

WITHDRAWN

1 Senator Thomas of the 10th offered the following amendment:

2 Amend HB 1253 by striking lines 1 and 2 of page 1 and inserting in lieu thereof the
3 following:

4 "To amend Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated,
5 relating to prestige license plates and special plates for certain persons and vehicles, so as
6 to provide that the surviving spouse of a person".

7 By inserting on line 4 of page 1 following the word and symbol "plates;" the following:

8 "to provide for a special license plate promoting the AIDS Survival Project;"

9 By striking lines 8 and 9 of page 1 and inserting in lieu thereof the following:

10 "Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to
11 prestige license plates and special plates for certain persons and vehicles, is amended by
12 striking subsection (a) of Code Section 40-2-68, relating to special license plates for Medal
13 of Honor winners, and inserting in lieu thereof the".

14 By inserting immediately following line 20 of page 1 the following:

15 "Said article is further amended by inserting after Code Section 40-2-86.8 a new Code
16 section to read as follows:

17 '40-2-86.9.

18 (a) In order to promote the AIDS Survival Project and activities directly in support
19 thereof, there shall be issued beginning January 1, 2005, special license plates promoting
20 the AIDS Survival Project, subject to the conditions set forth in this Code section.

21 (b) The commissioner shall design special distinctive license plates appropriate to
22 promote the AIDS Survival Project. The license plates shall be of the same size as general
23 issue motor vehicle license plates and shall include a unique design and identifying
24 number, whereby the total number of characters does not exceed six. No two recipients
25 shall receive identically numbered plates. The graphic on the special license plate shall
26 be placed to the left of the alphanumeric characters and shall be no larger than three
27 inches by three inches. The AIDS Survival Project may request the assignment of the
28 first 100 in a series of license plates upon payment of an additional initial registration fee
29 of \$25.00 for each license plate requested.

30 (c) Notwithstanding the provisions of subsection (b) of this Code section, this Code
31 section shall not be implemented until such time as the State of Georgia has, through a

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

11 (d) Beginning in calendar year 2005, any Georgia resident who is the owner of a motor
12 vehicle, except a vehicle registered under the International Registration Plan, upon
13 complying with the motor vehicle laws relating to registration and licensing of motor
14 vehicles and upon the payment of a manufacturing fee of \$25.00 in addition to the regular
15 motor vehicle registration fee shall be issued a license plate promoting the AIDS Survival
16 Project. Revalidation decals shall be issued for such license plates in the same manner
17 as provided for general issue license plates.

18 (e)(1) From the additional \$25.00 fee charged for the issuance and renewal of the
19 license plates authorized under this Code section, \$2.00 shall be used by the department
20 for manufacturing and purchase costs, \$13.00 shall be paid to the general fund of the
21 state treasury, and \$10.00 shall be exclusively dedicated for the purpose of assisting
22 programs committed to providing people living with HIV the information and support
23 they need to live healthy and productive lives, pursuant to Article III, Section IX,
24 Paragraph VI(n) of the Constitution. Such dedicated funds shall be appropriated for
25 such purpose to the Department of Human Resources or such other public agency as
26 may be specified in the general or amended general appropriations Act. The agency or
27 organization ultimately making use of such funds shall periodically provide to the
28 commissioner an audit of the use of the funds or other evidence of use of the funds
29 satisfactory to the commissioner. Any audit performed under Chapter 6 of Title 50 shall
30 meet this auditing requirement. If an audit demonstrates that the funds are not being
31 used for the purposes set forth in this Code section or if the required audit or evidence
32 is not provided to the commissioner, then the commissioner shall so notify the House
33 and Senate Appropriations Committees. Any funds appropriated pursuant to this Code
34 section shall not lapse.

35 (2) Subject to the general appropriations process, it is the intent of the General
36 Assembly in the enactment of this Code section that the funds dedicated by this
37 subsection be made available for the ultimate use of a nonprofit organization. Subject

1 to the general appropriations process and the audit requirements of this Code section,
2 it is contemplated that such dedicated funds will be for the ultimate use of the AIDS
3 Survival Project, if the General Assembly finds that the license plate program and
4 appropriation authorized by this Code section will benefit both the state and the
5 nonprofit organization having the ultimate use of the dedicated funds.

6 (f) An applicant may request an AIDS Survival Project license plate any time during the
7 applicant's registration period. If such a license plate is to replace a current valid license
8 plate, the AIDS Survival Project license plate shall be issued with appropriate decals
9 attached.

10 (g) No special license plate authorized pursuant to this Code section shall be issued
11 except upon the application of at least 1,000 applications. The special license plate shall
12 have an application period of two years after January 1, 2005, for payment of the
13 manufacturing fee. After such time if the minimum number of applications is not met,
14 the department shall not continue to accept the manufacturing fee, and all fees shall be
15 refunded to applicants.

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

28 (i) AIDS Survival Project license plates shall be transferred from one vehicle to another
29 vehicle in accordance with the provisions of Code Section 40-2-80.

30 (j) AIDS Survival Project license plates shall be issued within 30 days of application
31 once the requirements of this Code section have been met.'

32 **SECTION 3."**