconventional motor vehicles or motorcycles shall not be titled or registered.

**HISTORY:** Code 1981, § 40-3-30.1, enacted by Ga. L. 2008, p. 835, § 6/SB 437; Ga. L. 2014, p. 405, § 4/SB 392; Ga. L. 2014, p. 745, § 4/HB 877.

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TITLE 40. MOTOR VEHICLES AND TRAFFIC

CHAPTER 3. CERTIFICATES OF TITLE, SECURITY INTERESTS, AND LIENS

ARTICLE 2. CERTIFICATES OF TITLE

**Georgia Code**

O.C.G.A. § 40-3-36 (2016)

§ 40-3-36. Cancellation of certificate of title for scrap, dismantled, or demolished vehicles; salvage certificate of title; administrative enforcement; removal of license plates

(a) Any registered owner or authorized agent of a registered owner who in any manner sells or disposes of any vehicle, including a trailer, as scrap metal or parts only or who scraps, dismantles, or demolishes a vehicle shall within 72 hours mail or deliver the certificate of title to the commissioner for cancellation.

(2) Notwithstanding any other provision of this article to the contrary, if the owner or authorized agent of the owner has not obtained a title in his or her name for the vehicle, including a trailer, to be transferred, or has lost the title for the vehicle or trailer to be transferred, he or she may sign a statement swearing that, in addition to the foregoing conditions, the vehicle or trailer is at least 12 model years old and is worth \$850.00 or less if the vehicle was used as a motor vehicle, or \$1,700.00 or less if the vehicle was used as a trailer. The statement described in this paragraph may be used only to transfer such a vehicle to a licensed used motor vehicle parts dealer under Code Section 43-47-7 or scrap metal processor under Code Section 43-43-1. The department shall promulgate a form for the statement which shall include, but not be limited to:

- (A) A statement that the vehicle or trailer shall never be titled again; it must be dismantled or scrapped;
- (B) A description of the vehicle including, where applicable, the year, make, model, vehicle identification number, and color;
- (C) The name, address, and driver's license number of the owner;
- (D) A certification that the owner:
  - (i) Never obtained a title to the vehicle in his or her name; or
  - (ii) Was issued a title for the vehicle, but the title was lost or stolen;
- (E) A certification that the vehicle:
  - (i) Is worth \$850.00 or less, or \$1,700.00 or less if the vehicle is a trailer;
  - (ii) Is at least 12 model years old; and
  - (iii) Is not subject to any secured interest or lien;
- (F) An acknowledgment that the owner realizes this form will be filed with the department and that it is a felony, punishable by imprisonment for not fewer than one nor more than three years or a fine of not less than \$1,000.00 nor more than \$5,000.00, or both, to knowingly falsify any information on this statement;
- (G) The owner's signature and the date of the transaction;
- (H) The name, address, and National Motor Vehicle Title Information System identification number of the business acquiring the vehicle;
- (I) A certification by the business that \$850.00 or less, or \$1,700.00 or less if the vehicle is a trailer, was paid to acquire the vehicle;
- (J) A certification that the business has verified by an on-line method determined by the commissioner that the vehicle is not currently subject to any secured interest or lien; provided, however, that such certification shall not be required until such an on-line method has been established and is available; and
- (K) The business agent's signature and date along with a printed name and title if the agent is signing on behalf of a corporation.

(3) (A) The secondary metals recycler, used motor vehicle parts dealer, or scrap metal processor shall mail or otherwise deliver the statement required under paragraph (2) of this subsection to the department within 72 hours of the completion of the transaction, requesting that the department cancel the Georgia certificate of title and registration.

(B) Notwithstanding the requirement to mail or otherwise deliver the statement required under paragraph (2) of this subsection to the department, the department shall provide a mechanism for the receipt of the information required to be obtained in the statement by electronic means, at no cost to the secondary metals recycler, used motor vehicle parts dealer, or scrap metal processor, in lieu of the physical delivery of the statement, in which case the secondary metals recycler, used motor vehicle parts dealer, or scrap metal processor shall maintain the original statement for a period of not less than two years.

(C) Within 48 hours of each day's close of business, the secondary metals recycler, used motor vehicle parts dealer, or scrap metal processor who purchases or receives motor vehicles for scrap or for parts shall deliver in a format approved by the department, either by facsimile or by other electronic means to be made available by the department by January 1, 2012, a list of all such vehicles purchased that day for scrap or for parts. That list shall contain the following information:

- (i) The name, address, and contact information for the reporting entity;
- (ii) The vehicle identification numbers of such vehicles;
- (iii) The dates such vehicles were obtained;

- (iv) The names of the individuals or entities from whom the vehicles were obtained, for use by law enforcement personnel and appropriate governmental agencies only;
- (v) A statement of whether the vehicles were, or will be, crushed or disposed of, or offered for sale or other purposes;
- (vi) A statement of whether the vehicle is intended for export out of the United States; and
- (vii) The National Motor Vehicle Title Information System identification number of the business acquiring the vehicle.

There shall be no charge to a secondary metals recycler, used motor vehicle parts dealer, or scrap metal processor associated with providing this information to the department.

(D) For purposes of this subsection, the term "motor vehicle" shall not include a vehicle which has been crushed or flattened by mechanical means such that it is no longer the motor vehicle as described by the certificate of title, or such that the vehicle identification number is no longer visible or accessible, in which case the purchasing or receiving secondary metals recycler, used motor vehicle parts dealer, or scrap metal processor shall verify that the seller has reported the vehicles in accordance with this subsection. Such verification may be in the form of a certification from the seller or contract between the seller and the purchasing or receiving secondary metals recycler, used motor vehicle parts dealer, or scrap metal processor which clearly identifies the seller by a government issued photograph identification card, or employer identification number, and shall be maintained for a period of not less than two years.

(E) The information obtained by the department in accordance with this subsection shall be reported to the National Motor Vehicle Title Information System, in a format which will satisfy the requirement for reporting this information, in accordance with rules adopted by the United States Department of Justice in 28 C.F.R. 25.56.

(F) The information obtained by the department in accordance with this subsection shall be made available only to law enforcement agencies, and for purposes of canceling certificates of title, and shall otherwise be considered to be confidential business information of the respective reporting entities.

(G) All records required under the provisions of this Code section shall be maintained for a period of two years by the reporting entity and shall include a scanned or photocopied copy of the seller's or seller's representative's driver's license or state issued identification card.

(4) (A) The registered owner of any motor vehicle which is damaged to the extent that its restoration to an operable condition would require the replacement of the front clip assembly, which includes the fenders, hood, and bumper; the rear clip assembly, which includes the quarter panels, the floor panel assembly, and the roof assembly, excluding a soft top; the frame; and a complete side, which includes the fenders, door, and quarter panel shall mail or deliver the certificate of title to the commissioner for cancellation.

(B) A motor vehicle owner who retains possession of a damaged vehicle which is a salvage motor vehicle as defined in paragraph (11) of Code Section 40-3-2 shall surrender the license plates and registration for such vehicle, shall not operate such vehicle upon the roads of this state, and shall not sell, trade, or otherwise dispose of such vehicle prior to obtaining a salvage certificate of title for such vehicle.

