46-1-1 G

*** CODE SECTION *** 10/15/99

46-1-1.

As used in this title, the term:

(1) "Carrier" means a person who undertakes the transporting of goods or passengers for compensation.

(2) "Certificate" means a certificate of public convenience and necessity issued by the Public Service Commission pursuant to this title.

(3) "Commission" means the Public Service Commission.

(4) "Company" shall include a corporation, a firm, a partnership, an association, or an individual.

(5) "Electric utility" means any retail supplier of electricity whose rates are fixed by the commission.

(6) "For hire" means an activity wherein for compensation a motor vehicle and driver are furnished to a person by another person, acting directly or knowingly and willfully acting with another to provide the combined service of the vehicle and driver, and includes every person acting in concert with, under the control of, or under common control with a motor carrier who shall offer to furnish transportation for compensation.

(6.1) "Gas company" means any person certificated under Article 2 of Chapter 4 of this title to construct or operate any pipeline or distribution system, or any extension thereof, for the transportation, distribution, or sale of natural or manufactured gas.

(7) "Household goods" means any personal effects and property used or to be used in a dwelling when a part of the equipment or supplies of such dwelling; furniture, fixtures, equipment, and property of offices, stores, museums, institutions, hospitals, or other establishments when a part of the stock, equipment, or supplies of such stores, museums, institutions, hospitals, or other establishments; articles including objects of art, displays, exhibits, which, because of their unusual nature or value, require specialized handling and equipment usually employed in moving household goods.

(8) "Motor carrier of property" means a motor common or contract carrier engaged in transporting property, except household goods, in intrastate commerce in this state.

(9) "Motor contract carrier and motor common carrier" means as follows:

(A) "Motor contract carrier" means every person, except common carriers, owning, controlling, operating, or managing any motor propelled vehicle including the lessees or trustees of such persons or receivers appointed by any court used in the business of transporting persons or property for hire over any public
highway in this state and not operated exclusively within the corporate limits of any city.

(B) "Motor common carrier" means every person owning, controlling, operating, or managing any motor propelled vehicle, and the lessees, receivers, or trustees of such person, used in the business of transporting for hire of persons or property, or both, otherwise than over permanent rail tracks, on the public highways of Georgia as a common carrier.

(C) Except as otherwise provided in this subparagraph, the terms "motor common carrier" and "motor contract carrier" shall not include:

(i) Motor vehicles engaged solely in transporting school children and teachers to and from public schools and private schools;

(ii) Taxicabs, drays, trucks, buses, and other motor vehicles which operate within the corporate limits of municipalities and are subject to regulation by the governing authorities of such municipalities. This exception shall apply to taxicabs and buses even though such vehicles may, in the prosecution of their regular business, occasionally go beyond the corporate limits of such municipalities, provided that they do not operate to or from fixed termini outside of such limits and to any dray or truck which operates within the corporate limits of a city and is subject to regulation by the governing authority of such city or by the commission and which goes beyond the corporate limits only for the purpose of hauling chattels which have been seized under any court process;

(iii) Hotel passenger or baggage motor vehicles when used exclusively for patrons and employees of such hotel;

(iv) Motor vehicles operated not for profit with a capacity of 15 persons or less when they are used exclusively to transport elderly and disabled passengers or employees under a corporate sponsored van pool program, except that a vehicle owned by the driver may be operated for profit when such driver is traveling to and from his or her place of work provided each such vehicle carrying more than nine passengers maintains liability insurance in an amount of not less than $100,000.00 per person and $300,000.00 per accident and $50,000.00 property damage. For the purposes of this division, elderly and disabled passengers are defined as individuals over the age of 60 years or who, by reason of illness, injury, age, congenital malfunction, or other permanent or temporary incapacity or disability, are unable to utilize mass transportation facilities as effectively as persons who are not so affected;

(v) Granite trucks, where transportation from quarry to finishing plant involves not crossing more than two counties;

