

NOTICE OF INTENT TO ADOPT PROPOSED AMENDMENTS TO THE
GEORGIA STATE BOARD OF REGISTRATION OF USED MOTOR VEHICLE
DEALERS & USED MOTOR VEHICLE PARTS DEALERS RULES,
CHAPTER 681-8 FEES,
RULE 681-8-.01 FEES.
AND NOTICE OF PUBLIC HEARING

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia State Board of Board of Registration of Used Motor Vehicle Dealers & Used Motor Vehicle Parts Dealers (hereinafter "Board") proposes amendments to the Georgia State Board of Registration of Used Motor Vehicle Dealers & Used Motor Vehicle Parts Dealers Rules, Chapter 681-8, Fees, Rule 681-8-.01 Fees. (hereinafter "proposed rule amendments"). The proposed rule amendments include revisions to Rule 681-8-.01. The Board voted to post this notice of adoption and hearing at its board meeting on January 21, 2009.

The proposed rule amendments clarify the renewal periods for used motor vehicle dealers and used motor vehicle parts dealers, and the proposed amendments update the mailing address of the Board.

This notice, together with an exact copy of the proposed rule amendments and a synopsis of the proposed rule amendments, is being mailed to all persons who have requested, in writing, that they be placed on a mailing list. A copy of this notice, an exact copy of the proposed rule amendments, and a synopsis of the proposed rule amendments may be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. These documents will also be available for review on the Georgia State Board of Registration of Used Motor Vehicle Dealers & Used Motor Vehicle Parts Dealers' web page at <http://www.sos.ga.gov/plb/usedcar/>. Copies may also be requested by contacting the Georgia State Board of Registration of Used Motor Vehicle Dealers & Used Motor Vehicle Parts Dealers office at 478-207-2440.

A public hearing will be held at 9:00 a.m. on March 18, 2009 at the office of the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia to provide the public an opportunity to comment upon and provide input into the proposed rule amendments. At the public hearing anyone may present data, make a statement, comment or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements should be concise and will be limited to 5 minutes per person. Additional comments should be presented in writing. Written comments are welcome. Such written comments must be legible and signed, should contain contact information for the maker (address, telephone number and/or facsimile number, etc.) and be actually received in the office prior to the close of

business (5:00 p.m.) on March 11, 2009. Written comments should be addressed to Randall D. Vaughn, Division Director, Secretary of State, Professional Licensing Boards Division, Georgia State Board of Registration of Used Motor Vehicle Dealers & Used Motor Vehicle Parts Dealers, 237 Coliseum Drive, Macon, Georgia 31217. FAX: 478-314-9128.

The proposed rule amendments will be considered for adoption by the Georgia State Board of Registration of Used Motor Vehicle Dealers & Used Motor Vehicle Parts Dealers at its meeting on March 18, 2009 scheduled to begin at 9:30 a.m. at the office of the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia. The Georgia State Board of Registration of Used Motor Vehicle Dealers & Used Motor Vehicle Parts Dealers has the authority to adopt proposed rule amendments to Rule 681-8-.01 pursuant to authority contained in O.C.G.A. §§ 43-47-4, 43-47-6, and 43-47-8.

The Board will consider at its meeting on March 18, 2009 whether the formulation and adoption of this proposed rule amendment imposes excessive regulatory costs on any licensee or entity and whether any cost to comply with the proposed rule amendment could be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-47-4, 43-47-6, and 43-47-8.

Additionally, at its meeting on March 18, 2009, the Board will consider whether it is legal or feasible in meeting the objectives of O.C.G.A. §§ 43-47-4, 43-47-6, and 43-47-8 to adopt or implement differing actions for businesses as listed at O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D). The Board will consider whether the formulation and adoption of this proposed rule amendment will impact every licensee in the same manner when small businesses are independently owned and operated and not dominant in the field of used motor vehicle dealership.

For further information, contact the Board office at 478-207-2440.

This notice is given in compliance with O.C.G.A. § 50-13-4.

This 5th day of February, 2009.

Randall D. Vaughn
Division Director
Professional Licensing Boards

Posted: February 5, 2009

SYNOPSIS OF PROPOSED AMENDMENTS TO THE
GEORGIA STATE BOARD OF USED MOTOR VEHICLE DEALERS & USED
MOTOR VEHICLE PARTS DEALERS RULES,
CHAPTER 681-8 FEES, RULE 681-8-.01 FEES.

Purpose: The purpose of the proposed rule revision is to clarify the renewal periods for used motor vehicle dealers and used motor vehicle parts dealers and to update the mailing address of the Board.

Main Features: The main features provide distinctions and clarification between the renewal periods for used motor vehicle dealers and used motor vehicle parts dealers. The Board mailing address is also updated.

NOTE: Struck through text is proposed to be deleted. Underlined text is proposed to be added.

DIFFERENCES BETWEEN THE EXISTING RULE AND
THE PROPOSED AMENDMENTS TO THE
GEORGIA STATE BOARD OF USED MOTOR VEHICLE DEALERS & USED
MOTOR VEHICLE PARTS DEALERS RULES,
CHAPTER 681-8 FEES, RULE 681-8-.01 FEES.

681-8-.01 Fees.

(1) Each license issued by the Used Car Division shall expire on March 31 of each even numbered year and shall become invalid on that date. Each license issued by the Used Parts Division shall expire on December 31 of each odd numbered year and shall become invalid on that date.

(2) Fees will be charged according to the fee schedule, as determined by the Board. A copy of the current fee schedule of the Board may be obtained without charge online, in person or by writing to:

STATE BOARD OF REGISTRATION OF USED MOTOR VEHICLE
DEALERS AND USED MOTOR VEHICLE PARTS DEALERS

~~Used Motor Vehicle Division~~

~~166 Pryor Street, S.W.~~ 237 Coliseum Drive

~~Atlanta~~ Macon, Georgia ~~30303~~ 31217

A copy of the fee schedule shall be included with all copies of applications which the Division sends or gives to prospective applicants.

(3) Fees shall be set by the Board. The Board shall not change the amount of any fee unless it was announced at a previous Board meeting that a change in the fee schedule would be considered at the next board meeting. Changes in the fee schedule shall become effective immediately upon approval by the Board.

(4) As noted in the fee schedule, penalty fees may be imposed for doing business as a used motor vehicle dealer or a used parts dealer prior to issuance of a license by the appropriate Division.

(5) Penalty fees, in addition to the ~~reinstatement~~ renewal fee, may be required for renewal of a license which has expired if application is made within the two month period following expiration. Any request for reinstatement, after the two month period following expiration, will require that a new application and supporting documentation be submitted for the appropriate Division's review and that a penalty fee be paid in addition to the new application fee.

(6) Application for renewal of a Used Motor Vehicle Dealer license shall be made ~~between February 1 and~~ prior to March 31 of even number years, and fees will be payable at the time application is made. Application for renewal of a Used Parts Dealer license shall be made prior to December 31 of odd number years, and fees will be payable at the time application is made.

(7) Any indebtedness to the Division/Board caused by a returned check will be dealt with in accordance with criminal provisions in O.C.G.A. Section 16-9-20.

(8) In cases where an application is rejected by the Division, the applicant's license fee will be retained to cover the processing and administrative costs incurred in processing and reviewing the application.

Authority: OCGA §§ 43-47-4, 43-47-6, and 43-47-8