(C) Any insurance company which acquires a damaged motor vehicle by virtue of having paid a total loss claim shall mail or deliver the certificate of title to the commissioner for cancellation. In every case in which a total loss claim is paid and the insurance company does not acquire such damaged motor vehicle, the insurance company paying such total loss claim, the vehicle owner, and the lienholder or security interest holder, as applicable, shall take the following steps to secure a salvage certificate of title for such motor vehicle:

- (i) If the vehicle owner is in possession of the certificate of title, the owner shall deliver the certificate of title to the insurance company prior to any payment of the claim, and the insurance company shall mail or deliver the certificate of title, an application for a salvage certificate of title, and the form provided by the commissioner for issuance of a salvage certificate of title;
- (ii) If the certificate of title has been lost, destroyed, or misplaced, the vehicle owner shall, prior to payment of the claim on such vehicle, complete an application for a replacement title on the form provided by the commissioner and deliver such application and form to the insurance company and the insurance company shall mail or deliver such application and form to the commissioner for issuance of a replacement original title marked salvage;
- (iii) If the lienholder or security interest holder has possession of the certificate of title, the vehicle owner shall complete an application for a replacement title on a form provided by the commissioner and shall deliver the completed form to the insurance company prior to the payment of the claim; the insurance company shall thereafter mail or deliver the application to the commissioner with notice of the payment of the total loss claim and the name and address of the lienholder or security interest holder in possession of

the title. The commissioner shall mail notice to the lienholder or security interest holder that a total loss claim has been paid on the vehicle and that the title to such vehicle has been canceled, and the commissioner shall provide to the lienholder or security interest holder a salvage certificate of title for such vehicle, provided that the validity of the security interest shall not be affected by issuance of a salvage certificate of title. The lienholder or security interest holder shall, within ten days after receipt of such notice of total loss claim and cancellation of the original certificate of title, mail or deliver the canceled original certificate of title to the commissioner; or

(iv) For the sole purpose of payment of a total loss claim, for any vehicle ten years of age or older for which neither the vehicle owner nor the lienholder or security interest holder, if any, possesses a certificate of title, the vehicle owner shall deliver the vehicle license plate and certificate of registration for such vehicle to the insurance company prior to payment of any claim and the insurance company shall mail or deliver the license plate and certificate of registration to the commissioner with a completed form provided by the commissioner; provided, however, that the vehicle owner shall not operate such vehicle and the owner shall obtain a certificate of title for such vehicle as provided by law, which certificate of title shall then be subject to cancellation as provided in this paragraph.

(D) The department shall give priority to the title submissions provided for in subparagraph (C) of this paragraph and shall issue a salvage certificate of title for such vehicles within seven days of receipt of such submissions by an insurance company.

(a.1) In the case of a motor vehicle which is subject to more than one perfected security interest or lien which motor vehicle is a total loss, if the insurer is to acquire title to the damaged motor vehicle, the holder of the senior security interest or lien, upon receipt of the settlement proceeds of the insurance policy in accordance with Code Section 33-34-9, shall apply for a new certificate of title for a transferee other than by voluntary transfer in accordance with subsection (b) of Code Section 40-3-35, naming the insurer only as transferee.

(b) Except as provided in subsection (a) of this Code section, any person, firm, or corporation which purchases or otherwise acquires a salvage motor vehicle shall apply to the commissioner for a salvage certificate of title for such motor vehicle within 30 days of the purchase or acquisition of the motor vehicle or within 30 days of the payment of a total loss claim as provided in paragraph (4) of subsection (a) of this Code section to the registered owner of the salvage motor vehicle, if the person, firm, or corporation intends to operate or to sell, convey, or transfer the motor vehicle; and no such person, firm, or corporation shall sell, transfer, or convey a salvage motor vehicle until such person, firm, or corporation has applied for and obtained a salvage certificate of title.

(c) The application for a salvage certificate of title shall be made in a manner to be prescribed by the commissioner.

(d) Any certificate of title which is issued to a salvage motor vehicle, as provided for in this Code section, shall contain the word "salvage" on the face of the certificate in such a manner as the commissioner may prescribe, so as to indicate clearly that the motor vehicle described is a salvage motor vehicle. The legend "rebuilt" in no larger than 12 point font shall be placed on a certificate of title to a vehicle which was declared a salvage vehicle and subsequently repaired with less than two major component parts to restore the vehicle to an operable condition.

(e) Notwithstanding this subsection and subsections (c) and (d) of Code Section 40-3-37, the legend "rebuilt" shall only be required to be placed on the certificate of title to a vehicle which was declared a salvage vehicle on or after July 1, 2004, and which was subsequently rebuilt.

(f) As an alternative to criminal or other civil enforcement, the commissioner, in order to enforce this Code section or any orders, rules, and regulations promulgated pursuant to this Code section, may issue an administrative fine not to exceed \$1,000.00 for each violation, whenever the commissioner, after a hearing, determines that any person has violated any provisions of this Code section or any regulations or orders promulgated under this Code section. The hearing and any administrative review thereof shall be conducted in accordance with the procedure for contested cases under Chapter 13 of Title 50, the "Georgia Administrative Procedure Act." Any person who has exhausted all administrative remedies available and who is aggrieved or adversely affected by a final order or action of the commissioner shall have the right of judicial review thereof in accordance with Chapter 13 of Title 50. All fines recovered under this subsection shall be paid into the state treasury. The commissioner may file, in the superior court (1) wherein the person under order resides; (2) if such person is a corporation, in the county wherein the corporation maintains its principal place of business; or (3) in the county wherein the violation occurred, a certified copy of a final order of the commissioner, whether unappealed from or affirmed upon appeal, whereupon the court shall render judgment in accordance therewith and notify the parties. Such judgment shall have the same effect and proceedings in relation thereto shall thereafter be the same as though the judgment had been rendered in an action duly heard and determined by the court. The penalty

prescribed in this Code section shall be concurrent, alternative, and cumulative with any and all other civil, criminal, or alternative rights, remedies, forfeitures, or penalties provided, allowed, or available to the commissioner with respect to any violation of this Code section or any order, rules, or regulations promulgated pursuant thereto.

(g) The Commissioner of Insurance is authorized to enforce the provisions of this Code section to the extent such provisions are applicable to insurers which are under the jurisdiction of the Insurance Department. The Commissioner of Insurance is also authorized to cooperate with the commissioner in enforcing this Code section and to provide the commissioner with any information acquired by the Commissioner of Insurance during any investigation or proceeding involving this Code section. Nothing in this subsection shall be construed to limit the powers and duties of the commissioner to enforce the provisions of this Code section as such provisions apply to insurers.

(h) It shall be unlawful for any person, firm, or corporation to violate the provisions of subsection (a), (b), or (c) of this Code section; and any person, firm, or corporation convicted of violating such provisions shall be guilty of a misdemeanor. Any owner of a salvage motor vehicle who transfers or attempts to transfer such vehicle without obtaining a salvage certificate of title for such vehicle shall be guilty of a misdemeanor of a high and aggravated nature, punishable by a fine not to exceed \$5,000.00. Any lienholder or security interest holder who, after notice by the commissioner of payment of a total loss claim and cancellation of the title of a vehicle, fails or refuses to return the title to the commissioner or who surrenders the title to anyone other than the commissioner shall be guilty of a misdemeanor of a high and aggravated nature, punishable by a fine not to exceed \$5,000.00.

(i) The registered owner who retains possession of a salvage motor vehicle to whom a total loss claim has been paid shall promptly remove the license plate from such vehicle and return such plate to the commissioner for cancellation. An insurer which pays a total loss claim shall, on a form prescribed by the commissioner, notify the owner of the duty to remove and return such license plate for cancellation and of all inspection requirements for rebuilding or restoring such vehicle.

(j) As used in this Code section, the terms:

(1) "Scrap metal processor" shall have the same meaning as set forth in Code Section 43-43-1.

(2) "Secondary metals recycler" shall have the same meaning as set forth in Code Section 10-1-350.

(3) "Used motor vehicle parts dealer" shall have the same meaning as set forth in Code Section 43-47-2.