(vi) RFD carriers and star-route carriers which carry no more than nine passengers along with carriage of the United States mail, provided that such carriers shall not carry passengers on a route along which another motor carrier of passengers has a permit or a certificate to operate;

(vii) Motor trucks of railway companies which perform a pick-up and delivery service in connection with their freight train service, between their freight terminals and points not
more than ten miles distant, when either the freight terminal or such points, or both, are outside the limits of an incorporated city;

(viii) Motor vehicles owned and operated exclusively by the United States government or by this state or any subdivision thereof;

(ix) Single source leasing whereby a leasing company whose primary business is leasing vehicles and who operates a fleet of ten or more vehicles provides vehicle equipment and drivers in a single transaction to a private carrier. Such arrangement is presumed to result in private carriage by the shipper if the requirements enumerated below are met and subject only to the commission's transportation safety rules:

(I) The lease must be reduced to writing and a copy maintained on the leased vehicle at all times during the term of the lease;

(II) The period for which the lease applies must be no less than 30 days;

(III) The lease agreement must provide, and the surrounding facts must reflect, that the leased equipment is exclusively committed to the lessee's use for the term of the lease;

(IV) The lease agreement must provide, and the surrounding facts must reflect, that during the term of the lease the lessee accepts, possesses, and exercises exclusive dominion and control over the leased equipment and assumes complete responsibility for the operation of the equipment;

(V) The lessee must maintain public liability insurance and accept responsibility to the public for any injury caused in the course of performing the transportation service conducted by the lessee with the equipment during the term of the lease;

(VI) The lessee shall display appropriate identification on all equipment leased by it showing operation by the lessee during the performance of the transportation;

(VII) The lessee must accept responsibility for, and bear the cost of, compliance with safety regulations during performance by the lessee of any such transportation services; and

(VIII) The lessee must bear the risk of damage to the cargo, subject to any right of action the lessee may have against the lessor for the latter's negligence;

(x) Motor vehicles engaged exclusively in the transportation of agricultural or dairy products, or both, between farm, market, gin, warehouse, or mill, whether such motor vehicle is owned by the owner or producer of such agricultural or dairy products or not, so long as the title remains in the producer. For the purposes of this division, the term "producer" includes a landlord where the relations of landlord and tenant or landlord and cropper are involved. As used in this division, the term "agricultural products" includes fruit, livestock, meats, fertilizer, wood, lumber, cotton, and naval stores; household goods and supplies transported to farms for farm purposes; or other usual farm and dairy supplies,
including products of grove or orchard; poultry and eggs; fish and oysters; and timber or logs being hauled by the owner thereof or the owner's agents or employees between forest and mill or primary place of manufacture; provided, however, motor vehicles with a manufacturer's gross weight rated capacity of 44,000 pounds or more engaged solely in the transportation of unmanufactured forest products shall be subject to the Georgia Forest Products Trucking Rules which shall be adopted and promulgated by the commission only for application to such vehicles and vehicles defined in subparagraph (A) of paragraph (13) of this Code section; provided, further, that pulpwood trailers and pole trailers with a manufacturer's gross weight rated capacity of 10,001 pounds or more engaged solely in the transportation of unmanufactured forest products shall have two amber side marker reflectors on each side of the trailer chassis between the rear of the tractor cab and the rearmost support for the load. All such reflectors shall be not less than four inches in diameter. Such rules and any amendments thereto adopted by the commission shall be subject to legislative review in accordance with the provisions of Code Section 46-2-30, and, for the purposes of such rules and any amendments thereto, the Senate Committee on Natural Resources and the House Committee on Natural Resources and Environment shall be the appropriate committees within the meaning of said Code Section 46-2-30. The first such rules adopted by the commission shall be effective July 1, 1991;

