



Honorable Nathan Deal
Governor

Department of Public Safety

Colonel Mark W. McDonough
Commissioner

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ADMINISTRATIVE ORDER

WHEREAS: Pursuant to O.C.G.A. § 40-1-8(b), the Commissioner shall have the authority to promulgate rules and regulations for the safe operation of motor carriers, the safe operation of commercial motor vehicles and drivers, and the safe transportation of hazardous materials consistent with the Constitution of the United States and of this State, the Official Code of Georgia Annotated and other laws of this State;

WHEREAS: Pursuant to O.C.G.A. § 40-1-8(c)(1), the adoption of rules and regulations governing the safe operations of motor carriers, commercial motor vehicles and drivers, and the safe transportation of hazardous materials are exempt from the procedural requirements of Chapter 13 of Title 50 of the Official Code of Georgia, the "Georgia Administrative Procedure Act;"

WHEREAS: The Commissioner of the Department of Public Safety may, through administrative order, by referencing compatible federal regulations or standards, adopt the rules and regulations described herein which shall be maintained on file by the Department of Public Safety and made available for inspection and copying by the public, by means including but not limited to posting on the department's Internet site;

WHEREAS: The Motor Carrier Compliance Division has completed a review of the Georgia Transportation Rule Book as a result of said review certain changes to the Georgia Transportation Rule Book are required;

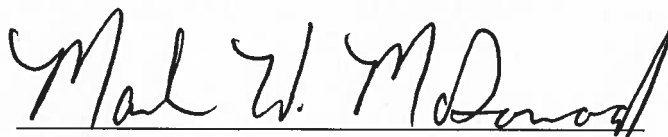
ORDERED: Chapter 6, "Civil Penalties," of the Transportation Rules of the Department of Public Safety 6-3, Amount of Civil Penalties, is amended as follows:

Subsection (d) "may" is deleted and replaced with "shall" and O.C.G.A. § 46-2-91 is deleted from "Authority";

ORDERED: Chapter 6, "Civil Penalties," of the Transportation Rules of the Department of Public Safety 6-6, Failure to Pay Assessed Penalties, is amended to read as follows:

"(a) If the carrier or person fails to remit to the Department the assessed penalties set forth in the Notice of Noncompliance upon the expiration of the thirty (30) day notice period or fails to do so after the final decision imposing the penalties is rendered, the Department may, pursuant to O.C.G.A. § 40-1-8(d), refer the case to the Attorney General's Office to initiate an action for the recovery of the penalties in the Superior Court of the county where the principal place of business of the penalized company is located or in the superior court of the county where the action giving rise to the penalty occurred."

SO ORDERED this 8TH day of DECEMBER, 2014.



Colonel Mark W. McDonough, Commissioner