**HISTORY:** Ga. L. 1961, p. 68, § 20; Ga. L. 1965, p. 264, § 1; Ga. L. 1966, p. 139, § 1; Ga. L. 1970, p. 185, § 1; Ga. L. 1975, p. 1596, § 1; Ga. L. 1979, p. 1108, § 1; Ga. L. 1981, p. 644, §§ 2, 4; Code 1981, § 40-3-35; Ga. L. 1985, p. 1227, § 1; Ga. L. 1990, p. 8, § 40; Ga. L. 1990, p. 1657, § 5; Code 1981, § 40-3-36, as redesignated by Ga. L. 1990, p. 2048, § 3; Ga. L. 1992, p. 2978, §§ 6, 7; Ga. L. 1993, p. 1260, § 7; Ga. L. 1998, p. 1179, § 35; Ga. L. 2000, p. 951, § 4-7; Ga. L. 2002, p. 848, § 2; Ga. L. 2004, p. 452, § 2; Ga. L. 2007, p. 585, § 1/ HB 171; Ga. L. 2007, p. 635, § 2/ HB 183; Ga. L. 2007, p. 652, § 12/ HB 518; Ga. L. 2011, p. 355, §§ .1, 21/ HB 269; Ga. L. 2011, p. 752, § 40/ HB 142; Ga. L. 2012, p. 96, § 1/ HB 900; Ga. L. 2012, p. 112, §§ 1-3, 1-4/ HB 872; Ga. L. 2013, p. 141, § 40/ HB 79.



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\*\*\* Current Through the 2009 Regular Session \*\*\*

\*\*\* Annotations Current Through January 29, 2016 \*\*\*

TITLE 43. PROFESSIONS AND BUSINESSES

CHAPTER 47. USED MOTOR VEHICLE AND USED MOTOR VEHICLE PARTS DEALERS

**Go to the Georgia Code Archive Directory**

O.C.G.A. § 43-47-15 (2016)

§ 43-47-15. Compliance with "Motor Vehicle Certificate of Title Act" required

Any licensee who purchases a wrecked or salvage motor vehicle or rebuilds a wrecked or salvage motor vehicle shall fully comply with Chapter 3 of Title 40, the "Motor Vehicle Certificate of Title Act," regarding titling and inspection of salvage and **rebuilt vehicles**, and shall comply with any rules and regulations adopted by the state revenue commissioner pursuant to this chapter.

**HISTORY:** Code 1981, § 43-47-15, enacted by Ga. L. 1995, p. 441, § 1; Ga. L. 2002, p. 415, § 43; Ga. L. 2005, p. 334, § 25-7/HB 501.

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TITLE 40. MOTOR VEHICLES AND TRAFFIC

CHAPTER 2. REGISTRATION AND LICENSING OF MOTOR VEHICLES

ARTICLE 2. REGISTRATION AND LICENSING GENERALLY

**Georgia Code**

O.C.G.A. § 40-2-41.1 (2016)

§ 40-2-41.1. Authentic **historical** Georgia license **plates**

(a) As used in this Code section, the term "authentic **historical** Georgia license **plate**" means a license plate originally issued in the year 1970 or earlier and originally required to be displayed on motor vehicles operated upon the streets and highways of this state in the year 1970 or earlier pursuant to former motor vehicle registration laws of this state.

(b) The owner of any **antique** motor **vehicle** manufactured in 1970 or earlier shall be authorized to display in lieu of and in the same manner as the license plate otherwise required under Code Section 40-2-41 an authentic **historical** Georgia license **plate** which clearly represents the model year of any such **antique** motor **vehicle**, provided that the owner has properly registered such **antique** motor **vehicle** for the current year as otherwise required under this chapter and has obtained a current Georgia license plate or revalidation decal for such **antique** motor **vehicle**. Such currently valid Georgia license plate shall be kept in such **antique** motor **vehicle** at all times but need not be displayed in a manner to be visible from outside the vehicle.

(c) For purposes of this Code section, the authentic **historical** Georgia license **plate** shall be furnished by the owner of any such **antique** motor **vehicle**.

(d) No later than January 1, 2006, the commissioner shall have installed within the department's computer information system applicable to the registration of motor vehicles the necessary program which will include in the information relating to the current Georgia license plate or revalidation decal issued for an **antique** motor **vehicle** the information relating to the **authentic historical** Georgia license **plate** authorized to be displayed on such **antique** motor **vehicle**.

**HISTORY:** Code 1981, § 40-2-41.1, enacted by Ga. L. 1999, p. 791, § 2; Ga. L. 2001, p. 1021, § 2; Ga. L. 2002, p. 415, § 40; Ga. L. 2005, p. 593, § 1/SB 117.

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TITLE 40. MOTOR VEHICLES AND TRAFFIC

CHAPTER 2. REGISTRATION AND LICENSING OF MOTOR VEHICLES

ARTICLE 3. PRESTIGE LICENSE PLATES AND SPECIAL PLATES FOR CERTAIN PERSONS AND VEHICLES

**Georgia Code**

O.C.G.A. § 40-2-77 (2016)

§ 40-2-77. Special license **plates** for **antique** or **hobby** or **special interest vehicles**

(a) As used in this Code section, the term "antique or **hobby** or **special interest vehicle**" means any motor vehicle which is over 25 years old or a motor vehicle which has been designed and manufactured to resemble an **antique** or **historical vehicle** and which is owned as a collector's item and for participation in club activities, exhibitions, tours, parades, and similar uses but which may be used for general transportation.

(b) Upon application, registration, and payment of an annual registration fee of \$20.00, the commissioner shall issue a special license plate, as described in this Code section, for every antique or **hobby** or **special interest vehicle** within the state which is a private passenger car, truck weighing less than 14,000 pounds, or motorcycle.

(c) For **antique vehicles or hobby or special interest vehicles**, said license **plates** shall be of metal at least four inches wide and not less than seven inches in length and shall show in bold characters the words "**Antique Vehicle**" or "**Hobby or Special Interest Vehicle**," as appropriate, the full name or the abbreviation of the name of the state, distinctive numbers or letters or a combination thereof, and other distinctive markings as in the judgment of the commissioner will to the best advantage advertise, popularize, and otherwise promote the state.

(d) The commissioner shall make such rules and regulations as necessary to ascertain compliance with all state license laws relating to use and operation of a private passenger car, truck weighing less than 14,000 pounds, or motorcycle, as applicable, before issuing these plates in lieu of the regular Georgia license plate.

(e) Special plates issued under this Code section shall be transferred to another antique or **hobby** or **special interest vehicle** as provided by Code Section 40-2-80.

(f) Any **vehicle** for which an **antique vehicle or hobby or special interest vehicle** license **plate** has been issued pursuant to this Code section may be operated upon the roadways of this state in the same manner and under the same conditions as any vehicle bearing a regular Georgia license **plate**. No owner of such **antique vehicle or hobby or special interest vehicle** shall be required to obtain any special permits for its operation on the roads of this state.

**HISTORY:** Ga. L. 1958, p. 302, §§ 1-5; Ga. L. 1977, p. 596, § 1; Code 1981, § 40-2-75; Ga. L. 1982, p. 2298, §§ 1-4; Ga. L. 1983, p. 3, § 29; Ga. L. 1985, p. 261, § 7; Ga. L. 1990, p. 8, § 40; Code 1981, § 40-2-77, as redesignated by Ga. L. 1990, p. 2048, § 2; Ga. L. 1992, p. 779, § 10; Ga. L. 1993, p. 1678, § 1; Ga. L. 1994, p. 97, § 40; Ga. L. 1997, p. 419, § 25; Ga. L. 1998, p. 1179, § 21.