(xii) Motor vehicles engaged in the transportation of unmanufactured agricultural products, dairy products, poultry and processed poultry, nursery stock, sod grass, potting soil, pine bark nuggets, dry fertilizer, flue-cured tobacco, soybean meal, pine bark, wood chips, shavings, sawdust, or feedstuff for livestock and poultry, including feedstuff ingredients, provided that such vehicles do not haul or transport other commodities on the same vehicle at the same time not exempt by law from the regulations of the commission; motor vehicles commonly known as tow trucks or wreckers, designed and exclusively used in the business of towing abandoned, disabled, and wrecked vehicles and replacement vehicles therefor or otherwise rendering assistance to abandoned, disabled, and wrecked vehicles; except that any operator of such a vehicle is required to register the exempt operation with the commission, register and identify any of its vehicles, and become subject to the commission's liability insurance and vehicle and hazardous materials safety rules;

(xii) Motor vehicles engaged in compensated intercorporate hauling whereby transportation of property is provided by a person who is a member of a corporate family for other members of such corporate family, provided:

(I) The parent corporation notifies the commission of its intent or the intent of one of the subsidiaries to provide the transportation;

(II) The notice contains a list of participating subsidiaries and an affidavit that the parent corporation owns directly or indirectly a 100 percent interest in each of the subsidiaries;

(III) A copy of the notice is carried in the cab of all vehicles conducting the transportation; and

(IV) The transportation entity of the corporate family
registers the compensated intercorporate hauling operation with the commission, registers and identifies any of its vehicles, and becomes subject to the commission's liability insurance and motor carrier and hazardous materials transportation rules.

For the purpose of this division, the term "corporate family" means a group of corporations consisting of a parent corporation and all subsidiaries in which the parent corporation owns directly or indirectly a 100 percent interest;

(xiii) Vehicles, except limousines, transporting not more than ten persons for hire, except that any operator of such a vehicle is required to register the exempt operation with the commission, register and identify any of its vehicles, and become subject to the commission's liability insurance and vehicle safety rules;

(xiv) Any dump truck or transit mixer vehicle used exclusively in the transportation of sand, gravel, crushed stone, fill dirt, borrow pit materials, plant mix road materials, plant mix concrete, or road base materials; except that any operator of such a vehicle is required to register the exempt operation with the commission, register and identify any of its vehicles, and become subject to the commission's liability insurance and vehicle and hazardous materials safety rules; or

(xv) Ambulances.

(10) "Passenger" means a person who travels in a public conveyance by virtue of a contract, either express or implied, with the carrier as to the payment of the fare or that which is accepted as an equivalent therefor. The prepayment of fare is not necessary to establish the relationship of passenger and carrier; although a carrier may demand prepayment of fare if persons enter his or her vehicle by his or her permission with the intention of being carried; in the absence of such a demand, an obligation to pay fare is implied on the part of the passenger, and the reciprocal obligation of carriage of the carrier arises upon the entry of the passenger.

(11) "Permit" means a registration permit issued by the Public Service Commission authorizing interstate transportation for hire exempt from the jurisdiction of the Interstate Commerce Commission or intrastate transportation for hire exempt from the jurisdiction of the Public Service Commission or intrastate transportation by a motor carrier of property.

(12) "Person" means any individual, partnership, trust, private or public corporation, municipality, county, political subdivision, public authority, cooperative, association, or public or private organization of any character.

(13) "Private carrier" means every person except motor common carriers or motor contract carriers owning, controlling, operating, or managing any motor propelled vehicle, and the lessees or trustees thereof or receivers appointed by any court whatsoever, used in the business of transporting persons or property in private transportation not for hire over any public highway in this state. The term "private carrier" shall not include:

(A) Motor vehicles not for hire engaged solely in the harvesting
or transportation of forest products; provided, however, that motor vehicles not for hire with a manufacturer's gross weight rated capacity of 44,000 pounds or more engaged solely in the transportation of unmanufactured forest products shall be subject only to the Georgia Forest Products Trucking Rules provided for in division (9)(C)(x) of this Code section;

