

Senate Bill 168

By: Senators Rogers of the 21st, Johnson of the 1st, Stephens of the 27th, Seabaugh of the 28th, Pearson of the 51st and others

**AS PASSED**

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 4 of Title 1 of the Official Code of Georgia Annotated, relating to  
2 holidays and observances, by designating an annual Bill Elliott Day in Georgia; to amend  
3 Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to  
4 special license plates for certain persons and vehicles, so as to refine the method for  
5 administrative issuance of special license plates; to provide for allowing spouses of Medal  
6 of Honor winners to retain the special license plate; to restate conditions for issuance of  
7 disabled persons' license plates and decals; to create license plates for motorcycles honoring  
8 a recipient of the Purple Heart, honoring police officers wounded in the line of duty,  
9 commemorating the Benevolent and Protective Order of Elks, honoring emergency medical  
10 services personnel, promoting historic preservation efforts, and identifying licensed Georgia  
11 physicians; to add an inscription on license plates for veterans awarded the Purple Heart; to  
12 provide for special license plates bearing the National Association for Stock Car Auto Racing  
13 (NASCAR) logo and promoting specific drivers or general motorsports; to provide for  
14 special license plates to promote 'Share the Road' messages for motorists and bicyclists and  
15 to benefit programs related to such motorists and bicyclists; to support the Governor's  
16 Highway Safety Program; to provide for issuance, renewal, fees, licensing agreements,  
17 applications, transfers, and disposition of funds relative to such license plates; to provide for  
18 related matters; to provide for an effective date; to repeal conflicting laws; and for other  
19 purposes.

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

21 **SECTION .1.**

22 Chapter 4 of Title 1 of the Official Code of Georgia Annotated, relating to holidays and  
23 observances, is amended by inserting a new Code Section 1-4-15, immediately following  
24 Code Section 1-4-14, relating to Home Education Week, to read as follows:

1 “1-4-15.

2 (a) The General Assembly finds that a Georgia family’s proud tradition of racing began  
 3 in Dawsonville, Georgia, under the tutelage and guiding hand of George Elliott. George’s  
 4 young son Bill began to demonstrate at an early age a natural skill and competitive racing  
 5 instinct at Dixie Speedway in Woodstock, and in 1976, at the tender age of 20, Bill Elliott  
 6 entered his first Winston Cup race and launched a career that would span decades.  
 7 Awesome Bill from Dawsonville, a modest, unassuming, and unpretentious man, has  
 8 become a household name in NASCAR racing and has been selected Most Popular Driver  
 9 an unprecedented 16 times, Georgia Professional Athlete of the Year twice, National  
 10 Motorsports Driver of the Year 14 times, and in 1998, was inducted into the Georgia Sports  
 11 Hall of Fame. It is virtually impossible to list all of the honors and awards Million Dollar  
 12 Bill has garnered over his incandescent career, but perhaps his most acclaimed  
 13 accomplishment is his support, love, and respect from racing fans. He has given  
 14 unstintingly of his time, talents, energy, and financial resources to numerous charities  
 15 including the Special Olympics, the M.D. Anderson Cancer Center, and the Make-A-Wish  
 16 Foundation and it is abundantly fitting and proper that this extraordinary Georgian be  
 17 recognized in a special and lasting manner.

18 (b) The members of the General Assembly commend Bill Elliott for his over 30 years of  
 19 outstanding contributions to the sport of racing and designate October 8 of each year as Bill  
 20 Elliott Day in Georgia.”

21 **SECTION 1.**

22 Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to  
 23 special license plates for certain persons and vehicles, is amended by striking Code Section  
 24 40-2-60.1, relating to administrative issuance of special license plates, and inserting in its  
 25 place a new Code section to read as follows:

26 “40-2-60.1.

27 (a) The General Assembly finds that during recent years prior to and including ~~1997~~ 2005  
 28 there have been proposed and enacted numerous laws providing for the issuance of special  
 29 license plates for certain persons and vehicles. The General Assembly finds that there  
 30 exists a need for a standardized administrative process to provide for the authorization of  
 31 issuance of such special license plates and that the public interest will be best served by  
 32 such a standardized administrative process. While recognizing that the legislature may not  
 33 abridge its powers, the General Assembly declares that it is in the public interest of this  
 34 state for future proposals for special license plates to be governed by the administrative  
 35 process established by this Code section rather than by the legislative process, except in

1 any case where resulting revenue is to be directed to any recipient other than the general  
2 fund of the state treasury in which instance the legislative process shall be followed.

3 (b)(1) The commissioner is authorized to adopt rules and regulations for the issuance of  
4 special license plates for groups of individuals and vehicles. Such rules and regulations  
5 shall provide that no such special license plate shall be issued except upon the application  
6 of at least 1,000 persons. The rules and regulations shall provide for the manner of such  
7 applications. The rules and regulations shall provide that upon receipt of the requisite  
8 number of applications, a special license plate may be issued as provided in this Code  
9 section. All special license plates shall have an application period of two years after the  
10 receipt of the initial application for the payment of the manufacturing fee. After such time  
11 if the minimum number of applications is not met, the department shall not be required  
12 to continue to accept the manufacturing fee for that special license plate.