O.C.G.A. § 40-2-86.1

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TITLE 40. MOTOR VEHICLES AND TRAFFIC

CHAPTER 2. REGISTRATION AND LICENSING OF MOTOR VEHICLES

ARTICLE 3. PRESTIGE LICENSE PLATES AND SPECIAL PLATES FOR CERTAIN PERSONS AND VEHICLES

O.C.G.A. § 40-2-86.1 (2016)

§ 40-2-86.1. Special license plates promoting certain beneficial projects and supporting certain worthy agencies, funds, or nonprofit corporations -- Plates to identify persons with diabetes, honor veterans of the armed services, and honor the Georgia Association of Realtors

(a) The General Assembly has determined that the issuance of special license plates to support an agency or fund or a program beneficial to the people of this state that is administered by a nonprofit corporation organized under Section 501(c)(3) of Title 26 of the Internal Revenue Code and, subject to the appropriation process of the General Assembly, appropriating a portion of the funds raised from the sale of these special license plates is in the best interests of the people of this state. Therefore, the license plates listed in subsection (l) of this Code section shall be issued by the department if all of the requirements of subsections (b) through (k) of this Code section have been satisfied.

(b) The commissioner, in cooperation with the agency, fund, or nonprofit corporation sponsoring the special license plate, shall design special distinctive license plates intended to promote the program benefited by the sale of the special license plate. The special license plates must be of the same size as general issue motor vehicle license plates and shall include a unique design and identifying number, whereby the total number of characters does not exceed an amount to be determined by the commissioner. No two recipients shall receive identically numbered plates. The agency, fund, or nonprofit corporation sponsoring the license plate may request the assignment of the first of 100 in a series of license plates upon payment of an additional initial registration fee of \$25.00 for each license plate requested.

(c) Notwithstanding the provisions of subsection (b) of this Code section, no special license plate shall be produced until such time as the State of Georgia has, through a licensing agreement or otherwise, received such licenses or other permissions as may be required to produce the special license plate. The design of the initial edition of any special license plate, as well as the design of subsequent editions and excepting only any part or parts of the designs owned by others and licensed to the state, shall be owned solely by the State of Georgia for its exclusive use and control, except as authorized by the commissioner. The commissioner may take such steps as may be necessary to give notice of and protect such right, including the copyright or copyrights. However, such steps shall be cumulative of the ownership and exclusive use and control established by this subsection as a matter of law, and no person shall reproduce or otherwise use such design or designs, except as authorized by the commissioner.

(d) Any Georgia resident who is the owner of a motor vehicle, except a vehicle registered under the International Registration Plan, upon complying with the motor vehicle laws relating to registration and licensing of motor vehicles and upon the payment of a manufacturing fee of \$25.00 and a special license plate fee of \$35.00, in addition to the regular motor vehicle registration fee, shall be able to apply for a special license plate listed in subsection (l) of this Code section. Revalidation decals shall be issued for special license plates in the same manner as provided for general issue license plates, with the addition of a \$35.00 special license plate renewal fee, provided that special license plates issued pursuant to paragraph (9) of subsection (l) of this Code section shall be exempt from such special license plate renewal fee.

(e) The manufacturing fee, special license plate fee, and special license plate renewal fee derived from the sale of special license plates contained in subsection (l) of this Code section shall be deposited into the general fund. The sponsoring agency, fund, or nonprofit corporation, subject to the appropriation process of the General Assembly, may request that the funds derived from the sale of special license plates be appropriated to the department for disbursement to such agency, fund, or nonprofit corporation.

(f) Before the department disburses to the agency, fund, or nonprofit corporation funds from the sale of special license plates, the agency, fund, or nonprofit corporation must provide a written statement stating the manner in which such funds shall be utilized. In addition, a nonprofit corporation must provide the department with documentation of its nonprofit status under Section 501(c)(3) of Title 26 of the Internal Revenue Code. The purposes for which the funds shall be utilized must be the same as those specified in subsection (l) of this Code section authorizing the potential appropriation to the agency, fund, or nonprofit corporation of revenue from the sale of special license plates. The agency, fund, or nonprofit corporation shall periodically provide to the commissioner an audit of the use of the funds or other evidence of use of the funds satisfactory to the commissioner. If it is determined that the funds are not being used for the purposes set forth in the statement provided by the agency, fund, or nonprofit corporation, the department shall withhold payment of such funds until such noncompliance issues are resolved.

(g) An applicant may request a special license plate any time during the applicant's registration period. If such a license plate is to replace a current valid license plate, the special license plate shall be issued with appropriate decals attached, upon the payment of any applicable registration fees, the manufacturing fee, and the special license plate fee.

(h) No special license plate authorized pursuant to subsection (l) of this Code section shall be issued except upon the receipt by the department of at least 1,000 prepaid applications along with the manufacturing fee. The special license plate shall have an application period of two years from the date of authorization for payment of the manufacturing fee. After such time if the minimum number of applications is not met, the department shall not continue to accept the manufacturing fee, and all fees shall be refunded to applicants; provided, however, that once the department has received 1,000 prepaid applications along with the manufacturing fee, the sponsor shall not be entitled to a refund.

(i) The department shall not be required to continue to manufacture the special license plate if the number of active registrations falls below 500 registrations at any time during the period provided for in subsection (b) of Code Section 40-2-31. A current registrant may continue to renew such special license plate during his or her annual registration period upon payment of an additional \$35.00 special license plate renewal fee, which fee shall be collected by the county tag agent at the time of collection of other registration fees and shall be remitted to the state as provided in Code Section 40-2-34. The department may continue to issue such special license plates that it has in its inventory to assist in achieving the minimum number of registrations. If the special license plate falls below 500 active registrations at any time during the period provided for in subsection (b) of Code Section 40-2-31, the sponsoring agency, fund, or nonprofit corporation shall be required again to obtain 1,000 prepaid applications accompanied by the manufacturing fee to continue to manufacture the special license plate.

(j) Special license plates shall be transferred from one vehicle to another vehicle in accordance with the provisions of Code Section 40-2-80.

(k) Special license plates shall be issued within 30 days of application once the requirements of this Code section have been met.

(l)

(1) The General Assembly has determined that license plates promoting the agencies, funds, or nonprofit corporations listed in this subsection shall be issued for the purposes indicated and the revenue shall be deposited in the general fund, subject to the appropriation process of the General Assembly.

(2) A special license plate identifying persons with diabetes. The main purpose of the special license plate is that law enforcement officers and emergency personnel will be alerted to the potential for special needs before they approach the driver of a vehicle, especially if the vehicle has been involved in an accident. The funds raised by the sale of this special license plate shall be deposited in the general fund.

(3) A special license plate honoring all veterans who have served in the armed services of the United States. All of these men and women have sacrificed a portion of their lives in order to serve their country and protect our freedom. The funds raised by the sale of this special license plate shall be deposited in the general fund.

(4) A special license plate honoring the Georgia Association of Realtors. The Association is being honored for its long-standing support of housing opportunities for all citizens of this state, private property rights, and all organizations that assist people in achieving the American dream of home ownership. The funds raised by the sale of this special license plate shall be deposited in the general fund.

(5) A special license plate honoring Georgia municipal clerks. The municipal clerk's office provides the professional link connecting citizens with their local governing bodies and agencies of government at other levels. The funds raised by the sale of this license plate shall be deposited in the general fund.

(6) A special license plate identifying residents of the State of Georgia who hold an unrevoked and unexpired official amateur radio station license issued by the Federal Communications Commission. The special license plate shall be inscribed with the official amateur radio call letters of such applicant as assigned by the Federal Communications Commission. The funds raised by the sale of this license plate shall be deposited in the general fund.