(B) Motor vehicles not for hire engaged solely in the transportation of road-building materials;

(C) Motor vehicles not for hire engaged solely in the transportation of unmanufactured agricultural or dairy products between farm, market, gin, warehouse, or mill whether such vehicle is owned by the owner or producer of such agricultural or dairy products or not, so long as the title remains in the producer; or

(D) Except for the motor vehicles excluded under subparagraph (C) of this paragraph, motor vehicles having a manufacturer's gross vehicle weight rating of 10,000 pounds or less; provided, however, that motor vehicles which have a manufacturer's gross vehicle weight rating of 10,000 pounds or less and which are transporting hazardous materials, as the term "hazardous materials" is defined in Title 49 C.F.R., Parts 107, 171-173, and 177-178, shall be included within the meaning of the term "private carrier."

(14) "Public highway" means every public street, road, highway, or thoroughfare of any kind in this state.

(15) "Railroad corporation" or "railroad company" means all corporations, companies, or individuals owning or operating any railroad in this state. This title shall apply to all persons, firms, and companies, and to all associations of persons, whether incorporated or otherwise, that engage in business as common carriers upon any of the lines of railroad in this state, as well as to railroad corporations and railroad companies as defined in this Code section.

(16) "Rate," when used in this title with respect to an electric utility, means any rate, charge, classification, or service of an electric utility or any rule or regulation relating thereto.

(17) "Utility" means any person who is subject in any way to the lawful jurisdiction of the commission.

(18) "Vehicle" or "motor vehicle" means any vehicle, machine, tractor, trailer, or semitrailer propelled or drawn by mechanical power and used upon the highways in the transportation of passengers or property, or any combination thereof, determined by the Public Service Commission.
46-7-85.1 G

*** CODE SECTION ***  10/15/99

46-7-85.1.

As used in this article, the term:

(1) "Certificate" means a certificate of public convenience and necessity issued by the Public Service Commission.

(2) "Chauffeur" means any person with a Georgia state driver's license who meets the qualifications as prescribed in Code Section 46-7-85.10 and who is authorized by the Public Service Commission to drive a limousine under this article.

(3) "Commission" means the Public Service Commission.

(4) "Limousine" means any motor vehicle that meets the manufacturer's specifications for a luxury limousine with a designed seating capacity for no more than ten passengers and with a minimum of five seats located behind the operator of the vehicle, and which does not have a door at the rear of the vehicle designed to allow passenger entry or exit; further, no vehicle shall be permitted to be operated both as a taxicab and a limousine.

(5) "Limousine carrier" means any person operating a service regularly rendered to the public by furnishing transportation as a motor common carrier for hire, not over fixed routes, by means of limousines, or extended limousines, on the basis of telephone contract or written contract.

(6) "Person" means any individual, firm, partnership, corporation, company, association, or joint-stock association, and includes any trustee, receiver, assignee, or personal representative thereof.

(7) "Public highway" means every public street, road, or highway in this state.
46-7-85.3 G
*** CODE SECTION *** 10/15/99

46-7-85.3.

No person may engage in the business of a limousine carrier over any public highway in this state without first having obtained from the commission a certificate of public convenience and necessity to do so.
46-7-85.4 G
*** CODE SECTION *** 10/15/99

46-7-85.4.

(a) The commission shall prescribe the form of the application for the certificate and shall prescribe such reasonable requirements as to notice, publication, proof of service, maintenance of adequate liability insurance coverage, and information as may, in its judgment, be necessary and may establish fees as part of such certificate process.

(b) A certificate shall be issued to any qualified applicant, provided that such applicant is a limousine carrier business domiciled in this state, authorizing the operations covered by the application if it is found that the applicant is fit, willing, and able to perform properly the service and conform to the provisions of this article and the rules and regulations of the commission and has not been convicted of any felony as such violation or violations are related to the operation of a motor vehicle.
46-7-85.5 G

*** CODE SECTION *** 10/15/99

46-7-85.5.

