

House Bill 274 (COMMITTEE SUBSTITUTE)

By: Representatives Jordan of the 83rd, Birdsong of the 104th, Hill of the 81st, Thomas of the 43rd, Post 1, Mobley of the 58th, and others

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 change certain provisions relating to special license plates for persons who are retired from
4 any branch of the active reserve components and the Georgia National Guard; to provide for
5 special and distinctive license plates for retired veterans of the active reserve components or
6 the National Guard; to provide for special and distinctive license plates for persons who
7 served during certain wars; to provide for related matters; to repeal conflicting laws; and for
8 other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

11 Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to
12 prestige license plates and special plates for certain persons and vehicles, is amended by
13 striking subsections (a) and (b) of Code Section 40-2-65, relating to special license plates for
14 members of the active reserve components of the United States, and inserting in their places
15 the following:

16 "~~(a)(1)~~ Motor vehicle owners who are assigned or attached members of troop program
17 units of any branch of the active reserve components of the United States inside or outside
18 the State of Georgia shall be eligible to receive free motor vehicle license plates for private
19 passenger cars, motorcycles, or trucks used for personal transportation. Motor vehicle
20 owners who are members of any National Guard unit in a state adjoining the State of
21 Georgia and for whom there is no National Guard unit in the county of their residence shall
22 be eligible to receive free motor vehicle plates for private passenger cars, motorcycles, or
23 trucks used for personal transportation to identify such vehicle owner as a reservist. Such
24 license plates shall be issued in compliance with the state motor vehicle laws relating to
25 registration and licensing of motor vehicles as prescribed in Article 2 of this chapter. No
26 person shall be entitled to more than one free motor vehicle license plate for any calendar

1 year; provided, however, that, upon payment of the regular license fee provided for in Code
2 Section 40-2-151 and a manufacturing fee of \$25.00, a reservist shall be entitled to receive
3 one additional such license plate. For each additional license plate for which an initial
4 \$25.00 fee was required, there shall be an additional annual registration fee of \$25.00,
5 which fee shall be collected by the county tag agent at the time of collection of other
6 registration fees and shall be remitted to the state as provided in Code Section 40-2-34.
7 Additional words or symbols in addition to numbers and letters prescribed by law shall be
8 inscribed upon such license plates so as to identify distinctively the owner as a member of
9 one of the following branches of the United States military reserve: Army, Navy, Marines,
10 Air Force, or Coast Guard. The commanding officer of each active reserve component
11 program unit or the adjutant general of the National Guard unit of each neighboring state
12 shall, upon request of any reserve member or National Guard member of that unit,
13 respectively, furnish to that member approved documentation supporting the member's
14 current membership in the respective reserve or National Guard unit. This documentation
15 shall be presented annually to the tax commissioner of the county in which the reserve
16 member or National Guard member applies for the special license plate under this Code
17 section and upon subsequent reregistration for each succeeding year.

18 ~~(2) Motor vehicle owners who are retired from any branch of the active reserve~~
19 ~~components whose active reservists are eligible to obtain free motor vehicle license plates~~
20 ~~under paragraph (1) of this subsection, upon application for license plates and upon~~
21 ~~compliance with the state motor vehicle laws relating to registration and licensing of~~
22 ~~motor vehicles as prescribed under Article 2 of this chapter, shall be issued, free of~~
23 ~~charge, a license plate as prescribed in that article for private passenger cars, motorcycles,~~
24 ~~or trucks used for personal transportation. Each such retired member shall be entitled to~~
25 ~~no more than one such free plate for any calendar year, provided, however, that, upon~~
26 ~~payment of the regular license fee provided for in Code Section 40-2-151 and a~~
27 ~~manufacturing fee of \$25.00, a retired member shall be entitled to receive one additional~~
28 ~~such license plate. For each additional license plate for which an initial \$25.00 fee was~~
29 ~~required, there shall be an additional annual registration fee of \$25.00, which fee shall be~~
30 ~~collected by the county tag agent at the time of collection of other registration fees and~~
31 ~~shall be remitted to the state as provided in Code Section 40-2-34. The license plates~~
32 ~~issued pursuant to this paragraph shall, in addition to the numbers and letters prescribed~~
33 ~~by law, be identical to those issued pursuant to paragraph (1) of this subsection to~~
34 ~~members of the branch of the active reserve component from which that person retired.~~
35 ~~The commanding officer of each active reserve component program unit shall, upon~~
36 ~~request of any retired reserve member from that unit, furnish to that retired member~~
37 ~~approved documentation supporting the retired member's current retired membership~~

