



Lynnette T. Riley
Commissioner

State of Georgia
Department of Revenue
Legal Affairs & Tax Policy
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Frank M.
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Notice MVD 2016 - 001

RE: Proposed New Rules of the Department of Revenue, Motor Vehicle Division, Chapter 560-10-33:

TO ALL INTERESTED PERSONS AND PARTIES:

In compliance with O.C.G.A. § 50-13-4, the Georgia Department of Revenue gives notice that it proposes to adopt the following Rules:

560-10-33-.01, "Permissible Uses of Transporter Plates"
560-10-33-.02, "Reports or Lost or Stolen Transporter Plates"
560-10-33-.03, "Revocation Hearings"

Attached with this notice are exact copies and synopses of the proposed Rules. The aforementioned Rules are being proposed under the authority of O.C.G.A. §§ 40-2-12, 40-2-11-3, 40-2-38.1, and 48-2-12.

The Department of Revenue shall consider the adoption of the above-referenced proposed Rules at **10:00 a.m.**, on **December 12, 2016** in Suite 15200 of the Department's headquarters at 1800 Century Blvd. NE, Atlanta, GA 30345-3205.

The Department must receive all comments regarding the above-referenced proposed Rules from interested persons no later than 10:00 a.m. on December 12, 2016. Written comments must be sent to: Regulations Comments, Georgia Department of Revenue, 1800 Century Blvd. NE, Suite 15107, Atlanta, GA 30345-3205. Electronic comments must be sent to regcomments@dor.ga.gov. Facsimile comments must be sent to (404) 417-2293. **Please reference "Notice MVD 2016 - 001" on all comments.**

Dated: November 10, 2016


Lynnette T. Riley
Commissioner
Georgia Department of Revenue

SYNOPSIS

RULES OF DEPARTMENT OF REVENUE MOTOR VEHICLE DIVISION

CHAPTER 560-10-33-.01 Permissible Uses of Transporter Plates

560-10-33-.01

- This is a new Rule.
- This Rule provides for limitations on permissible uses of transporter license plates, and for retention and inspection of records.

**RULES
OF
DEPARTMENT OF REVENUE
MOTOR VEHICLE DIVISION**

**CHAPTER 560-10-33-.01
PERMISSIBLE USES OF TRANSPORTER PLATES**

560-10-33-.01 Permissible Uses of Transporter Plates

(a) A person engaged in the business of the limited operation of a motor vehicle or trailer for any of the following purposes may obtain a transporter plate authorizing the movement of the vehicle for the specific purpose:

(1) To facilitate the delivery of new or used motor vehicles, trucks, trailers, or buses between manufacturers, distributors, dealers, sellers, or purchasers;

(2) To move a mobile office, a mobile classroom, a mobile or manufactured home, or a house trailer;

(3) To drive a motor vehicle or pull a trailer that is part of the inventory of a dealer to and from a motor vehicle or trailer trade show or exhibition or to, during, and from a parade in which the motor vehicle or trailer is used; or

(4) To drive special mobile equipment in any of the following circumstances:

(A) From the manufacturer of the equipment to a facility of a dealer; or

(B) From one facility of a dealer to another facility of a dealer.

(b) Georgia transporter plates may only be used on vehicles

**RULES
OF
DEPARTMENT OF REVENUE
MOTOR VEHICLE DIVISION**

**CHAPTER 560-10-33-.01
PERMISSIBLE USES OF TRANSPORTER PLATES**

originating in or destined for the state of Georgia. Origin and destination must be verifiable through a bill of a sale, bill of lading, or similar documentation in the driver's possession while the vehicle is being transported. License plates may be confiscated by law enforcement if authorized and permissible use cannot be verified.

(c) Registrants are required to maintain detailed records of all employees and contractors authorized to use its plates. Such records must include a W-4 or W-9 and copy of the driver's license of each employee and contractor.

(1) Records must be maintained for all current employees and contractors. Records of previous employees and contractors must be retained for a period of two (2) years.

(2) Such records must be available for inspection to the Department of Revenue at any reasonable time during business hours.

(d) Registrants must maintain current, detailed records of all uses, including dates, origin, destination, and driver information. Registrants must be able to provide the current location and user of each plate at all times.

Authority: O.C.G.A. § § 40-2-11, 40-2-38.1, 48-2-12.

SYNOPSIS

**RULES
OF
DEPARTMENT OF REVENUE
MOTOR VEHICLE DIVISION**

**CHAPTER 560-10-33-.02
Reports of Lost or Stolen Transporter Plates**

560-10-33-.02

- This is a new Rule.
- This Rule provides for a process by which transporter license plate registrants must report lost or stolen transporter plates to the Department of Revenue.

**RULES
OF
DEPARTMENT OF REVENUE
MOTOR VEHICLE DIVISION**

**CHAPTER 560-10-33-.02
REPORTS OF LOST OR STOLEN TRANSPORTER
PLATES**

560-10-33-.02 Reports of Lost or Stolen Transporter Plates

(a) If a transporter plate issued pursuant to O.C.G.A. § 40-2-38.1 is lost or stolen, the registrant must immediately request a police report from the local law enforcement agency and submit such report to the Department.

(b) A separate police report must be obtained for each incident giving rise to the loss or theft of a plate. The facts and circumstances of the loss or theft must be included in the report.

Authority: O.C.G.A. § § 40-2-11, 40-2-38.1, 48-2-12.

SYNOPSIS

**RULES
OF
DEPARTMENT OF REVENUE
MOTOR VEHICLE DIVISION**

**CHAPTER 560-10-33-.03
Revocation Hearings**

560-10-33-.03

- This is a new Rule.
- This Rule provides for procedures by which registrations and license plates are revoked for unlawful use of transporter license plates.

**RULES
OF
DEPARTMENT OF REVENUE
MOTOR VEHICLE DIVISION**

**CHAPTER 560-10-33-.03
REVOCATION HEARINGS**

560-10-33-.03 Revocation Hearings

(a) Transporter plates shall be revoked and confiscated after a hearing if it is determined that a registrant or authorized user unlawfully used such plates for any purpose not expressly permitted by law, or failed to comply with any registration, use, reporting, or record keeping requirements. Violations may result in the suspension or revocation of a transporter registration or the restriction of the total number of plates issued to a registrant as determined by the Commissioner.

(b) Transporter plates confiscated by law enforcement may be reissued after a hearing, provided that the registrant can provide sufficient evidence that the plate was being used as allowed under O.C.G.A. § 40-2-38.1 by an authorized user at the time of confiscation.

Authority: O.C.G.A. § § 40-2-11, 40-2-38.1, 48-2-12.