

AS PASSED SENATE

The Senate Veterans and Consumer Affairs Committee offered the following substitute to HB 183:

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 change the provisions relating to special and
3 distinctive license plates for veterans; to provide that motor vehicle owners who retired from
4 active duty with the armed forces of the United States shall be issued upon application for
5 and upon compliance with the state motor vehicle laws relating to registration and licensing
6 of motor vehicles a retired veteran's license plate; to provide that one such retired veteran's
7 license plate shall be issued without the requisite registration fee, manufacturing fee, or
8 annual registration fee; to provide for the issuance of additional license plates upon the
9 payment of certain fees; to provide for a special license plate promoting trout conservation
10 and recognizing Trout Unlimited; to provide for purposes, design, applications, fees,
11 issuance, revenues, renewals, and transfers; to change certain provisions relating to space
12 for county name decal; to provide for related matters; to provide an effective date; to repeal
13 conflicting laws; and for other purposes.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

15 Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and
16 licensing of vehicles, is amended by striking in its entirety Code Section 40-2-85.1, relating
17 to special and distinctive license plates for veterans, and inserting in lieu thereof a new Code
18 Section 40-2-85.1 to read as follows:
19

20 "40-2-85.1.

21 (a)(1) Motor vehicle owners who are retired veterans of the armed forces of the United
22 States or persons who served during World War I, World War II, the Korean War, the
23 Vietnam War, or Operation Desert Storm shall be eligible to receive special and
24 distinctive vehicle license plates for private passenger cars, trucks, or recreational
25 vehicles used for personal transportation. Such license plates shall be issued in

1 compliance with the state motor vehicle laws relating to registration and licensing of
2 motor vehicles as prescribed in Article 2 of this chapter.

3 (2)(A) Motor vehicle owners who retired from active duty with the armed forces of the
4 United States shall be issued upon application for and upon compliance with the state
5 motor vehicle laws relating to registration and licensing of motor vehicles a retired
6 veteran's license plate. One such retired veteran's license plate shall be issued without
7 the requisite registration fee, manufacturing fee, or annual registration fee.

8 (B) Each retired member of the armed forces shall be entitled to no more than one such
9 free license plate at a time; provided, however, that upon payment of a manufacturing
10 fee of \$25.00, a member shall be entitled to one additional such license plate. For each
11 additional license plate for which a \$25.00 manufacturing fee is required, there shall be
12 an additional annual registration fee of \$25.00 which fee shall be collected by the
13 county tag agent at the time of collection of other registration fees and shall be remitted
14 to the state as provided in Code Section 40-2-34.

15 ~~(b) A veteran who qualifies for the special and distinctive license plate pursuant to~~
16 ~~subsection (a) of this Code section shall make application therefor with the commissioner~~
17 ~~and include the requisite fee. The commissioner shall design a retired veteran's license~~
18 ~~plate or a distinctive license plate to commemorate service by the United States armed~~
19 ~~forces in wars listed in subsection (a) of this Code section. The commissioner shall~~
20 ~~promulgate such rules and regulations as may be necessary to enforce compliance with all~~
21 ~~state license laws relating to the use and operation of private passenger cars and trucks~~
22 ~~before issuing these license plates in lieu of the regular Georgia license plates. The~~
23 ~~manufacturing fee for such special and distinctive license plates shall be \$25.00. The~~
24 ~~commissioner is specifically authorized to promulgate all rules and regulations necessary~~
25 ~~to ensure compliance in instances where such vehicles have been transferred or sold.~~
26 ~~Except as provided in subsection (d) of this Code section, such plates shall be~~
27 ~~nontransferable.~~

28 (c) The special and distinctive vehicle license plates shall be as prescribed in Article 2 of
29 this chapter for private passenger cars or trucks used for personal transportation. Such
30 plates shall contain such words or symbols, in addition to the numbers and letters
31 prescribed by law, so as to identify distinctively the owners as retired veterans of the armed
32 forces of the United States or persons who served during World War I, World War II, the
33 Korean War, the Vietnam War, or Operation Desert Storm and shall additionally, for such
34 plates manufactured after July 1, 2001, identify distinctly the owner as a veteran of one of
35 the following branches of the armed forces: Army, Navy, Marines, Air Force, or Coast
36 Guard.