(7) (A) A special license plate to be issued for alternative fueled vehicles, which license plate shall be similar in design to the license plate issued to all other residents of this state except that the commissioner shall place a distinctive logo or emblem on the license plate which shall distinguish the vehicle as an alternative fueled vehicle eligible to travel in travel lanes designated for such vehicles under paragraph (4) of subsection (a) of Code Section 32-9-4. The words "alternative fueled vehicle" shall be imprinted on such special license plate in lieu of the county name decal. The funds raised by the sale of this license plate shall be deposited in the general fund.

(B) As used in this paragraph, the term:

(i) "Alternative fuel" means electricity, natural gas, and propane.

(ii) "Alternative fueled vehicle" means any vehicle fueled solely by alternative fuel as defined in division (i) of this subparagraph, bi-fuel, or dual fuel.

(C) Pursuant to paragraph (19) of subsection (a) of Code Section 40-2-151, the applicant for a special license plate for any alternative fueled vehicle shall provide proof that he or she has paid the registration fee prescribed therein prior to the issuance of any special license plate under this paragraph.

(8) A special license plate for antique or hobby or special interest vehicles. As used in this paragraph, the term "antique or hobby or special interest vehicle" means any motor vehicle or motor cycle or a motor vehicle which has been designed and manufactured to resemble an antique or historical vehicle and which is owned as a collector's item and for participation in club activities, exhibitions, tours, parades and similar uses but which may be used for general transportation. No owner of such antique vehicle or hobby or special interest vehicle shall be required to obtain any special permits for its operation on the roads of this state. The funds raised by the sale of this license plate shall be deposited in the general fund.

(9) (A) A special license plate for owners of a private passenger car or truck used for personal transportation, who are firefighters certified pursuant to Article 1 of Chapter 4 of Title 25 and who are members of fire departments certified pursuant to Article 2 of Chapter 3 of Title 25 and motor vehicle owners who are certified firefighters of legally organized volunteer fire departments which have been certified pursuant to Article 2 of Chapter 3 of Title 25. Such license plate shall be inscribed with such letters, numbers, words, symbols, or a combination thereof as determined by the commissioner to identify the owner as a certified firefighter. The chiefs of the various fire departments shall furnish to the commissioner a list of the certified firefighters of their fire departments who reside in Georgia which list shall be updated as necessary. The funds raised by the sale of this license plate shall be deposited in the general fund.

(B) Should a certified firefighter who has been issued a special and distinctive license plate be separated from such firefighter's department for any reason other than retirement from employment, the chief of such fire department shall obtain the separated member's license plate at the time of the separation and shall forward same to the commissioner along with a certificate to the effect that such person has been separated, and thereupon the commissioner shall reissue a regular license plate, at no additional charge, to such former certified firefighter to replace the special and distinctive plate. Should a certified firefighter return to service with the same or another fire department, the chief of such fire department shall likewise secure the regular license plate of such person and return same to the commissioner, along with a certificate to the effect that such person has become a member of the fire department, and the effective date thereof, whereupon the commissioner shall, upon application and upon the payment of a \$35.00 manufacturing fee and all other applicable registration and licensing fees at the time of registration, reissue a special and distinctive license plate to such new member to replace the returned regular plate. Upon such request for a change in plate for a certified firefighter who is separated from a fire department, the chief of the fire department shall furnish such member with a copy of the chief's letter to the commissioner requesting the appropriate change in plate, which copy of such letter may be used by such member pending the issuance of the new plate.

(C) Motor vehicle owners who were firefighters certified pursuant to Article 1 of Chapter 4 of Title 25 or were members of fire departments certified pursuant to Article 2 of Chapter 3 of Title 25 and who retired from employment as such shall continue to be eligible for the firefighter license plates issued under this paragraph the same as if they continued to be certified and employed as firefighters. Whenever such a

certified firefighter who has been issued a special and distinctive license plate is retired from employment with such firefighter's department, the chief of such fire department shall forward to the commissioner a certificate to the effect that such person has been retired.

(D) The spouse of a deceased firefighter shall continue to be eligible to be issued a distinctive special firefighter's license plate as provided in this paragraph so long as such person does not remarry.

(10) A special license plate supporting Rotary International. The design of the special license plate, excepting only the Rotary International logo and motto "Service Above Self" and the years 1905-2005 and any other part of the design owned by others and licensed to the state, shall be owned solely by the State of Georgia for its exclusive use and control, except as authorized by the commissioner. The funds raised by the sale of this license plate shall be deposited in the general fund.

(11) A special license plate for any Georgia resident who is the owner of a private passenger motor vehicle and provides proof of certification or licensure by the State of Georgia as an emergency medical technician, paramedic, or owner of a licensed ambulance service in the State of Georgia promoting the EMS Star of Life Symbol. Such license plate shall display the National Highway Traffic Safety Administration's EMS Star of Life Symbol and the initials "EMS." The funds raised by the sale of this license plate shall be deposited in the general fund.

**HISTORY:** Code 1981, § 40-2-86.22, enacted by Ga. L. 2006, p. 421, § 1/ HB 710; Ga. L. 2007, p. 668, § 7/ SB 81; Code 1981, § 40-2-86.1, as redesignated by Ga. L. 2016, p. 9, § 1-77/ HB 1055; Ga. L. 2012, p. 155, § 7/ HB 732; Ga. L. 2013, p. 141, § 40/ HB 79; Ga. L. 2015, p. 236, § 3-1/ HB 170.

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TITLE 40. MOTOR VEHICLES AND TRAFFIC

CHAPTER 3. CERTIFICATES OF TITLE, SECURITY INTERESTS, AND LIENS

ARTICLE 2. CERTIFICATES OF TITLE

**Georgia Code**

O.C.G.A. § 40-3-37 (2016)

§ 40-3-37. Salvaged or **rebuilt** motor **vehicles**; inspections; fees; exemption of motorcycles; glider kits

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

(1) "Application for a certificate of title on a recovered stolen motor vehicle" means an application for a certificate of title for a motor vehicle for which an insurance company has paid a total loss claim, has obtained a title marked "unrecovered stolen motor vehicle," and which has subsequently been recovered.

(2) "Application for a certificate of title on a salvaged or rebuilt motor vehicle" means:

(A) An application for a certificate of title for a motor vehicle for which a current Georgia certificate of title is marked "salvage" pursuant to subsection (e) of Code Section 40-3-36 and which has been repaired;

(B) An application for a certificate of title for a motor vehicle for which a current out-of-state certificate of title is marked "salvage," "rebuilt," or "restored" or any similar such phrase; or

(C) An application for a certificate of title for a motor vehicle for which a current Georgia certificate of title is marked "salvage" pursuant to subsection (e) of Code Section 40-3-36 and for which the transferee is anyone other than a licensee as defined in Code Section 43-47-2.

(b) (1) Upon receipt of an application for a certificate of title on a salvaged or rebuilt motor vehicle, the commissioner shall promptly conduct an initial inspection on each such motor vehicle prior to the issuance

of a certificate of title for the motor vehicle. Upon receipt of an application for a certificate of title on a recovered stolen motor vehicle which has been stripped of:

- (A) Substantially all its interior parts;
- (B) Engine;
- (C) Transmission;
- (D) All doors;
- (E) Complete soft top assembly including roof mechanism;
- (F) Front clip assembly (fenders, hood, and bumper); or
- (G) Cab and bed of a pick-up truck,

the commissioner shall promptly conduct an initial inspection on each such motor vehicle prior to the issuance of a certificate of title for the motor vehicle. The initial inspection shall include, but shall not be limited to, verification of the vehicle identification number, verification of the bills of sale or title for the major components, verification in regard to rebuilt vehicles that the word "rebuilt" is permanently affixed as required by subsection (d) of this Code section, verification that the vehicle was rebuilt in the State of Georgia, and, if the vehicle has been repaired, verification that the motor vehicle conforms to all safety equipment standards required by law. The commissioner shall be authorized to charge a fee of \$100.00 for each initial inspection of each motor vehicle. In the event a motor vehicle fails an inspection, a fee of \$100.00 shall be charged for each subsequent reinspection. The commissioner may conduct any such initial inspection and any required reinspections even though the motor vehicle may have been previously inspected under this Code section.