(a) It shall be the duty of the commission to regulate limousine carriers with respect to the safety of equipment.

(b) The commission shall perform safety and mechanical inspections at least on an annual basis for each vehicle owned and operated by a limousine carrier.
46-7-85.6 G  
*** CODE SECTION ***  10/15/99

46-7-85.6.

No certificate issued under this article may be leased, assigned, or otherwise transferred or encumbered unless authorized by the commission.
46-7-85.7 G
*** CODE SECTION *** 10/15/99

46-7-85.7.

The commission may cancel, revoke, or suspend any certificate issued under this article on any of the following grounds:

(1) The violation of any of the provisions of this article;

(2) The violation of an order, decision, rule, regulation, or requirement established by the commission pursuant to this article;

(3) Failure of a limousine carrier to pay a fee imposed on the carrier within the time required by law or by the commission;

(4) Failure of a limousine carrier to maintain required insurance in full force and effect; and

(5) Failure of a limousine carrier to operate and perform reasonable services.
46-7-85.8 G

*** CODE SECTION *** 10/15/99

46-7-85.8.

After the cancellation or revocation of a permit or during the period of its suspension, it is unlawful for a limousine carrier to conduct any operations as such a carrier.
Pursuant to rules and regulations prescribed by the commission, each chauffeur employed by a limousine carrier shall register with the commission and secure a permit as a limousine chauffeur. A chauffeur's permit issued under this subsection shall be upon a form prescribed by the commission and shall bear thereon a distinguishing number assigned to the permittee, the full name and a photograph of the permittee, and such other information or identification as is required by the commission. Every chauffeur employed by a limousine carrier shall have his or her chauffeur's permit in his or her immediate possession at all times while operating a limousine. All applications for a chauffeur's permit shall be accompanied by such fee as the commission shall prescribe. The chauffeur's permit shall be valid for two calendar years. The commission may issue a chauffeur's permit by mail.
In order to secure a chauffeur's permit, an applicant must provide the following information on a form provided by the commission. The applicant must:

(1) Be at least 18 years of age;

(2) Possess a valid Georgia driver's license which must have been held for a minimum period of one year prior to application, and said license must not be limited as defined in Code Section 40-5-64; and

(3)(A) Not have been convicted, been on probation or parole, or served time on a sentence for a period of five years previous to the date of application for the violation of any of the following criminal offenses of this state or any other state or of the United States: criminal homicide, rape, aggravated battery, mayhem, burglary, aggravated assault, kidnapping, robbery, driving a motor vehicle while under the influence of intoxicating beverages or drugs, child molestation, any sex related offense, leaving the scene of an accident, criminal solicitation to commit any of the above, any felony in the commission of which a motor vehicle was used, perjury or false swearing in making any statement under oath in connection with the application for a chauffeur's permit, any law involving violence or theft, or possession, sale, or distribution of narcotic drugs, barbituric acid derivatives, or central nervous system stimulants; provided, however, that all applicants shall be entitled to the full benefits of Article 3 of Chapter 8 of Title 42, relating to first offender probation.

(B) If at the time of application the applicant is charged with any of the offenses prescribed in subparagraph (A) of this paragraph, consideration of the application shall be suspended until entry of a plea or verdict or dismissal. For purposes of this paragraph, a plea of nolo contendere to any of the offenses set out in this paragraph shall constitute a conviction.
46-7-85.11 G
*** CODE SECTION *** 10/15/99

46-7-85.11.

The State of Georgia fully occupies and preempts the entire field of regulation over limousine carriers as regulated by this article; provided, however, that the governing authority of any county or municipal airport shall be authorized to permit any limousine carrier doing business at any such airport and may establish fees as part of such permitting process; provided, further, that counties and municipalities may enact ordinances and regulations which require limousine carriers which are domiciled within their boundaries to pay business license fees.
46-7-85.12 G

*** CODE SECTION *** 10/15/99

46-7-85.12.

