

House Bill 205

By: Representatives Horne of the 71<sup>st</sup>, Cox of the 102<sup>nd</sup>, Reece of the 27<sup>th</sup>, Brown of the 69<sup>th</sup>, Mumford of the 95<sup>th</sup>, 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 provide for a special license plate promoting the Georgia Center for the Book; to provide for  
4 issuance, renewal, fees, licensing agreements, applications, donation of revenue, and  
5 transfers relative to such special license plates; to provide for related matters; to provide for  
6 a contingent effective date; to provide for automatic repeal under certain circumstances; to  
7 repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

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 adding a new Code Section 40-2-86.10 to read as follows:

13 "40-2-86.10.

14 (a) There shall be issued beginning January 1, 2007, special license plates promoting the  
15 Georgia Center for the Book, subject to the conditions set forth in this Code section.

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

1 (c) Notwithstanding the provisions of subsection (b) of this Code section, this Code section  
2 shall not be implemented until such time as the State of Georgia has, through a licensing  
3 agreement or otherwise, received such licenses or other permissions as may be required to  
4 implement this Code section. The design of the initial edition of the Georgia Center for the  
5 Book license plates, as well as the design of subsequent editions and excepting only any  
6 part or parts of the designs owned by others and licensed to the state, shall be owned solely  
7 by the State of Georgia for its exclusive use and control, except as authorized by the  
8 commissioner. The commissioner may take such steps as may be necessary to give notice  
9 of and protect such right, including the copyright or copyrights. However, such steps shall  
10 be cumulative of the ownership and exclusive use and control established by this  
11 subsection as a matter of law, and no person shall reproduce or otherwise use such design  
12 or designs, except as authorized by the commissioner.

13 (d) Beginning in calendar year 2007, any Georgia resident who is the owner of a motor  
14 vehicle, except a vehicle registered under the International Registration Plan, upon  
15 complying with the motor vehicle laws relating to registration and licensing of motor  
16 vehicles and upon the payment of a manufacturing fee of \$25.00 in addition to the regular  
17 motor vehicle registration fee shall be issued an Georgia Center for the Book license plate.  
18 Revalidation decals shall be issued for Georgia Center for the Book license plates in the  
19 same manner as provided for general issue license plates.

20 (e) The manufacturing fee derived from the sale of Georgia Center for the Book license  
21 plates shall be apportioned as follows: \$2.00 to the department, \$13.00 to be deposited into  
22 the general fund, and \$10.00 to be donated to the Georgia Center for the Book as provided  
23 by Article III, Section IX, Paragraph VI(n) of the Constitution.

24 (f) Before the department disburses to the Georgia Center for the Book funds from the sale  
25 of special license plates, the Georgia Center for the Book must provide a written statement  
26 stating the manner in which such funds shall be utilized. The purposes for which the funds  
27 shall be utilized must be the same as those specified in the constitutional amendment  
28 authorizing the dedication to the Georgia Center for the Book of revenue from the sale of  
29 special license plates. The Georgia Center for the Book shall periodically provide to the  
30 commissioner an audit of the use of the funds or other evidence of use of the funds  
31 satisfactory to the commissioner. If it is demonstrated that the funds are not being used for  
32 the purposes set forth in the statement provided by the Georgia Center for the Book, the  
33 department shall withhold payment of such funds until such noncompliance issues are  
34 resolved.

35 (g) An applicant may request a Georgia Center for the Book license plate any time during  
36 the applicant's registration period. If such a license plate is to replace a current valid

1 license plate, the Georgia Center for the Book license plate shall be issued with appropriate  
2 decals attached.

3 (h) No special license plate authorized pursuant to this Code section shall be issued except  
4 upon the receipt by the department of at least 1,000 applications. The special license plate  
5 shall have an application period of two years after January 1, 2007, for payment of the  
6 manufacturing fee. After such time if the minimum number of applications is not met, the  
7 department shall not continue to accept the manufacturing fee, and all fees shall be  
8 refunded to applicants.

9 (i) The department shall not be required to continue to manufacture the special license  
10 plate if the number of active registrations falls below 500 registrations at any time during  
11 the five-year period as provided in subsection (b) of Code Section 40-2-31. A current  
12 registrant may continue to renew such special license plate during his or her annual  
13 registration period upon payment of an additional \$25.00 annual special tag fee, which fee  
14 shall be collected by the county tag agent at the time of collection of other registration fees  
15 and shall be remitted to the state as provided in Code Section 40-2-34. The department  
16 may continue to issue such special license plates that it has in its inventory to assist in  
17 achieving the minimum number of registrations. If the special license plate falls below 500  
18 active registrations at any time during the five-year period as provided in subsection (b) of  
19 Code Section 40-2-31, the Georgia Center for the Book shall be required again to obtain  
20 1,000 applications accompanied by the manufacturing fee to continue to manufacture the  
21 special license plate.

22 (j) Georgia Center for the Book license plates shall be transferred from one vehicle to  
23 another vehicle in accordance with the provisions of Code Section 40-2-80.

24 (k) Georgia Center for the Book license plates shall be issued within 30 days of application  
25 once the requirements of this Code section have been met."

## 26 SECTION 2.

27 (a) This Act shall become effective on January 1, 2007, except as otherwise provided in  
28 subsection (b) of this section.

29 (b) If an amendment to the Constitution of the State of Georgia authorizing the donation of  
30 revenue from sales of special license plates to the Georgia Center for the Book is not ratified  
31 at the general election in 2006, this Act shall be repealed in its entirety on January 1, 2007,  
32 and no such motor vehicle license plates shall be issued pursuant to this Act.

## 33 SECTION 3.

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