(2) If, upon inspection under paragraph (1) of this subsection, it is determined that the motor vehicle is not in full compliance with the law, the commissioner shall refuse to issue a certificate of title until compliance is reached. The commissioner may order additional, corrective repairs to such vehicle as a condition of issuance of a certificate of title.

(c) All applications submitted pursuant to this Code section shall be accompanied by one or more photographs of the motor vehicle in its salvaged condition before any repairs have been made to such vehicle, which photographs shall be used by the commissioner in his or her inspections of the vehicle pursuant to this Code section. Any person who rebuilds or repairs a salvage motor vehicle shall submit an application for a certificate of title and obtain an inspection of such vehicle prior to the painting of such vehicle.

(d) (1) (A) Upon inspection under subsection (b) of this Code section, if it is determined that the motor vehicle has been restored to an operable condition by the replacement of two or more major component parts, a certificate of title may be issued for such motor vehicle which shall contain the word "rebuilt" on its face in no larger than 12 point font. This requirement will indicate to all subsequent owners of the motor vehicle that such is a rebuilt motor vehicle. If any such inspection determines that the motor vehicle shall require the replacement of less than two major component parts in order to restore the motor vehicle to an operable condition, a certificate of title shall be issued for such motor vehicle which shall contain the word "rebuilt" on its face in such manner as the commissioner shall prescribe. This requirement will indicate to all subsequent owners of the motor vehicle that such is a rebuilt motor vehicle.

(B) If it is determined that the motor vehicle required or shall require the replacement of two or more major component parts in order to restore the motor vehicle to an operable condition, the department shall cause the word "rebuilt" to be affixed to said motor vehicle at the time of inspection by the commissioner. The word "rebuilt" shall be affixed in a clear and conspicuous manner to the door post or such other location as the commissioner may prescribe. The word "rebuilt" shall be stamped on a certificate and shall be affixed to the motor vehicle in such manner as the commissioner may prescribe. The requirement of this subparagraph shall only apply to motor vehicles restored after November 1, 1982.



(2) Upon inspection by the commissioner and compliance with paragraph (2) of subsection (b) of this Code section, if it is determined that the motor vehicle does not require the replacement of two or more major components or has not had two or more major components changed, a certificate of title shall be issued and shall contain the word "rebuilt" on its face.

(3) If, after the initial inspection, the commissioner determines that the damage is so extensive that returning such vehicle to a safe, operable condition is impossible, the salvage certificate shall be revoked and such vehicle may only be used for scrap or parts. A vehicle for which such a determination is made shall not be issued a title under any circumstances or conditions including but not limited to obtaining of a surety bond.

(e) Any person, firm, or corporation that rebuilds or repairs a motor vehicle whose current certificate of title is marked "salvage" shall make application for and obtain a certificate of title as provided in this Code section prior to the sale or transfer of said motor vehicle. If, under the laws of any other state, a vehicle has been declared to be nonrebuildable, the commissioner shall not issue any certificate of title for such vehicle and the vehicle shall not be used for any purpose except parts.

(f)

(1) Motorcycles which are over 25 years old shall be exempt from the salvage laws of this state.

(2) Motor vehicles which have been altered by the installation of a glider kit shall be issued a certificate of title containing the word "rebuilt."

**HISTORY:** Ga. L. 1981, p. 644, §§ 3, 4; Code 1981, § 40-3-35.1; Ga. L. 1982, p. 403, §§ 2, 4; Ga. L. 1982, p. 1676, §§ 1, 2; Ga. L. 1983, p. 3, § 29; Ga. L. 1985, p. 1227, § 2; Ga. L. 1987, p. 626, § 1; Code 1981, § 40-3-37, as redesignated by Ga. L. 1990, p. 2048, § 3; Ga. L. 1992, p. 2978, § 8; Ga. L. 1993, p. 91, § 40; Ga. L. 1993, p. 1260, § 9; Ga. L. 1998, p. 1179, § 36; Ga. L. 2004, p. 452, § 3; Ga. L. 2007, p. 635, § 3/HB 183.

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TITLE 48. REVENUE AND TAXATION

CHAPTER 5. AD VALOREM TAXATION OF PROPERTY

ARTICLE 10. AD VALOREM TAXATION OF MOTOR VEHICLES AND MOBILE HOMES

PART 1. GENERAL PROVISIONS

**Georgia Code**

O.C.G.A. § 48-5-440 (2016)

§ 48-5-440. Definitions

As used in this article, the term:

(1) "Antique or hobby or **special interest** motor **vehicle**" means a motor vehicle which is 25 years old or older as indicated by the model year or a motor vehicle which has been designed and manufactured to resemble an **antique** or **historical vehicle**.

(1.1) "Commercial vehicle" means a truck, truck-tractor, trailer, or semitrailer which is a commercial vehicle:

(A) Registered or registerable under the International Registration Plan pursuant to Code Section 40-2-88; or

(B) Would otherwise be registerable under the International Registration Plan pursuant to Code Section 40-2-88 except that such vehicle is only engaged in intrastate commerce.

(2) "Driver educational motor vehicle" means a motor vehicle which is furnished and assigned to a public school in this state for use by the school in a program of driver education when the assignment is authorized and approved by the local board of education.

(2.1) "Initial registration period" has the same meaning as provided in paragraph (.1) of subsection (a) of Code Section 40-2-21.

(3) "Mobile homes" means manufactured homes and relocatable homes as defined in Part 2 of Article 2 of Chapter 2 of Title 8. Any mobile home which qualifies the taxpayer for a homestead exemption under the laws of this state shall not be considered a mobile home nor subject to this article. This article shall not apply to dealers engaged in the business of selling mobile homes at wholesale or retail and every mobile home owned in this state on January 1 by a dealer shall be subject to ad valorem taxation in the same manner as other taxable tangible personal property.

(4) "Motor vehicle" means a vehicle which is designed primarily for use upon the public roads. Such term shall not include heavy-duty equipment as defined in paragraph (2) of Code Section 48-5-500 which is owned by a nonresident and operated in this state.

(5) "Owner" has the same meaning as provided in paragraph (.2) of subsection (a) of Code Section 40-2-21.

(6) "Registration period" has the same meaning as provided in paragraph (1) of subsection (a) of Code Section 40-2-21.

**HISTORY:** Ga. L. 1966, p. 517, § 2; Ga. L. 1967, p. 603, § 1; Ga. L. 1976, p. 1529, § 2; Code 1933, §§ 91A-1902, 91A-1921, enacted by Ga. L. 1978, p. 309, § 2; Ga. L. 1980, p. 1390, § 2; Ga. L. 1982, p. 1376, §§ 6, 8; Ga. L. 1983, p. 3, § 37; Ga. L. 1986, p. 180, § 1; Ga. L. 1992, p. 1551, § 1; Ga. L. 1993, p. 1012, § 1; Ga. L. 1993, p. 1678, § 2; Ga. L. 1997, p. 419, § 34; Ga. L. 1997, p. 957, § 1; Ga. L. 1999, p. 667, § 3B.