1 (d) The license plate issued pursuant to this Code section shall be transferred between
 2 vehicles as provided in Code Section 40-2-80. The spouse of a deceased retired veteran
 3 of the armed forces of the United States or of a deceased person who served during World
 4 War I, World War II, the Korean War, the Vietnam War, or Operation Desert Storm shall
 5 continue to be eligible to be issued a distinctive personalized license plate as provided in
 6 this Code section for any vehicle owned by such veteran ownership of which is transferred
 7 to the surviving spouse or for any other vehicle owned by such surviving spouse either at
 8 the time of the qualifying veteran's death or acquired thereafter, so long as such person
 9 does not remarry.

10 (e) Special license plates issued under this Code section, except as provided in
 11 subparagraph (a)(2)(A) of this Code section, shall be renewed annually with a revalidation
 12 decal as provided in Code Section 40-2-31 upon payment of an additional \$25.00 annual
 13 registration fee which fee shall be collected by the county tag agent at the time of collection
 14 of other registration fees and remitted to the state as provided in Code Section 40-2-34. It
 15 shall be a requirement that a county name decal shall be affixed and displayed on license
 16 plates issued under this Code section."

17 SECTION 2.

18 Said chapter is further amended by adding a new Code Section 40-2-86.6 to read as follows:

19 "40-2-86.6.

20 (a) In order to promote and financially provide for conservation, restoration, and
 21 enhancement of trout populations and the habitats upon which they depend by the Wildlife
 22 Resources Division of the Georgia Department of Natural Resources, there shall be issued
 23 beginning January 1, 2002, special license plates recognizing Trout Unlimited of Georgia.

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

30 (c) Notwithstanding the provisions of subsection (b) of this Code section, this Code section
 31 shall not be implemented until such time as the State of Georgia has, through a licensing
 32 agreement or otherwise, received such license or other permission as may be required to
 33 implement this Code section. The design of the initial edition of such special license plate,
 34 as well as the design of subsequent editions and excepting only any part or parts of the
 35 designs owned by others and licensed to the state, shall be owned solely by the State of
 36 Georgia for its exclusive use and control, except as authorized by the commissioner. The

1 commissioner may take such steps as may be necessary to give notice of and protect such
2 right, including the copyright or copyrights. However, such steps shall be cumulative of the
3 ownership and exclusive use and control established by this subsection as a matter of law,
4 and no person shall reproduce or otherwise use such design or designs, except as authorized
5 by the commissioner.

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

17 (e) The funds derived from the sale of such special license plates, less a \$1.00 processing
18 fee which shall be granted to county tag offices per plate sold, shall be deposited in the
19 general fund of the state treasury. As soon as practicable after the end of each fiscal year,
20 the commissioner shall report the net amount derived from the sale of such special license
21 plates, not including actual manufacturing costs, to the Office of Planning and Budget and
22 the Department of Natural Resources. It is the intent of the General Assembly that, subject
23 to appropriation, an amount equal to such net proceeds derived from the sale of such
24 license plates in any fiscal year shall be made available during the following fiscal year to
25 supplement trout restoration and management programs of the Wildlife Resources Division
26 of the Department of Natural Resources. Such programs may include trout hatchery
27 operations, stocking or restocking of trout in waters of the state, rehabilitation of trout
28 habitat areas on state managed wildlife lands, education programs, technical assistance to
29 private landowners in the rehabilitation and maintenance of trout habitats on their lands,
30 and projects to encourage public support for the license plate and the activities it funds. The
31 Department of Natural Resources shall monitor the response of the trout populations to any
32 such habitat conservation activities to determine their effectiveness.

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

35 (g) The Department of Natural Resources shall submit a report to the chairpersons of the
36 Senate Natural Resources Committee and the House Committee on Game, Fish and Parks
37 detailing the revenues derived from the sale of special license plates issued under this Code

1 section and the receipt and expenditure of any funds appropriated for the purposes provided
 2 by this Code section. Such report shall be made not later than the second Monday of
 3 January of each year."

4 SECTION 3.

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

7 "~~40-2-81~~ 40-2-9.

8 (a) ~~Except as provided in subsection (b) of this Code section, any~~ Any metal five-year
 9 special, distinctive, or prestige license plate, except those provided for in Code Section
 10 40-2-61, Code Section 40-2-62, and Code Section 40-2-82 or as otherwise expressly
 11 provided in this chapter, ~~issued or reissued as authorized in this article from and after July~~
 12 ~~1, 1985~~, shall contain a space for a county name decal; and the provisions of this chapter
 13 relative to county name decals shall be applicable to all such license plates.

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

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

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

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

19 SECTION 4.

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

21 SECTION 5.

22 This Act shall become effective January 1, 2002.

23 SECTION 6.

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