

House Bill 101 (AS PASSED HOUSE AND SENATE)

By: Representatives Ridley of the 6th, Houston of the 170th, Pirkle of the 155th, Corbett of the 174th, and Watson of the 172nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 40 and Code Section 48-5-504.40 of the Official Code of Georgia Annotated,
2 relating to motor vehicles and watercraft and all-terrain vehicles held in inventory for resale
3 exempt from ad valorem taxation for limited period of time, respectively, so as to revise
4 definitions relative to all-terrain vehicles; to provide for related matters; to repeal conflicting
5 laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles, is amended
9 in Code Section 40-1-1, relating to definitions, by revising paragraph (3), by repealing
10 paragraphs (8.01), (8.1), and (8.2) and by redesignating paragraph (8.3) as paragraph (8.1)
11 as follows:

12 "(3) 'All-terrain vehicle' means ~~any~~ a motorized vehicle ~~designed~~ originally manufactured
13 for off-road off-highway use which is equipped with four low-pressure three or more
14 nonhighway tires, a seat designed to be straddled by the operator, and handlebars for
15 steering is 80 inches or less in width with a dry weight of 2,500 pounds or less, and is
16 designed for or capable of cross-country travel on or immediately over land, water, snow,
17 ice, marsh, swampland, or other natural terrain."

18 **SECTION 2.**

19 Said title is further amended by revising Code Section 40-8-91.1, relating to marking and
20 equipment of all-terrain vehicles used as law enforcement vehicles, as follows:

21 "40-8-91.1.

22 (a) As used in this Code section, the term 'all-terrain vehicle' ~~means any motorized vehicle~~
23 ~~designed for off-road use which is equipped with four or more nonhighway tires and which~~
24 ~~is 50 inches or less in width~~ shall have the same meaning as provided for in paragraph (3)
25 of Code Section 40-1-1.

26 (b) Every all-terrain vehicle must comply with the equipment and marking specifications
27 set forth in this article before such vehicle can be used by law enforcement agencies and
28 officers upon the public roads of this state. All provisions of law relating to safe operation
29 of law enforcement or emergency vehicles shall be applied to the operation of such
30 all-terrain vehicles.

31 (c) Any all-terrain vehicle which is operated by law enforcement agencies and officers
32 upon the public roads of this state shall be registered and licensed in accordance with the
33 provisions of Code Section 40-2-37."

34 **SECTION 3.**

35 Code Section 48-5-504.40 of the Official Code of Georgia Annotated, relating to watercraft
36 and all-terrain vehicles held in inventory for resale exempt from ad valorem taxation for
37 limited period of time, is amended by revising subsection (a) as follows:

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

39 (1) 'All-terrain vehicle' ~~means any motorized vehicle designed for off-road use which is~~
40 ~~equipped with four low-pressure tires, a seat designed to be straddled by the operator, and~~
41 ~~handlebars for steering shall have the same meaning as provided for in paragraph (3) of~~
42 Code Section 40-1-1.

43 (2) 'Dealer' means any person who is engaged in the business of selling watercraft or
44 all-terrain vehicles at retail.

45 (3) 'Watercraft' means any vehicle which is self-propelled or which is capable of
46 self-propelled water transportation, or both."

47 **SECTION 4.**

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