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PART 1. GENERAL PROVISIONS

**Georgia Code**

O.C.G.A. § 48-5-442 (2016)

§ 48-5-442. Preparation and distribution of uniform evaluation of motor vehicles for tax purposes

(a)(1)(A) For the taxable year beginning January 1, 2001, only, the commissioner shall prepare and distribute to each of the tax collectors and tax commissioners a uniform evaluation of all motor vehicles for use as the taxable value of the motor vehicles subject to this article. Each evaluation shall reflect the value which would result from taking 75 percent of the current fair market value and 25 percent of the current wholesale value for all motor vehicles as determined by the commissioner.

(B) For all taxable years beginning on or after January 1, 2002, the commissioner shall prepare at least annually and distribute to each of the tax collectors and tax commissioners a uniform evaluation of all motor vehicles for use as the taxable value of the motor vehicles subject to this article. Each evaluation shall reflect the average of the current fair market value and the current wholesale value for all motor vehicles as determined by the commissioner.

(2) The commissioner shall prepare annually and distribute to each of the tax collectors and tax commissioners uniform procedures for the evaluation of all mobile homes subject to this article.

(b) Notwithstanding subsection (a) of this Code section, all antique and hobby or **special interest** motor **vehicles**, as defined in Code Section 48-5-440, shall, notwithstanding true fair market value if any, be deemed by the commissioner to have a fair market value of \$100.00 in the uniform evaluation prepared and distributed annually by the commissioner.

(c) This Code section shall not apply to commercial vehicles.

**HISTORY:** Ga. L. 1966, p. 517, § 10; Ga. L. 1976, p. 1529, § 11; Code 1933, § 91A-1933, enacted by Ga. L. 1978, p. 309, § 2; Ga. L. 1993, p. 1678, § 3; Ga. L. 1995, p. 809, § 15; Ga. L. 1997, p. 957, § 3; Ga. L. 2000, p. 416, § 2.

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TITLE 48. REVENUE AND TAXATION

CHAPTER 5. AD VALOREM TAXATION OF PROPERTY

ARTICLE 10. AD VALOREM TAXATION OF MOTOR VEHICLES AND MOBILE HOMES

PART 2. MOTOR VEHICLES

**Georgia Code**

O.C.G.A. § 48-5-473 (2016)

§ 48-5-473. Returns for taxation; application for and issuance of license plates upon payment of taxes due

(a) (1) Except as provided in paragraph (2) of this subsection, every owner of a motor vehicle subject to taxation under this article shall be required to return the motor vehicle for taxation and pay the taxes due on the motor vehicle at the time the owner applies or is required by law to apply for registration of the motor vehicle and for the purchase of a license plate for the motor vehicle during the owner's registration period.

(2) (A) In all counties for which a local Act has not been enacted pursuant to Code Section 40-2-21, the final date for payment of ad valorem taxes shall be the last day of the owner's registration period and the lien for such taxes shall attach at midnight on the last day of the owner's registration period if the vehicle has not been registered but only if the vehicle is still owned on such date by such owner.

(B) In all counties for which a local Act has been enacted pursuant to Code Section 40-2-21, the final date for payment of ad valorem taxes shall be the last day of the owner's registration period and the lien for such taxes on such motor vehicle shall attach on the first day of the owner's registration period.

(C) A motor vehicle shall not be returned for taxation and no ad valorem taxes shall be due, payable, or collected at the time a vehicle is registered during any initial registration period for such vehicle.

(D) A motor vehicle shall not be returned for taxation and no ad valorem taxes shall be due, payable, or collected at the time of a transfer of the vehicle.

(3) Notwithstanding any other provision of this Code section to the contrary, under no circumstances shall such ad valorem taxation be collected more than one time per calendar year with respect to the same motor vehicle.

(b) Notwithstanding subsection (a) of this Code section, in the case of an antique or hobby or **special interest** motor **vehicle**, as defined in Code Section 48-5-440, the owner or owners shall certify at the time of returning the antique or hobby or **special interest** motor **vehicle** for taxation, paying the taxes due on the motor vehicle, and purchasing a license plate for the motor vehicle or at the time of the first sale or transfer of the motor **vehicle** that the **vehicle is an antique or hobby or special interest** motor **vehicle** as defined in Code Section 48-5-440, and, upon said certification, said vehicle shall be registered and a license plate issued with the imposition of an ad valorem tax based on \$100.00 valuation; provided, however, that taxes shall be due at the time of registration or at the time required by law for registration during the owner's registration period as provided in subsection (a) of this Code section.

(c) Notwithstanding subsection (a) of this Code section, within the motor vehicle classification of property for ad valorem taxation purposes, motor vehicles held in inventory for sale or resale by an entity which is engaged in the business of selling motor vehicles and which has a current distinguishing dealer's identification number issued by the department shall constitute a separate subclassification of property for ad valorem taxation purposes and shall not be the subject of ad valorem taxation until such time as such vehicles are transferred and until such time as such vehicles then become subject to taxation as provided in this Code section.

**HISTORY:** Ga. L. 1966, p. 517, § 4; Ga. L. 1967, p. 91, § 2; Code 1933, § 91A-1906, enacted by Ga. L. 1978, p. 309, § 2; Ga. L. 1986, p. 1053, § 5; Ga. L. 1993, p. 1678, § 4; Ga. L. 1995, p. 809, § 19; Ga. L. 1997, p. 419, § 37; Ga. L. 1998, p. 1179, § 39; Ga. L. 1999, p. 667, § 1A.

## **Equipment Exemptions**

### **From Official Code of Georgia Annotated:**

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TITLE 40. MOTOR VEHICLES AND TRAFFIC

CHAPTER 8. EQUIPMENT AND INSPECTION OF MOTOR VEHICLES

ARTICLE 1. EQUIPMENT GENERALLY

PART 5. EQUIPMENT OF LAW ENFORCEMENT AND EMERGENCY VEHICLES

### **Georgia Code**

O.C.G.A. § 40-8-90 (2016)

§ 40-8-90. Restrictions on use of blue lights on vehicles

(a)(1) Except as provided in this paragraph and subsection (b) of this Code section, it shall be unlawful for any person, firm, or corporation to operate any motor vehicle equipped with or containing a device capable of producing any blue lights, whether flashing, blinking, revolving, or stationary, except:

(A) Motor vehicles owned or leased by any federal, state, or local law enforcement agency;

(B) Motor vehicles with a permit granted by a state agency to bear such lights; or

(C) Antique, **hobby, and special interest vehicles**, as defined in subsection paragraph (8) of subsection (l) of code section 40-2-86.1, which may display a blue light or lights of up to one inch in

diameter as part of any such vehicle's rear stop lamps, rear turning indicator, rear hazard lamps, and rear reflectors.

(2) Any person who violates paragraph (1) of this subsection shall be guilty of a misdemeanor.

(b) The prohibition contained in subsection (a) of this Code section shall not apply to any elected sheriff who, pursuant to an agreement between the sheriff and the county governing authority, is using his or her personal motor vehicle in a law enforcement activity, provided such vehicle is marked as provided in Code Section 40-8-91.

(c) It shall be unlawful for any person to use any motor vehicle equipped with flashing, blinking, revolving, or stationary blue lights in the commission of a felony, and, upon conviction of a violation of this subsection, the punishment shall be a fine of not less than \$1,000.00 or imprisonment of not less than one year, or both.

**HISTORY:** Ga. L. 1966, p. 208, § 1; Ga. L. 1971, p. 781, § 1; Ga. L. 1972, p. 1092, § 1; Ga. L. 1977, p. 1012, § 1; Ga. L. 1984, p. 1193, § 1; Ga. L. 1985, p. 149, § 40; Ga. L. 1992, p. 1287, § 1; Ga. L. 2005, p. 1026, § 1/SB 178. Ga. L. 2016, p. 9, § 1-82/HB 1055.

