

House Bill 902

By: Representative Smyre of the 111<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 2 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated,  
2 relating to motor vehicle registration and licensing generally, so as to change certain  
3 provisions relating to license plates commemorating colleges or universities; to repeal  
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Article 2 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to  
8 motor vehicle registration and licensing generally, is amended by striking Code Section  
9 40-2-32, relating to license plates commemorating colleges or universities, and inserting in  
10 lieu thereof the following:

11 "40-2-32.

12 (a) The commissioner shall design a personalized prestige special license plate to be issued  
13 commemorating a public or private college or university, which license plate shall be  
14 similar in design to the ~~license plate~~ personalized prestige license plates issued to ~~all other~~  
15 ~~residents of the state~~ under Code Section 40-2-60 except that the logo or emblem of the  
16 college or university shall be placed immediately to the left of the letters and numbers on  
17 the license plate. The name of the college or university shall be imprinted on such special  
18 license plate in lieu of the county name decal.

19 (b) Any resident motor vehicle owner desiring a personalized prestige special license plate  
20 commemorating a college or university shall submit to the commissioner a completed  
21 application form for such institution with a \$25.00 manufacturing fee in addition to the  
22 regular motor vehicle registration fee. Upon complying with the motor vehicle registration  
23 and licensing laws and the requirements of this subsection and subject to the restriction in  
24 subsection (c) of this Code section, a resident motor vehicle owner shall be issued a  
25 personalized prestige special license plate.

1 (c) The commissioner shall retain all applications received for each such college or  
 2 university until a minimum of ~~500~~ 250 applications ~~have~~ has been received. After receipt  
 3 of ~~500~~ 250 applications for a commemorative license plate for a particular college or  
 4 university, the commissioner will then design a license plate for such college or university.  
 5 If the commissioner does not receive the required minimum of ~~500~~ 250 applications no  
 6 later than July 31 of the year preceding the year of issuance of such plates, the  
 7 commissioner shall not accept any applications for such institution, and all fees shall be  
 8 refunded to applicants.

9 (d) ~~Special Personalized prestige special~~ license plates issued under this Code section shall  
 10 be renewed annually with a revalidation decal, as provided in Code Section 40-2-31, upon  
 11 payment of an additional \$25.00 annual registration fee, which fee shall be collected by the  
 12 county tag agent at the time of collection of other registration fees and shall be remitted to  
 13 the state as provided in Code Section 40-2-34. ~~Special Personalized prestige special~~ license  
 14 plates issued under this Code section shall be transferred between vehicles as provided in  
 15 Code Section 40-2-42.

16 (e)(1) Notwithstanding the foregoing provisions of this Code section, no license plate  
 17 commemorating a particular private college or university shall be issued under this Code  
 18 section until such time as the State of Georgia has, through a licensing agreement or  
 19 otherwise, received such licenses or other permissions as may be required for the use of  
 20 the logo or emblem of such private college or university.

21 (2) Notwithstanding the foregoing provisions of this Code section, no license plate  
 22 commemorating a particular public college or university shall be issued under this Code  
 23 section until such time as the State of Georgia has entered into an agreement with a  
 24 foundation for such public college or university whereby the foundation agrees to provide  
 25 marketing services to the state designed to promote sales of the license plate  
 26 commemorating such public college or university.

27 (3) The commissioner is authorized, on behalf of the state, to accept and execute any  
 28 agreement specified in paragraph (1) or (2) of this subsection allowing the state to be the  
 29 beneficiary of and to receive \$10.00 of each such manufacturing fee, less a \$2.00  
 30 processing fee which shall be granted to county tag offices per plate sold, and allowing  
 31 the private college or university being commemorated or the foundation for the public  
 32 college or university being commemorated to be the beneficiary of and to receive \$15.00  
 33 of each such manufacturing fee. The commissioner may charge fees, make payments,  
 34 take other actions, and agree to or impose terms and conditions which might normally be  
 35 envisioned in such licensing or marketing agreements. Without limitation, the  
 36 commissioner may agree to allow others the exclusive or nonexclusive use of the design  
 37 of the license plate. The design of the license plate, excepting only any part of the design

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

8 **SECTION 2.**

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