

Senate Bill 283

By: Senators Adelman of the 42nd, Balfour of the 9th, Reed of the 35th, Henson of the 41st, Clay of the 37th and Lamutt of the 21st

AS PASSED SENATE

**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 special motor vehicle license plates, so as to provide for special plates to promote
3 "Share the Road" messages for motorists and bicyclists and to benefit programs related to
4 such motorists and bicyclists; to provide for the design and issuance of such plates; to
5 provide for fees; to provide for reports and intent with respect to funds; to provide for other
6 related matters; to repeal conflicting laws; and for other purposes.

7 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

8 **SECTION 1.**

9 Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to
10 special motor vehicle license plates, is amended by adding a new Code Section 40-2-86.9 to
11 read as follows:

12 "40-2-86.9.

13 (a) In order to promote and provide for motorist and bicyclist safety and interaction
14 education and awareness programs and media campaigns; adult and child bicycling safety
15 training, workshops, and educational materials; assistance in forming local bicycle advisory
16 committees; law enforcement education and implementation programs for policing by
17 bicycle and policing to improve bicycling conditions; and 'share the road/yield to
18 bicycles/bicyclists may use full lane' sign installations through the Governor's Office of
19 Highway Safety, there shall be issued beginning January 1, 2004, special license plates
20 promoting and benefitting such efforts, which shall be known as the 'Share the Road'
21 Motorists and Bicyclists special license plate.

22 (b) The Governor's Office of Highway Safety shall design a special distinctive license
23 plate in conjunction with the Southern Bicycle League and Bicycle Ride Across Georgia
24 appropriate to promote the message of motorists and bicyclists safely and courteously
25 sharing the roadway. Such design shall not be limited in the size and location of the
26 sharing the road message graphic. Such special license plate shall be of the same size as

1 general issue motor vehicle license plates and shall include a unique design and an
2 identifying number of not more than six digits. No two recipients shall receive identically
3 numbered plates. Such design shall not include a space for a county name decal but shall
4 instead bear the legend 'Share the Road' in lieu of the name of the county of issuance.

5 (c)(1) Notwithstanding the provisions of subsection (b) of this Code section, this Code
6 section shall not be implemented until such time as the State of Georgia has, through a
7 licensing agreement or otherwise, received such license or other permission as may be
8 required to implement this Code section. The design of the initial edition of such special
9 license plate, as well as the design of subsequent editions and excepting only any part or
10 parts of the designs owned by others and licensed to the state, shall be owned solely by
11 the State of Georgia for its exclusive use and control, except as authorized by the
12 commissioner. The commissioner may take such steps as may be necessary to give notice
13 of and protect such right, including the copyright or copyrights. However, such steps shall
14 be cumulative of the ownership and exclusive use and control established by this
15 subsection as a matter of law, and no person shall reproduce or otherwise use such design
16 or designs, except as authorized by the commissioner.

17 (2) The commissioner shall retain all applications for such special license plates until a
18 minimum of 500 applications has been received. If the commissioner does not receive
19 the minimum of 500 applications no later than July 31 of the year preceding the year of
20 issuance of such plates, no special plates shall be issued and all fees shall be refunded to
21 the applicants. If a performance bond is required, it shall be no greater than the amount
22 of \$12,500.00.

23 (d) On and after January 1, 2004, any Georgia resident who is the owner of a motor
24 vehicle, except a vehicle registered under the International Registration Plan, upon
25 complying with the motor vehicle laws relating to registration and licensing of motor
26 vehicles and upon the payment of a fee of not more than \$25.00 in addition to the regular
27 motor vehicle registration fee and a one-time \$25.00 manufacturing fee, shall be issued a
28 special license plate under this Code section in lieu of a general issue license plate. An
29 application for such special license plate shall be submitted during the owner's registration
30 period, and such special license plate shall be issued within 30 days of such application.
31 Revalidation decals shall, upon payment of fees required by law and collected by the
32 county tag agent and remitted to the state as provided in Code Section 40-2-34, be issued
33 for such special license plates in the same manner as provided for general issue license
34 plates.

35 (e) The annual funds derived from the sale of such special license plates, less a \$1.00
36 processing fee which shall be granted to county tag offices per plate sold and less the
37 one-time \$25.00 manufacturing fee, shall be deposited in the general fund of the state

1 treasury. As soon as practicable after December 31 of each year, the commissioner shall
2 report the net amount derived from the sale of such special license plates, not including the
3 one-time manufacturing fees, to the Office of Planning and Budget and the Governor's
4 Office of Highway Safety. It is the intent of the General Assembly that the General
5 Assembly appropriate an amount equal to such net proceeds derived from the sale of such
6 license plates in any year to be made available during the following fiscal year to the
7 Governor's Office of Highway Safety. The Governor's Office of Highway Safety shall
8 utilize the funds so appropriated to provide for motorist and bicyclist safety and interaction
9 education and awareness programs and media campaigns; adult and child bicycling safety
10 training, workshops, and educational materials; assistance in forming local bicycle advisory
11 committees; law enforcement education and implementation programs for policing by
12 bicycle and policing to improve bicycling conditions; and 'share the road/yield to
13 bicycles/bicyclists may use full lane' sign installations. The Governor's Office of Highway
14 Safety may enter in to contractual agreements, as may be appropriate, to further such
15 objectives. The Governor's Office of Highway Safety may provide said funds for use as
16 local or minimum matching funds.

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

19 (g) The Governor's Office of Highway Safety shall submit a report to the chairpersons of
20 the Senate Transportation Committee and the House Committee on Transportation
21 detailing the revenues derived from the sale of special license plates issued under this Code
22 section and the receipt and expenditure of any funds appropriated for the purposes provided
23 by this Code section. Such report shall be made not later than the second Monday of
24 January of each year."

25 SECTION 2.

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