

House Bill 549

By: Representatives Jones of the 44<sup>th</sup>, Dukes of the 150<sup>th</sup>, Cooper of the 41<sup>st</sup>, Ashe of the 56<sup>th</sup>, Brooks of the 63<sup>rd</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 supporting the Alzheimer's Association, Georgia Chapter;  
4 to provide for issuance, renewal, fees, licensing agreements, applications, and transfers  
5 relative to such special license plates; to provide for a conditional effective date; to repeal  
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to  
10 prestige license plates and special plates for certain persons and vehicles, is amended by  
11 adding a new Code Section 40-2-86.10 to read as follows:

12 "40-2-86.10.

13 (a) There shall be issued beginning January 1, 2007, special license plates supporting the  
14 Alzheimer's Association, Georgia Chapter, subject to the conditions set forth in this Code  
15 section. The mission of the Alzheimer's Association, Georgia Chapter, is to eliminate  
16 Alzheimer's disease through the advancement of research and to enhance care and support  
17 for individuals, their families, and caregivers. In the 159 counties in Georgia, over 160,000  
18 individuals are diagnosed with this disease. For every person diagnosed with Alzheimer's  
19 or another dementia, from two to five other family members or friends are affected as well.

20 (b) The commissioner shall design, in cooperation with the Alzheimer's Association,  
21 Georgia Chapter, special distinctive license plates appropriate to support the Alzheimer's  
22 Association, Georgia Chapter. The license plates shall be of the same size as general issue  
23 motor vehicle license plates and shall include a unique design and identifying number,  
24 whereby the total number of characters does not exceed six. No two recipients shall  
25 receive identically numbered plates. The graphic on the special license plate shall be  
26 placed to the left of the alphanumeric characters and shall be no larger than three inches by

1 three inches. The Alzheimer's Association, Georgia Chapter, may request the assignment  
2 of the first of 100 in a series of license plates upon payment of an additional initial  
3 registration fee of \$25.00 for each license plate requested.

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

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

23 (e) From the additional \$25.00 fee charged for the issuance and renewal of the license  
24 plates authorized under this Code section, \$2.00 shall be used by the department for  
25 manufacturing and purchase costs, \$13.00 shall be paid to the general fund of the state  
26 treasury, and \$10.00 shall be exclusively dedicated for the purpose of supporting the  
27 Alzheimer's Association, Georgia Chapter, pursuant to Article III, Section IX, Paragraph  
28 VI(n) of the Constitution. The Alzheimer's Association, Georgia Chapter, shall  
29 periodically provide to the commissioner an audit of the use of the funds or other evidence  
30 of use of the funds satisfactory to the commissioner. Any audit performed under Chapter  
31 6 of Title 50 shall meet this auditing requirement. If an audit demonstrates that the funds  
32 are not being used for the purposes set forth in this Code section or if the required audit or  
33 evidence is not provided to the commissioner, then the commissioner shall so notify the  
34 House and Senate Appropriations Committees. Any funds appropriated pursuant to this  
35 Code section shall not lapse.

36 (f) An applicant may request a license plate supporting the Alzheimer's Association,  
37 Georgia Chapter, any time during the applicant's registration period. If such a license plate

1 is to replace a current valid license plate, the license plate shall be issued with appropriate  
2 decals attached.

3 (g) No special license plate authorized pursuant to this Code section shall be issued until  
4 a minimum of 1,000 applications has been received by the department. The special license  
5 plate shall have an application period of two years after January 1, 2006, for payment of  
6 the manufacturing fee. After such time if the minimum number of applications is not met,  
7 the department shall not continue to accept the manufacturing fee, and all fees shall be  
8 refunded to applicants.

9 (h) 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, manufacture of the license plates shall not be continued until the  
20 commissioner receives 1,000 applications.

21 (i) License plates supporting the Alzheimer's Association, Georgia Chapter, shall be  
22 transferred from one vehicle to another vehicle in accordance with the provisions of Code  
23 Section 40-2-80.

24 (j) License plates supporting the Alzheimer's Association, Georgia Chapter, shall be  
25 issued within 30 days of application once the requirements of this Code section have been  
26 met."

## 27 SECTION 2.

28 This Act shall become effective on January 1, 2006, for the purposes of soliciting and  
29 collecting the manufacturing fee provided for in this Act; provided, however, that this Act  
30 shall only become fully effective on January 1, 2007, upon the ratification of a resolution at  
31 the November, 2006, state-wide general election, which resolution amends the Constitution  
32 of the State of Georgia so as to authorize the dedication of revenue from the sales of license  
33 plates to a general purpose relating to the nature of the special license plate. If such  
34 resolution is not ratified, this Act shall not become effective and shall stand repealed in its  
35 entirety on January 1, 2007, and no such motor vehicle license plates shall be issued pursuant  
36 to this Act.

1

**SECTION 3.**

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