

House Bill 101

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 paragraphs (3), (8.01), and (8.1)
10 as follows:

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

17 "(8.01) 'Class I all-terrain vehicle' means a motorized, off-highway recreational vehicle
18 50 inches or less in width with a dry weight of 1,200 pounds or less that travels on three
19 or more nonhighway tires ~~and is designed for or capable of cross-country travel on or~~
20 ~~immediately over land, water, sand, snow, ice, marsh, swampland, or other natural~~
21 ~~terrain.~~

22 (8.1) 'Class II all-terrain vehicle' means a motorized, off-highway recreational vehicle
23 which is not a class I all-terrain vehicle and which is ~~65~~ 80 inches or less in width with
24 a dry weight of ~~2,000~~ 2,500 pounds or less that travels on four or more nonhighway tires
25 ~~and is designed for or capable of cross-country travel on or immediately over land, water,~~
26 ~~sand, snow, ice, marsh, swampland, or other natural terrain."~~

27 **SECTION 2.**

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

30 "40-8-91.1.

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

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

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

43 **SECTION 3.**

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

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

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

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

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

56 **SECTION 4.**

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