

House Bill 214

By: Representatives Heard of the 70<sup>th</sup>, Post 3, Cooper of the 30<sup>th</sup>, Hugley of the 113<sup>th</sup>, Floyd of the 69<sup>th</sup>, Post 2 and Marin of the 66<sup>th</sup>

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 Thanks Mom and Dad Fund; 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 40-2-86.9 to read as follows:

11 "40-2-86.9.

12 (a) There shall be issued beginning in 2004 special license plates honoring the Thanks  
13 Mom and Dad Fund, which honors Georgia's parents, grandparents, and mentors by  
14 supporting aging programs.

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

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

1 revalidation decal as provided in Code Section 40-2-31 upon payment of an additional  
2 \$25.00 annual registration fee, which fee shall be collected by the county tag agent at the  
3 time of collection of other registration fees and remitted to the state as provided in Code  
4 Section 40-2-34.

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

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

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

## 34 SECTION 2.

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