1 ~~status from that reserve unit. This documentation shall be presented to the tax~~
 2 ~~commissioner of the county in which the retired reserve member applies for the special~~
 3 ~~license plate under this Code section.~~

4 (b)(1) Upon transfer of the ownership of a private passenger vehicle upon which there
 5 is a license plate distinctively identifying the owner thereof as a member of one of the
 6 components of the United States military reserve, ~~whether the owner is an active or~~
 7 ~~retired reservist~~, and acquisition by the reservist of another motor vehicle, the license
 8 plate issued pursuant to this Code section shall be placed on such newly acquired motor
 9 vehicle, and such reservist shall notify the commissioner of such transfer of the license
 10 plate to such newly acquired motor vehicle in such manner as the commissioner may
 11 prescribe by regulation. No transfer or cancellation fee shall be charged for the transfer
 12 of free reservist license plates. There shall be a transfer and cancellation fee of \$5.00 for
 13 the transfer of any other reservist license plate.

14 (2) Should an active reservist who has been issued a license plate or license plates be
 15 discharged or otherwise separated, ~~except by retirement~~, from his or her reserve unit, the
 16 immediate commanding officer of such active reservist shall obtain the discharged
 17 member's license plate or license plates at the time of the discharge and shall forward
 18 same to the commissioner along with a certificate to the effect that such person has been
 19 discharged, and thereupon the commissioner shall issue a regular license plate, at no
 20 additional charge, to such former reservist to replace the reservist plate or plates. Should
 21 an active reservist enlist or be commissioned after purchasing a regular license plate for
 22 his or her current registration period, the commanding officer of the unit in which such
 23 person enlists or is commissioned shall likewise secure the regular license plate of such
 24 person and return same to the commissioner, along with a certificate to the effect that
 25 such person has been enlisted or commissioned in a troop program unit of the reserve
 26 components, and the effective date thereof, whereupon the commissioner shall issue a
 27 reservist license plate, at no extra charge, to such new member to replace the returned
 28 regular plate. Upon such request for a change in plate for a discharged reservist or a
 29 newly enlisted reservist, the commanding officer shall furnish such member with a copy
 30 of the commanding officer's letter to the commissioner requesting the appropriate change
 31 in plate, which copy of such letter may be used by such member pending the issuance of
 32 the new plate."

33 SECTION 2.

34 Said article is further amended by striking subsections (a) and (b) Code Section 40-2-66,
 35 relating to special license plates for members of Georgia National Guard, and inserting in its
 36 place the following:

H. B. 274 (SUB)

1 "(a)(1) Motor vehicle owners who are members of the Georgia National Guard, upon
2 application for license plates and upon compliance with the state motor vehicle laws
3 relating to registration and licensing of motor vehicles as prescribed under Article 2 of this
4 chapter, shall be issued, free of charge, a license plate, as prescribed in that article for
5 private passenger cars, motorcycles, or trucks used for personal transportation. Each
6 member of the Georgia National Guard shall be entitled to no more than one such free plate
7 at a time; provided, however, that, upon payment of the regular license fee provided for in
8 Code Section 48-10-2 and a manufacturing fee of \$25.00, a member shall be entitled to one
9 additional such license plate. For each additional license plate for which an initial \$25.00
10 fee was required, there shall be an additional annual registration fee of \$25.00 which fee
11 shall be collected by the county tag agent at the time of collection of other registration fees
12 and shall be remitted to the state as provided in Code Section 40-2-34. Additional words
13 or symbols, in addition to the numbers and letters prescribed by law, shall be inscribed
14 upon such license plates so as to identify distinctively the owner as a member of the
15 Georgia National Guard. The adjutant general of Georgia shall, upon request of any
16 member of that National Guard unit, furnish to that member approved documentation
17 supporting the member's current membership in that National Guard unit. This
18 documentation shall be presented annually to the tax commissioner of the county in which
19 the National Guard member applies for the special license plate under this Code section
20 and upon subsequent reregistration for each succeeding year.

