

House Bill 259

By: Representatives Powell of the 23<sup>rd</sup> and Parham of the 122<sup>nd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to  
2 registration and licensing of vehicles, so as to provide for a special license plate promoting  
3 waterfowl conservation and recognizing Ducks Unlimited; to provide for purposes, design,  
4 applications, fees, issuance, revenues, renewals, and transfers; to change certain provisions  
5 relating to space for county name decal; to provide for related matters; to repeal conflicting  
6 laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and  
10 licensing of vehicles, is amended by adding a new Code Section 40-2-86.6 to read as follows:

11 "40-2-86.6.

12 (a) In order to promote and financially provide for conservation, restoration, and  
13 enhancement of waterfowl populations and the habitats upon which they depend by the  
14 Wildlife Resources Division of the Georgia Department of Natural Resources, there shall  
15 be issued beginning January 1, 2002, special license plates recognizing Ducks Unlimited  
16 of Georgia.

17 (b) The commissioner shall design a special distinctive license plate appropriate for the  
18 purposes provided by this Code section. Such special license plate shall be of the same size  
19 as general issue motor vehicle license plates and shall include a unique design and an  
20 identifying number of not more than six digits. No two recipients shall receive identically  
21 numbered plates. Such design shall not include a space for a county name decal but shall  
22 instead bear the legend 'Ducks Unlimited' in lieu of the name of the county of issuance.

23 (c) Notwithstanding the provisions of subsection (b) of this Code section, this Code section  
24 shall not be implemented until such time as the State of Georgia has, through a licensing  
25 agreement or otherwise, received such license or other permission as may be required to  
26 implement this Code section. The design of the initial edition of such special license plate,

1 as well as the design of subsequent editions and excepting only any part or parts of the  
2 designs owned by others and licensed to the state, shall be owned solely by the State of  
3 Georgia for its exclusive use and control, except as authorized by the commissioner. The  
4 commissioner may take such steps as may be necessary to give notice of and protect such  
5 right, including the copyright or copyrights. However, such steps shall be cumulative of the  
6 ownership and exclusive use and control established by this subsection as a matter of law,  
7 and no person shall reproduce or otherwise use such design or designs, except as authorized  
8 by the commissioner.

9 (d) On and after January 1, 2002, any Georgia resident who is the owner of a motor  
10 vehicle, except a vehicle registered under the International Registration Plan, upon  
11 complying with the motor vehicle laws relating to registration and licensing of motor  
12 vehicles and upon the payment of a fee of not more than \$25.00 in addition to the regular  
13 motor vehicle registration fee, shall be issued a special license plate under this Code section  
14 in lieu of a general issue license plate. Any application for such special license plate shall  
15 be submitted during the owner's registration period, and such special license plate shall be  
16 issued within 30 days of such application. Revalidation decals shall, upon payment of fees  
17 required by law and collected by the county tag agent and remitted to the state as provided  
18 in Code Section 40-2-34, be issued for such special license plates in the same manner as  
19 provided for general issue license plates.

20 (e) The funds derived from the sale of such special license plates, less a \$1.00 processing  
21 fee which shall be granted to county tag offices per plate sold and less the actual  
22 manufacturing cost of the plates, shall be deposited in the general fund of the state treasury.  
23 As soon as practicable after the end of each fiscal year, the commissioner shall report the  
24 net amount derived from the sale of such special license plates to the Office of Planning  
25 and Budget and the Department of Natural Resources. It is the intent of the General  
26 Assembly that, subject to appropriation, an amount equal to the net proceeds derived from  
27 the sale of such license plates in any fiscal year shall be made available during the  
28 following fiscal year to supplement waterfowl restoration programs of the Wildlife  
29 Resources Division of the Department of Natural Resources. Such programs may include  
30 the creation or rehabilitation of waterfowl habitat areas on state managed wildlife lands,  
31 education programs, technical assistance to private landowners in the creation and  
32 maintenance of waterfowl habitats on their lands, and projects to encourage public support  
33 for the license plate and the activities it funds. The Department of Natural Resources shall  
34 monitor the response of the waterfowl populations to any such habitat conservation  
35 activities to determine their effectiveness.

36 (f) Special license plates issued under this Code section shall be transferred from one  
37 vehicle to another vehicle in accordance with the provisions of Code Section 40-2-80.

1 (g) The Department of Natural Resources shall submit a report to the chairpersons of the  
 2 Senate Natural Resources Committee and the House Committee on Game, Fish and Parks  
 3 detailing the revenues derived from the sale of special license plates issued under this Code  
 4 section and the receipt and expenditure of any funds appropriated for the purposes provided  
 5 by this Code section. Such report shall be made not later than the second Monday of  
 6 January of each year."

7 **SECTION 2.**

8 Said chapter is further amended by striking Code Section 40-2-81, relating to space for  
 9 county name decal, and inserting in lieu thereof the following:

10 "~~40-2-81~~ 40-2-9.

11 ~~(a) Except as provided in subsection (b) of this Code section, any Any metal five-year~~  
 12 ~~special, distinctive, or prestige license plate, except those provided for in Code Section~~  
 13 ~~40-2-61, Code Section 40-2-62, and Code Section 40-2-82 or as otherwise expressly~~  
 14 ~~provided in this chapter, issued or reissued as authorized in this article from and after July~~  
 15 ~~1, 1985, shall contain a space for a county name decal; and the provisions of this chapter~~  
 16 ~~relative to county name decals shall be applicable to all such license plates.~~

17 ~~(b) The requirements of subsection (a) of this Code section shall apply to the following on~~  
 18 ~~or after January 1, 1990:~~

19 ~~(1) License plates provided for in Code Section 40-2-38;~~

20 ~~(2) License plates provided for in Code Sections 40-2-63 through 40-2-77; or~~

21 ~~(3) License plates issued to school buses, ambulances, or forest products haulers."~~

22 **SECTION 3.**

23 Said chapter is further amended by reserving the designation of Code Section 40-2-81.

24 **SECTION 4.**

25 All laws and parts of laws in conflict with this Act are repealed.