

ADOPTED

1 Senators Harbison of the 15th and Reed of the 35th offered the following amendment:

2 Amend HB 1253 by striking lines 1 and 2 of page 1 and inserting in their place the following:

3 "To amend Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated,
4 relating to prestige license plates and special plates for certain persons and vehicles, so as
5 to provide for a special license plate recognizing and honoring current dues-paid members
6 of Omega Psi Phi Fraternity, Inc.; to provide for issuance, renewal, fees, licensing
7 agreements, applications, and transfers relative to such special license plates; to provide
8 that the surviving spouse of a person".

9 By adding "to provide effective dates;" following "matters;" on line 4 of page 1.

10 By striking lines 7 through 9 and inserting in their place the following:

11 **"SECTION 1.**

12 Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to
13 prestige license plates and special plates for certain persons and vehicles, is amended by
14 adding a new Code Section 40-2-86.9 to read as follows:

15 '40-2-86.9.

16 (a) There shall be issued special license plates recognizing and honoring current dues-paid
17 members of Omega Psi Phi Fraternity, Inc., subject to the conditions set forth in this Code
18 section.

19 (b) The commissioner, in cooperation with Omega Psi Phi Fraternity, Inc., shall design
20 special distinctive license plates appropriate for purposes of this Code section. The license
21 plates must be of the same size as general issue motor vehicle license plates and shall
22 include a unique design and identifying number, whereby the total number of characters
23 does not exceed six. No two recipients shall receive identically numbered plates. The
24 graphic on the special license plate shall be placed to the left of the alphanumeric
25 characters and shall be no larger than three inches by three inches. Any person may request
26 the assignment of the first of 100 in a series of license plates upon payment of an additional
27 initial registration fee of \$25.00 for each license plate requested.

28 (c) Notwithstanding the provisions of subsection (b) of this Code section, this Code section
29 shall not be implemented until such time as the State of Georgia has, through a licensing
30 agreement or otherwise, received such licenses or other permissions as may be required to
31 implement this Code section. The design of the initial edition of the Omega Psi Phi

1 Fraternity Inc., license plates, as well as the design of subsequent editions and excepting
2 only any part or parts of the designs owned by others and licensed to the state, shall be
3 owned solely by the State of Georgia for its exclusive use and control, except as authorized
4 by the commissioner. The commissioner may take such steps as may be necessary to give
5 notice of and protect such right, including the copyright or copyrights. However, such
6 steps shall be cumulative of the ownership and exclusive use and control established by this
7 subsection as a matter of law, and no person shall reproduce or otherwise use such design
8 or designs, except as authorized by the commissioner.

9 (d) Beginning in calendar year 2005, any Georgia resident who is the owner of a motor
10 vehicle, except a vehicle registered under the International Registration Plan, upon
11 complying with the motor vehicle laws relating to registration and licensing of motor
12 vehicles, presenting satisfactory proof of current dues-paid membership in Omega Psi Phi
13 Fraternity, Inc., and payment of a manufacturing fee of \$25.00 in addition to the regular
14 motor vehicle registration fee shall be issued an Omega Psi Phi Fraternity, Inc., license
15 plate. Revalidation decals shall be issued for Omega Psi Phi Fraternity, Inc., license plates
16 in the same manner as provided for general issue license plates with the additional
17 requirement that satisfactory proof of current dues-paid membership in Omega Psi Phi
18 Fraternity, Inc., must be provided at time of renewal in order to remain eligible to display
19 such license plate.

20 (e) An applicant may request an Omega Psi Phi Fraternity, Inc., license plate at any time
21 during the applicant's registration period. If such a license plate is to replace a current
22 valid license plate, the Omega Psi Phi Fraternity, Inc., license plate shall be issued with
23 appropriate decals attached.

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

30 (g) The department shall not be required to continue to manufacture the special license
31 plate if the number of active registrations falls below 500 registrations at any time during
32 the five-year period as provided in subsection (b) of Code Section 40-2-31. A current
33 registrant and dues-paid member of Omega Psi Phi Fraternity, Inc., may continue to renew
34 such special license plate during such person's annual registration period upon payment of
35 an additional \$25.00 annual special license plate fee which fee shall be collected by the
36 county tag agent at the time of collection of other registration fees and shall be remitted to
37 the state as provided in Code Section 40-2-34. The department may continue to issue such

1 special license plates that it has in its inventory to assist in achieving the minimum number
2 of registrations. If the special license plate falls below 500 active registrations at any time
3 during the five-year period as provided in subsection (b) of Code Section 40-2-31, the
4 Omega Psi Phi Fraternity, Inc., shall be required again to obtain 1,000 applications
5 accompanied by the manufacturing fee for the department to continue to manufacture the
6 license plate.

7 (h) License plates issued under this Code section shall be transferred from one vehicle to
8 another vehicle in accordance with the provisions of Code Section 40-2-80.

9 (i) License plates under this Code section shall be issued within 30 days of application once
10 the requirements of this Code section have been met.'

11 **SECTION 2.**

12 Said article is further amended by striking subsection (a) of Code Section 40-2-68, relating
13 to special license plates for Medal of Honor winners, and inserting in its place the".

14 By striking line 20 of page 1 and inserting in its place the following:

15
16 **"SECTION 3.**

17 Section 1 of this Act shall become effective on January 1, 2005. The remaining sections of
18 this Act shall become effective on July 1, 2004.

19 **SECTION 4."**