21 ~~(2) Motor vehicle owners who are retired members of the Georgia National Guard, upon~~
22 ~~application for license plates and upon compliance with the state motor vehicle laws~~
23 ~~relating to registration and licensing of motor vehicles as prescribed under Article 2 of~~
24 ~~this chapter, shall be issued, free of charge, a license plate as prescribed in that article for~~
25 ~~private passenger cars, motorcycles, or trucks used for personal transportation. Each~~
26 ~~retired member of the Georgia National Guard shall be entitled to no more than one such~~
27 ~~free plate at a time; provided, however, that, upon payment of the regular license fee~~
28 ~~provided for in Code Section 48-10-2 and a manufacturing fee of \$25.00, a member shall~~
29 ~~be entitled to one additional such license plate. For each additional license plate for which~~
30 ~~an initial \$25.00 fee was required, there shall be an additional annual registration fee of~~
31 ~~\$25.00 which fee shall be collected by the county tag agent at the time of collection of~~
32 ~~other registration fees and shall be remitted to the state as provided in Code Section~~
33 ~~40-2-34. The license plates issued pursuant to this paragraph shall, in addition to the~~
34 ~~numbers and letters prescribed by law, be identical to those issued pursuant to paragraph~~
35 ~~(1) of this subsection. The adjutant general of Georgia shall, upon request of any member~~
36 ~~retired from that National Guard unit, furnish to that retired member approved~~
37 ~~documentation supporting the member's retired membership status in that National Guard~~

1 ~~unit. This documentation shall be presented annually to the tax commissioner of the~~
 2 ~~county in which the retired National Guard member applies for the special license plate~~
 3 ~~under this Code section and upon subsequent reregistration for each succeeding year.~~

4 (b) Upon transfer of the ownership of a private passenger vehicle upon which there is a
 5 license plate bearing the words 'National Guard' and acquisition by the member ~~or retired~~
 6 ~~member~~ of the National Guard of another motor vehicle, the license plate issued pursuant
 7 to this Code section shall be placed on such newly acquired motor vehicle and such
 8 member ~~or retired member~~ shall notify the commissioner of such transfer of the license
 9 plate to such newly acquired motor vehicle in such manner as the commissioner may
 10 prescribe by regulation and shall pay a transfer and cancellation fee of \$5.00 and shall also
 11 pay license fees in an amount, if any, that the license fee for the newly acquired vehicle
 12 exceeds the license fee of the original vehicle. No transfer or cancellation fee shall be
 13 charged for the transfer of free National Guard license plates. There shall be a transfer and
 14 cancellation fee of \$5.00 for the transfer of any other National Guard license plate. Should
 15 a member of the National Guard who has been issued a National Guard license plate be
 16 discharged or otherwise separated ~~except by retirement~~ from the National Guard, the
 17 immediate commanding officer of such member shall obtain the discharged member's
 18 National Guard license plate or plates at the time of the discharge and shall forward same
 19 to the commissioner along with a certificate to the effect that such member has been
 20 discharged, and thereupon the commissioner shall issue a regular license plate or plates,
 21 at no additional charge, to such former National Guard member to replace the National
 22 Guard plate. Should a member of the National Guard enlist or be commissioned in the
 23 National Guard after purchasing a regular license plate for the current year, the
 24 commanding officer of the unit in which such member enlists or is commissioned shall
 25 likewise secure the regular license plate of such new member and return same to the
 26 commissioner, along with a certificate to the effect that such new member has been enlisted
 27 or commissioned in the National Guard and the effective date thereof, whereupon the
 28 commissioner shall issue a National Guard license plate, at no extra charge, to such new
 29 member to replace the returned regular plate. Upon such request for a change in plate for
 30 a discharged member of the National Guard or a newly enlisted member of the National
 31 Guard, the commanding officer shall furnish such member with a copy of the commanding
 32 officer's letter to the commissioner requesting the appropriate change in plate, which copy
 33 of such letter may be used by such member pending the issuance of the new plate."

