

House Bill 1549

By: Representatives Bridges of the 7th, O'Neal of the 117th, Purcell of the 122nd, Burkhalter of the 36th, Buck of the 112th, and others

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 motor vehicles, so as to provide for special license plates
3 supporting Rotary International; to provide for issuance, renewal, fees, licensing agreements,
4 applications, and transfers relative to such license plates; to provide for related matters; to
5 repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and
9 licensing of motor vehicles, is amended by adding a new Code Section 40-2-86.9 to read as
10 follows:

11 "40-2-86.9.

12 (a) There shall be issued beginning in 2005 special and distinctive vehicle license plates
13 supporting Rotary International, subject to the conditions set forth in this Code section.

14 (b) The commissioner, in cooperation with Rotary International, shall design special
15 distinctive license plates to support Rotary International. The license plates must be of the
16 same size as general issue motor vehicle license plates and shall include a unique design
17 and identifying number, whereby the total number of characters does not exceed six. No
18 two recipients shall receive identically numbered plates. The graphic on the special license
19 plate shall be placed to the left of the alphanumeric characters and shall be no larger than
20 three inches by three inches. The license plate shall display the phrase 'Service Above Self'
21 above and the numbers '1905-2005' below the logo of Rotary International. Such design
22 shall not provide space in which to indicate the name of the county of issuance. The
23 organization may request the assignment of the first of 100 in a series of license plates
24 upon payment of an additional initial registration fee of \$25.00 for each license plate
25 requested.

1 (c) Notwithstanding the foregoing provisions of this Code section, this Code section shall
2 not be implemented until such time as the State of Georgia has, through a licensing
3 agreement or otherwise and at no cost to the state, received such licenses or other
4 permissions as may be required for the use of the Rotary International logo or as may
5 otherwise be necessary or appropriate to implement this Code section. No royalty, license
6 fee, or other moneys shall be paid to any organization or its licensor for the use by the state
7 of such logo or design on license plates authorized by this Code section. The
8 commissioner may charge fees, take other actions, and agree to or impose terms and
9 conditions which might normally be envisioned in licensing and cross-licensing agreements
10 for the use of designs and similar intellectual property. Without limitation, the
11 commissioner may agree to allow to others the exclusive or nonexclusive use of the design
12 of the special license plate. The design of the special license plate, excepting only the
13 Rotary International logo and motto 'Service Above Self' and the years 1905-2005 and any
14 other part of the design owned by others and licensed to the state, shall be owned solely by
15 the State of Georgia for its exclusive use and control, except as authorized by the
16 commissioner. The commissioner may take such steps as may be necessary to give notice
17 of and protect such right, including the copyright. However, such steps shall be cumulative
18 of the ownership and exclusive use and control established by this subsection as a matter
19 of law and no person shall reproduce or otherwise use such design, except as authorized
20 by the commissioner.

21 (d) Beginning in calendar year 2005, any Georgia resident who is the owner of a motor
22 vehicle, except a vehicle registered under the International Registration Plan, upon
23 complying with the motor vehicle laws relating to registration and licensing of motor
24 vehicles and upon the payment of a manufacturing fee of \$25.00 in addition to the regular
25 motor vehicle registration fee shall be issued a license plate supporting Rotary
26 International. Revalidation decals shall be issued for such license plates in the same
27 manner as provided for general issue license plates.

28 (e) An applicant may request a license plate supporting Rotary International at any time
29 during the applicant's registration period. If such a license plate is to replace a current
30 valid license plate, such license plate shall be issued with appropriate decals attached.

31 (f) No special license plate authorized pursuant to this Code section shall be issued except
32 upon the receipt by the department of at least 1,000 applications. The special license plate
33 shall have an application period of two years after the effective date of this Code section,
34 for payment of the manufacturing fee. After such time if the minimum number of
35 applications is not met, the department shall not continue to accept the manufacturing fee,
36 and all fees shall be refunded to applicants.

1 (g) The department shall not be required to continue to manufacture the special license
2 plate if the number of active registrations falls below 500 registrations at any time during
3 the five-year period as provided in subsection (b) of Code Section 40-2-31. A current
4 registrant may continue to renew such special license plate during his or her annual
5 registration period upon payment of an additional \$25.00 annual special tag fee which fee
6 shall be collected by the county tag agent at the time of collection of other registration fees
7 and shall be remitted to the state as provided in Code Section 40-2-34. The department
8 may continue to issue such special license plates that it has in its inventory to assist in
9 achieving the minimum number of registrations. If the special license plate falls below 500
10 active registrations at any time during the five-year period as provided in subsection (b) of
11 Code Section 40-2-31, the department must receive 1,000 applications accompanied by the
12 manufacturing fee to continue to manufacture the license plate.

13 (h) Rotary International license plates shall be transferred from one vehicle to another
14 vehicle in accordance with the provisions of Code Section 40-2-80.

15 (i) Rotary International license plates shall be issued within 30 days of application once
16 the requirements of this Code section have been met."

17 **SECTION 2.**

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