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PART 2. LIGHTING EQUIPMENT

**Go to the Georgia Code Archive Directory**

O.C.G.A. § 40-8-23 (2016)

§ 40-8-23. Taillights

(a) Every motor **vehicle**, trailer, semitrailer, and pole trailer **manufactured prior** to January 1, 1954, shall be equipped with at least one taillight mounted on the rear, which when lighted as required in this article shall emit a red light plainly visible from a distance of 500 feet to the rear.

(b) Every motor vehicle, trailer, semitrailer, and pole trailer manufactured after January 1, 1954, shall be equipped with two taillights which meet the specifications provided in this Code section.

(c) Every taillight upon every vehicle shall be located at a height of not more than 60 inches nor less than 20 inches, to be measured as set forth in subsection (b) of Code Section 40-8-21.

(d) Either a taillight or a separate light shall be so constructed and placed as to illuminate with a white light the rear registration plate and render it clearly legible from a distance of 50 feet to the rear. Any taillight or taillights, together with any separate light for illuminating the rear registration plate, shall be so wired as to be lighted whenever the headlights or auxiliary driving lights are lighted.

(e) All lenses on taillights shall be maintained in good repair and shall meet manufacturers' specifications.

**HISTORY:** Ga. L. 1953, Nov.-Dec. Sess., p. 556, § 106; Code 1933, § 68E-204, enacted by Ga. L. 1982, p. 165, § 4; Code 1981, § 40-8-23, enacted by Ga. L. 1982, p. 165, § 10.

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TITLE 40. MOTOR VEHICLES AND TRAFFIC

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ARTICLE 1. EQUIPMENT GENERALLY

PART 4. HORNS, EXHAUST SYSTEMS, MIRRORS, WINDSHIELDS, TIRES, SAFETY BELTS, ENERGY  
ABSORPTION SYSTEMS

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O.C.G.A. § 40-8-76.1 (2016)

§ 40-8-76.1. Use of safety belts in passenger vehicles

(a) As used in this Code section, the term "passenger vehicle" means every motor vehicle, including, but not limited to, pickup trucks, vans, and sport utility vehicles, designed to carry 15 passengers or fewer and used for the transportation of persons; provided, however, that such term shall not include motorcycles; motor driven cycles; or off-road vehicles or pickup trucks being used by an owner, driver, or occupant 18 years of age or older in connection with agricultural pursuits that are usual and normal to the user's farming operation; and provided, further, that such term shall not include motor vehicles designed to carry 11 to 15 passengers which were manufactured prior to July 1, 2015, and which, as of such date, did not have manufacturer installed seat safety belts.

(b) Each occupant of the front seat of a passenger vehicle shall, while such passenger vehicle is being operated on a public road, street, or highway of this state, be restrained by a seat safety belt approved under Federal Motor Vehicle Safety Standard 208.

(c) The requirement of subsection (b) of this Code section shall not apply to:

- (1) A driver or passenger frequently stopping and leaving the vehicle or delivering property from the vehicle, if the speed of the vehicle between stops does not exceed 15 miles per hour;
  - (2) A driver or passenger possessing a written statement from a physician that such person is unable, for medical or physical reasons, to wear a seat safety belt;
  - (3) A driver or passenger possessing an official certificate or license endorsement issued by the appropriate agency in another state or country indicating that the driver is unable for medical, physical, or other valid reasons to wear a seat safety belt;
  - (4) A driver operating a passenger vehicle in reverse;
  - (5) A passenger vehicle with a model year prior to 1965;
  - (6) A passenger vehicle which is not required to be equipped with seat safety belts under federal law;
  - (7) A passenger vehicle operated by a rural letter carrier of the United States Postal Service while performing duties as a rural letter carrier;
  - (8) A passenger vehicle from which a person is delivering newspapers; or
  - (9) A passenger vehicle performing an emergency service.
- (d) The failure of an occupant of a motor vehicle to wear a seat safety belt in any seat of a motor vehicle which has a seat safety belt or belts shall not be considered evidence of negligence or causation, shall not otherwise be considered by the finder of fact on any question of liability of any person, corporation, or insurer, shall not be any basis for cancellation of coverage or increase in insurance rates, and shall not be evidence used to diminish any recovery for damages arising out of the ownership, maintenance, occupancy, or operation of a motor vehicle.
- (e)
- (1) Except as otherwise provided in paragraphs (2) and (3) of this subsection, a person failing to comply with the requirements of subsection (b) of this Code section shall not be guilty of any criminal act and shall not be guilty of violating any ordinance. A violation of this Code section shall not be a moving traffic violation for purposes of Code Section 40-5-57.
  - (2) A person failing to comply with the requirements of subsection (b) of this Code section shall be guilty of the offense of failure to wear a seat safety belt and, upon conviction thereof, may be fined not more than \$15.00; but, the provisions of Chapter 11 of Title 17 and any other provision of law to the contrary notwithstanding, the costs of such prosecution shall not be taxed nor shall any additional penalty, fee, or surcharge to a fine for such offense be assessed against a person for conviction thereof. The court imposing such fine shall forward a record of the disposition of the case of failure to wear a seat safety belt to the Department of Driver Services.
  - (3) Each minor eight years of age or older who is an occupant of a passenger vehicle shall, while such passenger vehicle is being operated on a public road, street, or highway of this state, be restrained by a seat safety belt approved under Federal Motor Vehicle Safety Standard 208. In any case where a minor passenger eight years of age or older fails to comply with the requirements of this paragraph, the driver of the passenger vehicle shall be guilty of the offense of failure to secure a seat safety belt on a minor and, upon conviction thereof, may be fined not more than \$25.00. The court imposing such a fine shall forward a record of the court disposition of the case of failure to secure a seat safety belt on a minor to the Department of Driver Services.
  - (f) Probable cause for violation of this Code section shall be based solely upon a law enforcement officer's clear and unobstructed view of a person not restrained as required by this Code section. Noncompliance with the restraint requirements of this Code section shall not constitute probable cause for violation of any other Code section.

**HISTORY:** Code 1981, § 40-8-76.1, enacted by Ga. L. 1988, p. 31, § 1; Ga. L. 1990, p. 588, § 1; Ga. L. 1993, p. 516, § 1; Ga. L. 1994, p. 1005, § 1; Ga. L. 1996, p. 469, § 3; Ga. L. 1997, p. 143, § 40; Ga. L. 1998, p. 1579, § 1; Ga. L. 1999, p. 276, § 1; Ga. L. 2000, p. 862, § 1; Ga. L. 2000, p. 951, § 5B-4; Ga. L. 2004, p. 716, § 2; Ga. L. 2005, p. 334, § 19-4/HB 501; Ga. L. 2016, p. 817, § 1/SB 458; Ga. L. 2011, p. 253, § 2/SB 88; Ga. L. 2015, p. 940, § 1/HB 325.



## **Emissions Exemptions**

Emissions inspections are required for vehicles registered in Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Paulding and Rockdale Counties and are tested at the time that the vehicle is registered or re-registered.

### **Diesel Vehicles:**

Diesel vehicles are not tested for emissions.

### **Exemptions:**

1. New vehicles for the newest three (3) MYs
2. Motor vehicles twenty-five (25) MYs old and older
3. Gray market vehicles, kit cars and hot rods are provided with non-conforming status if they were granted non-conforming status before December 31, 1998 and must only meet the exhaust emissions standards for 1975 MY vehicles and pass a two-speed idle inspection (vehicles that are newly registered in an enhanced inspection area after December 31, 1998: gray market vehicles must apply for non-conforming status, kit vehicles must have all required emission control systems for the MY shown on the vehicle's registration card and hot rods are not eligible for non-conforming status when being registered for the first time in an enhanced inspection area and must adhere to the EPA policy on engine switching)
4. Vehicles with a GVWR of more than 8,500 lbs