

The House Committee on Motor Vehicles offers the following substitute to HB 473:

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 prominently displaying an image of the flag of the United States; to provide for issuance,
4 renewal, fees, licensing agreements, applications, and transfers relative to such license plates;
5 to provide for related matters; to 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 prominently displaying an image of the flag of the United States, subject to the conditions
14 set forth in this Code section.

15 (b) The commissioner shall design special and distinctive license plates prominently
16 displaying an image of the flag of the United States. The license plates must be of the same
17 size as general issue motor vehicle license plates and shall include a unique design and
18 identifying number, whereby the total number of characters does not exceed six. No two
19 recipients shall receive identically numbered plates. The graphic on the special license
20 plate shall be placed to the left of the alphanumeric characters and shall be no larger than
21 three inches by three inches. Such design shall not provide space in which to indicate the
22 name of the county of issuance but shall instead display the phrase 'Proud To Be An
23 American.'

24 (c) The commissioner shall provide for the design of the special license plates, which
25 design, excepting only the image of the United States flag and the slogan, shall be owned
26 solely by the State of Georgia for its exclusive use and control, except as authorized by the

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

6 (d) Beginning in calendar year 2005, any Georgia resident who is the owner of a motor
7 vehicle, except a vehicle registered under the International Registration Plan, upon
8 complying with the motor vehicle laws relating to registration and licensing of motor
9 vehicles and upon the payment of a manufacturing fee of \$25.00 in addition to the regular
10 motor vehicle registration fee shall be issued a license plate prominently displaying an
11 image of the flag of the United States. Revalidation decals shall be issued for such license
12 plates in the same manner as provided for general issue license plates.

13 (e) An applicant may request a license plate prominently displaying an image of the flag
14 of the United States at any time during the applicant's registration period. If such a license
15 plate is to replace a current valid license plate, such license plate shall be issued with
16 appropriate decals attached.

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

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

35 (h) United States flag license plates shall be transferred from one vehicle to another
36 vehicle in accordance with the provisions of Code Section 40-2-80.

- 1 (i) United States flag license plates shall be issued within 30 days of application once the
2 requirements of this Code section have been met."

3 **SECTION 2.**

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