A limousine carrier operating under a certificate issued by the commission shall be required to file with the commission a tariff of rates and charges.
46-7-85.13 G
*** CODE SECTION *** 10/15/99

46-7-85.13.

Before the commission shall enter any order, regulation, or requirement directed against any limousine carrier, such carrier shall first be given reasonable notice and an opportunity to be heard on the matter.
A limousine carrier may obtain a temporary permit for a period of 21 consecutive days beginning and ending on the dates specified on the face of the permit. Temporary permits shall be obtained by limousine carriers which make only infrequent trips within and through this state. The fee for each temporary certificate shall be $100.00 per week and $20.00 for each vehicle. No temporary permit shall be issued without the commission having first received satisfactory proof that it meets the insurance requirements of the rules and regulations of the commission. A temporary permit shall be carried in the motor vehicle for which it was issued at all times such vehicle is in this state. The commission may issue a temporary permit by facsimile message or letter. Any chauffeur operating a limousine under a temporary permit issued pursuant to this Code section shall be required to obtain a chauffeur's permit.
Each limousine carrier which registers any vehicle under this article shall, for each such certificated vehicle, affix to the center of the front bumper of each such certificated vehicle a standard size license plate bearing the following information: (1) limousine company name, (2) city and state of principal domicile, (3) company telephone number, and (4) the vehicle classification, IE-1. The cost for such license plate shall be the sole responsibility of the limousine carrier and must be placed on each certificated vehicle prior to said vehicle being placed in service and no later than May 1, 1994, for all such vehicles currently owned and to be registered and operated by a limousine carrier.
46-7-85.16 G
*** CODE SECTION *** 10/15/99

46-7-85.16.

Any person doing business in this state as a limousine carrier who is registered as such with the commission as of May 1, 1994, shall be entitled to be issued a certificate required under this article by the commission authorizing such person to continue doing business as a limousine carrier provided that such person submits a proper application and pays the required fees.
The commission shall promulgate such rules and regulations as are necessary to effectuate and administer the provisions of this article.
46-7-90 G
*** CODE SECTION *** 10/15/99

46-7-90.

(a) The Governor is authorized and directed to negotiate and consummate, with the proper authorities of the several states of the United States, the District of Columbia, and the territories and possessions of the United States, valid and binding reciprocal agreements whereby residents of such states, the District of Columbia, and the territories and possessions of the United States, operating motor vehicles as motor common carriers and motor contract carriers properly licensed and registered in their respective jurisdictions, may have the same or substantially the same privileges or exemptions in the operation of their motor vehicles in this state as residents of this state may have and enjoy in the operation, in such other jurisdictions, of their motor vehicles properly licensed and registered in this state. Notwithstanding any other provision of law to the contrary, the Governor may likewise negotiate and consummate valid and binding reciprocal agreements with the proper authorities of said jurisdictions relating to the suspension, revocation, cancellation, and reinstatement of motor vehicle drivers' licenses. In the making of such agreements, due regard shall be had for the benefit and convenience of the motor vehicle owners and other citizens of this state.

(b) The Governor may likewise enter into agreements or arrangements with the duly authorized representatives of other jurisdictions relating to the proportional registration of commercial vehicles in interstate or intrastate commerce. The Governor may adopt and promulgate such rules and regulations as shall be necessary to effectuate and administer the provisions contained in this article.

