

House Bill 621

By: Representatives Hill of the 180th, Stephens of the 164th, Keen of the 179th, Lane of the 167th, and Day of the 163rd

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 special license plates for certain persons and vehicles, so as to provide for the
3 issuance of special historic preservation license plates to promote and financially provide for
4 historic preservation efforts in Georgia; to provide for the design of such plates; to provide
5 for the issuance and revalidation of such plates upon application and the payment of certain
6 fees; to provide for the disposition of such fees and the intent of the General Assembly with
7 respect to appropriations; to provide for the use of appropriated funds and reports with
8 respect to such use; to provide for related matters; to provide for an effective date; to repeal
9 conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to
13 special license plates for certain persons and vehicles, is amended by inserting at its end a
14 new Code Section 40-2-86.10 to read as follows:

15 "40-2-86.10.

16 (a) In order to promote and financially provide for historic preservation efforts in Georgia,
17 there shall be issued beginning January 1, 2006, special license plates promoting such
18 efforts.

19 (b) The Division of Historic Preservation of the Department of Natural Resources shall
20 design special distinctive license plates appropriate to promote historic preservation efforts
21 in Georgia. Such license plates must be of the same size as general issue motor vehicle
22 license plates and shall include a unique design and identifying number, whereby the total
23 characters do not exceed the sum of six. No two recipients shall receive identically
24 numbered plates. Such design shall not provide space in which to indicate the name of the
25 county of issuance.

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

10 (d) Beginning on January 1, 2006, any Georgia resident who is the owner of a motor
11 vehicle, except a vehicle registered under the International Registration Plan, upon
12 complying with the motor vehicle laws relating to registration and licensing of motor
13 vehicles and upon the payment of a fee of not more than \$25.00 in addition to the regular
14 motor vehicle registration fee, may be issued a historic preservation license plate.
15 Revalidation decals shall be issued for historic preservation license plates in the same
16 manner as provided for general issue license plates upon complying with the motor vehicle
17 laws relating to registration and licensing of motor vehicles and upon the payment of a fee
18 of not more than \$25.00 in addition to the regular motor vehicle registration fee.

19 (e) The funds derived from the sale and revalidation of historic preservation license plates,
20 less a \$1.00 processing fee, which shall be granted to county tag offices per plate sold, and
21 less the actual manufacturing cost of the plates, shall be deposited in the general fund of
22 the state treasury. As soon as practicable after December 31 of each year, the
23 commissioner shall report the net amount derived from the sale of historic preservation
24 license plates to the Office of Planning and Budget and the Division of Historic
25 Preservation of the Department of Natural Resources. Subject to the appropriations
26 process, it is the intent of the General Assembly that the General Assembly appropriate an
27 amount equal to the net proceeds from the sale of such license plates to the Department of
28 Natural Resources for use by the Historic Preservation Division to fund historic
29 preservation programs in the state through the Georgia historic preservation grant program
30 as otherwise authorized by law.

31 (f) No special license plate authorized pursuant to this Code section shall be issued except
32 upon the receipt by the department of at least 1,000 applications. The special license plate
33 shall have an application period of two years after July 1, 2005, for payment of the
34 manufacturing fee. After such time if the minimum number of applications is not met, the
35 department shall not continue to accept the manufacturing fee, and all fees shall be
36 refunded to applicants.

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

13 (h) An applicant may request a historic preservation license plate any time during the
14 applicant's registration period. If a historic preservation license plate is to replace a current
15 valid license plate, the department shall issue the historic preservation license plate with
16 appropriate decals attached. When an applicant requests a historic preservation license
17 plate at the beginning of the registration period, the applicant shall pay the tax together
18 with all applicable fees.

19 (i) Historic preservation license plates shall be transferred from one vehicle to another
20 vehicle in accordance with the provisions of Code Section 40-2-42.

21 (j) Historic preservation license plates shall be issued within 30 days of application.

22 (k) The Department of Natural Resources shall submit a report to the chairpersons of the
23 Senate Natural Resources and the Environment Committee and House Natural Resources
24 and Environment Committee detailing the receipt and expenditure of all appropriated funds
25 and all funds received from the sale of historic preservation license plates as provided by
26 this Code section to promote historic preservation. Such report shall be made not later than
27 the second Monday of January of each year."

28 SECTION 2.

29 This Act shall become effective on July 1, 2005.

30 SECTION 3.

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