34 SECTION 3.

35 Said article is further amended by striking Code Section 40-2-85.1, relating to special and
 36 distinctive license plates for veterans, and inserting in its place the following:

H. B. 274 (SUB)

1 "40-2-85.1.

2 (a)(1) Motor vehicle owners who are retired veterans of the armed forces of the United
3 States, the active reserve components, or the National Guard, or persons who served
4 during World War I, World War II, the Korean War, the Vietnam War, ~~or~~ Operation
5 Desert Storm, or the Global War on Terrorism shall be eligible to receive special and
6 distinctive vehicle license plates for private passenger cars, trucks, or recreational
7 vehicles used for personal transportation. Such license plates shall be issued in
8 compliance with the state motor vehicle laws relating to registration and licensing of
9 motor vehicles as prescribed in Article 2 of this chapter.

10 (2)(A) Motor vehicle owners who retired from active duty with the armed forces of the
11 United States, the active reserve components, or the National Guard shall be issued
12 upon application for and upon compliance with the state motor vehicle laws relating to
13 registration and licensing of motor vehicles a retired veteran's license plate. One such
14 retired veteran's license plate shall be issued without the requisite registration fee,
15 manufacturing fee, or annual registration fee.

16 (B) Each retired member of the armed forces, the active reserve components, or the
17 National Guard shall be entitled to no more than one such free license plate at a time;
18 provided, however, that upon payment of a manufacturing fee of \$25.00, a member
19 shall be entitled to one additional such license plate. For each additional license plate
20 for which a \$25.00 manufacturing fee is required, there shall be an additional annual
21 registration fee of \$25.00 which fee shall be collected by the county tag agent at the
22 time of collection of other registration fees and shall be remitted to the state as provided
23 in Code Section 40-2-34.

24 (b) The commissioner shall design a retired veteran's license plate or a distinctive license
25 plate to commemorate service by the United States armed forces, the active reserve
26 components, or the National Guard in wars listed in subsection (a) of this Code section.
27 The commissioner shall promulgate such rules and regulations as may be necessary to
28 enforce compliance with all state license laws relating to the use and operation of private
29 passenger cars and trucks before issuing these license plates in lieu of the regular Georgia
30 license plates. The manufacturing fee for such special and distinctive license plates shall
31 be \$25.00. The commissioner is specifically authorized to promulgate all rules and
32 regulations necessary to ensure compliance in instances where such vehicles have been
33 transferred or sold. Except as provided in subsection (d) of this Code section, such plates
34 shall be nontransferable.

35 (c) The special and distinctive vehicle license plates shall be as prescribed in Article 2 of
36 this chapter for private passenger cars or trucks used for personal transportation. Such
37 plates shall contain such words or symbols, in addition to the numbers and letters

1 prescribed by law, so as to identify distinctively the owners as retired veterans of the armed
 2 forces of the United States, the active reserve components, or the National Guard, or
 3 persons who served during World War I, World War II, the Korean War, the Vietnam War,
 4 ~~or~~ Operation Desert Storm, or the Global War on Terrorism and shall additionally, for such
 5 plates manufactured after July 1, 2001, identify distinctly the owner as a veteran of one of
 6 the following branches of the armed forces: Army, Navy, Marines, Air Force, ~~or~~ Coast
 7 Guard, National Guard, or the active reserve components.

8 (d) The license plate issued pursuant to this Code section shall be transferred between
 9 vehicles as provided in Code Section 40-2-80. The spouse of a deceased retired veteran of
 10 the armed forces of the United States, the active reserve components, or the National
 11 Guard, or of a deceased person who served during World War I, World War II, the Korean
 12 War, the Vietnam War, ~~or~~ Operation Desert Storm, or the Global War on Terrorism shall
 13 continue to be eligible to be issued a distinctive personalized license plate as provided in
 14 this Code section for any vehicle owned by such veteran ownership of which is transferred
 15 to the surviving spouse or for any other vehicle owned by such surviving spouse either at
 16 the time of the qualifying veteran's death or acquired thereafter, so long as such person
 17 does not remarry.

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

25 SECTION 4.

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