(c) The Governor, or a commission appointed by him, and the Public Service Commission shall give proper publicity to the terms of every reciprocal agreement entered into by them or by either of them pursuant to this article; and they are authorized and empowered to promulgate rules and regulations for the observance and enforcement of the terms of such agreement, which rules and regulations shall have the force and effect of law.
The commission is authorized to negotiate and consummate with the proper authorities of other states reciprocal agreements whereby residents of such states who are operating motor common carriers or motor contract carriers licensed in their respective states may be granted the same privileges and exemptions of the operation of said motor vehicles in this state as residents of this state may have and enjoy in such other states in the operation of motor vehicles duly licensed in this state. The commission is authorized only to enter into reciprocal agreements insofar as the qualifications enforced, licenses issued, and fees collected by it are concerned; and in making such reciprocal agreements, the commission shall have due regard for the advantage and convenience of the citizens of this state.
46-7-92 G
*** CODE SECTION *** 10/15/99

46-7-92.

Any and all reciprocal agreements entered into by the commission shall be subject to confirmation by Act or resolution of the General Assembly and shall not be of force and effect until the passage of such and its approval by the Governor, except such agreements as may be entered into while the General Assembly is not in session; in which case the same shall be submitted by the commission to the General Assembly not later than the tenth day of its next session; whereupon the General Assembly may confirm or reject such agreements by appropriate Act or resolution approved by the Governor; but pending passage and approval of such Act or resolution of confirmation or rejection, the agreements made during the adjournment of the General Assembly shall be of full force and effect according to their terms.
46-7-93 G

*** CODE SECTION *** 10/15/99

46-7-93.

All reciprocal agreements entered into by the commission while the General Assembly is not in session shall be approved by the Governor. No reciprocal agreement shall be made or approved under this article except that manifest advantage will accrue therefrom to the citizens of this state.
Nothing in this article shall be construed to authorize the Governor or his designee to make reciprocal agreements concerning the licenses issued and fees collected by the commission.
46-7-100 G
*** CODE SECTION *** 10/15/99

46-7-100.

(a) Any motor common carrier or motor contract carrier operating in intrastate or interstate commerce in this state under authority granted by the commission or the Interstate Commerce Commission may obtain a motor vehicle safety inspection of any of its vehicles domiciled in Georgia upon written request to the commission and upon payment of a $5.00 inspection fee per vehicle for which a safety inspection is performed.

(b) The commission will arrange for inspection of any vehicle as expeditiously as possible. Inspections will be performed at a place or places and at times mutually agreed upon by the motor common carrier or motor contract carrier and the commission.

(c) Upon completion of the vehicle safety inspection by the commission personnel or, in the case of deficiencies, upon completion of repairs of all deficiencies found during the inspection and noted on the inspection report, the commission shall issue to the motor common carrier or motor contract carrier a decal certifying that the vehicle was inspected by the commission and meets the motor carrier vehicle safety regulations of the commission.

(d) Each decal issued shall be valid for 12 months and shall contain an expiration date.
46-7-101 G
*** CODE SECTION *** 10/15/99

46-7-101.

(a) Any private carrier operating in this state may obtain a motor vehicle safety inspection of any of its vehicles domiciled in Georgia upon written request to the commission and upon payment of a $5.00 inspection fee per vehicle for which a safety inspection is performed.

(b) The commission will arrange for inspection of any vehicle as expeditiously as possible. Inspections will be performed at a place or places and at times mutually agreed upon by the private carrier and the commission. In addition and incidental to the powers of enforcement personnel to inspect such motor vehicles of private carriers and to determine whether such vehicles are complying with safety requirements, such enforcement personnel shall have the responsibility and power to arrest any person who is committing an unlawful act in violation of Article 2 of Chapter 13 of Title 16, the "Georgia Controlled Substances Act," or Article 3 of Chapter 13 of Title 16, the "Dangerous Drug Act."

(c) Upon completion of the vehicle safety inspection by the commission personnel or, in the case of deficiencies, upon completion of repairs of all deficiencies found during the inspection and noted on the inspection report, the commission shall issue to the private carrier a decal certifying that the vehicle was inspected by the commission and meets the same vehicle safety regulations required by the commission for motor common carriers or motor contract carriers.

(d) Each decal issued shall be valid for 12 months and shall contain an expiration date.