

House Bill 1022

By: Representatives Borders of the 177th, Shaw of the 176th, Black of the 178th, Boggs of the 168th and Coleman of the 142nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated,
2 relating to prestige license plates and special plates for certain persons and vehicles, so as to
3 provide for a special license plate honoring the Boy Scouts of America; to provide for
4 issuance, renewal, fees, licensing agreements, applications, and transfers relative to such
5 special license plates, to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to
9 prestige license plates and special plates for certain persons and vehicles, is amended by
10 adding a new Code Section 40-2-86.7 to read as follows:

11 "40-2-86.7.

12 (a) There shall be issued beginning in 2003 special license plates honoring the Boy Scouts
13 of America.

14 (b) The commissioner shall prepare a special distinctive license plate of a design which
15 shall include the insignia of the Boy Scouts of America. Such special license plate shall
16 be of the same size and general design as general issue motor vehicle license plates. Such
17 plates shall include a unique identifying number not exceeding seven characters, provided
18 that no two recipients receive identical plates. It shall not be a requirement that a county
19 name decal be affixed and displayed on license plates issued under this Code section.

20 (c) Subject to subsection (d) of this Code section, any motor vehicle owner who is a
21 resident of Georgia, other than one registering under the International Registration Plan,
22 upon complying with state laws relating to registration and licensing of motor vehicles and
23 payment of a manufacturing fee of \$25.00 in addition to the regular motor vehicle
24 registration fee, shall be issued such a special license plate upon application therefor.

1 Special license plates issued under this Code section shall be renewed annually with a
2 revalidation decal as provided in Code Section 40-2-31 upon payment of an additional
3 \$25.00 annual registration fee, which fee shall be collected by the county tag agent at the
4 time of collection of other registration fees and remitted to the state as provided in Code
5 Section 40-2-34.

6 (d)(1) Notwithstanding the foregoing provisions of this Code section, this Code section
7 shall not be implemented until such time as the State of Georgia has, through a licensing
8 agreement or otherwise, received such licenses or other permissions as may be required for
9 the use of the insignia of the Boy Scouts of America or as may otherwise be necessary or
10 appropriate to implement this Code section. The commissioner is authorized, on behalf of
11 the state, to accept and execute the licensing agreements with the Boy Scouts of America
12 allowing the Boy Scouts of America to be the beneficiary of and receive \$25.00 of each
13 such manufacturing fee as consideration for permission to use such insignia, provided that
14 the Boy Scouts of America agree to distribute such funds to their local area councils within
15 this state, apportioned in accordance with the origin of sale of each such plate; and
16 provided, further, that the state shall bear the cost of the manufacture of each such license
17 plate. The commissioner may charge fees, take other actions, and agree to or impose terms
18 and conditions which might normally be envisioned in licensing and cross-licensing
19 agreements for the use of designs and similar intellectual property. Without limitation, the
20 commissioner may agree to allow to others the exclusive or nonexclusive use of the design
21 of the special license plate. The design of the special license plate, excepting only the
22 insignia of the Boy Scouts of America and any other part of the design owned by others
23 and licensed to the state, shall be owned solely by the State of Georgia for its exclusive use
24 and control, except as authorized by the commissioner. The commissioner may take such
25 steps as may be necessary to give notice of and protect such right, including the copyright.
26 However, such steps shall be cumulative of the ownership and exclusive use and control
27 established by this subsection as a matter of law and no person shall reproduce or otherwise
28 use such design, except as authorized by the commissioner.

29 (2) The commissioner shall retain all applications for such special license plates until a
30 minimum of 500 applications has been received. If the commissioner does not receive the
31 required minimum of 500 applications no later than July 31 of the year preceding the year
32 of issuance of such plates, no such special plates shall be issued, and all fees shall be
33 refunded to applicants. Such license plates shall be issued in compliance with state laws
34 relating to registration and licensing of motor vehicles.

35 (e) License plates issued pursuant to this Code section shall be transferred between
36 vehicles as provided in Code Section 40-2-80."

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- SECTION 2.**
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- All laws and parts of laws in conflict with this Act are repealed.