13 (2) The department shall not be required to continue to manufacture any special license  
14 plate when the number of active registrations falls below 500 registrations at any time  
15 during the period provided for in subsection (b) of Code Section 40-2-31. Current  
16 registrants may continue to renew such special license plate during their annual  
17 registration period. The department may continue to issue such special license plates that  
18 it has in its inventory to assist in achieving the minimum number of registrations. If the  
19 special license plate falls below 500 active registrations at any time during the period  
20 provided for in subsection (b) of Code Section 40-2-31, the organization sponsoring the  
21 special license plate shall be required again to obtain 1,000 applications accompanied by  
22 the manufacturing fee.

23 (3) The rules and regulations may provide for exceptions whereby a special plate will not  
24 be issued if the issuance of the plate would adversely affect public safety. The rules and  
25 regulations shall provide for the design and manufacture of such special license plates  
26 and shall provide that such plates shall be readily recognizable as Georgia license plates  
27 through the adoption of a standard design containing a smaller space for the insertion of  
28 an appropriate logo or graphic identifying the special nature of the license plate. The logo  
29 or graphic shall be no larger than three inches by three inches and shall be placed to the  
30 left of the alphanumeric characters. The department shall not utilize any graphic that is  
31 copyrighted unless a sponsoring organization has secured for the state the authority to  
32 utilize the copyrighted design at no cost to the state and the sponsoring organization has  
33 agreed to hold the state harmless against any related claim of copyright violation or  
34 infringement. Subject to the foregoing provisions of this ~~subsection~~ paragraph, the design  
35 of each special license plate shall be in the discretion of the commissioner.

36 (c) Any resident motor vehicle owner desiring a special license plate provided for in this  
37 Code section shall submit to the commissioner a completed application form for such plate

1 with a \$25.00 manufacturing fee in addition to the regular motor vehicle registration fee.  
 2 Upon complying with the motor vehicle registration and licensing laws and the rules and  
 3 regulations authorized in this Code section, a resident motor vehicle owner shall be issued  
 4 a special license plate if the issuance of such plate is otherwise authorized under this Code  
 5 section.

6 (d) Special license plates issued under this Code section shall be renewed annually with  
 7 a revalidation decal, as provided in Code Section 40-2-31, upon payment of an additional  
 8 \$25.00 annual registration fee which fee shall be collected by the county tag agent at the  
 9 time of collection of other registration fees and shall be remitted to the state as provided  
 10 in Code Section 40-2-34. Special license plates issued under this Code section may be  
 11 transferred between vehicles as provided in Code Section 40-2-80.

12 (e) ~~Nothing in this Code section shall affect~~ The commissioner shall have the discretion  
 13 to apply the provisions of this Code section to any special license plate provided for by any  
 14 other law in existence on or becoming effective on ~~May 1, 1997~~ January 1, 2006."

## 15 SECTION 2.

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

18 "(a) Motor vehicle owners who have been awarded the Medal of Honor and who are  
 19 residents of this state, upon complying with the motor vehicle laws relating to registration  
 20 and licensing of motor vehicles, shall be issued two distinctive personalized license plates  
 21 free of charge. Such license plates shall be fastened to both the front and the rear of the  
 22 vehicle. Such license plates shall be transferred to another vehicle as provided in Code  
 23 Section 40-2-80. In the event of the death of the person who received the special license  
 24 plates pursuant to this Code section, upon complying with the motor vehicle laws relating  
 25 to registration and licensing of motor vehicles, his or her surviving spouse may retain the  
 26 special license plates and continue to display such plates on the vehicle."

## 27 SECTION 3.

28 Said article is further amended by striking Code Section 40-2-74, relating to special license  
 29 plates for persons with disabilities, and inserting in its place the following:

30 "40-2-74.

31 (a) ~~Prior to July 1, 1999, any motor vehicle owner who is a resident of Georgia, upon~~  
 32 ~~complying with the motor vehicle laws relating to registration, licensing, and payment of~~  
 33 ~~fees and upon submitting satisfactory proof to the commissioner or one of his or her agents~~  
 34 ~~that he or she has permanently lost the use of a leg or both legs, or an arm or both arms, or~~  
 35 ~~any combination thereof, or is so severely disabled as to be unable to move without the aid~~

1 ~~of crutches or a wheelchair, shall be issued a specially designated disabled person's license~~  
2 ~~plate from the commissioner. For purposes of this subsection, presentation of an~~  
3 ~~identification card for persons with disabilities issued pursuant to Article 8 of Chapter 5 of~~  
4 ~~this title shall constitute proof of disability.~~

5 ~~(a.1) On and after July 1, 1999, any~~ Any owner of a private passenger motor vehicle ~~with~~  
6 ~~a gross vehicle weight rating of less than 14,000 pounds~~ who is a resident of Georgia, upon  
7 complying with the motor vehicle laws relating to registration, licensing, and payment of  
8 fees and upon submitting an affidavit of a practitioner of the healing arts stating that the  
9 owner or his or her spouse, child, or ward is a person with disabilities, as defined in  
10 paragraph (5) of Code Section 40-6-221, whose disability or incapacity can be expected to  
11 last for more than 180 days and stating the specific disability that limits or impairs the  
12 ability to walk, shall be issued a specially designated disabled person's license plate from  
13 the commissioner. As used in this Code section, the term 'practitioner of the healing arts'  
14 means a person holding a license to practice medicine, podiatric medicine, or chiropractic  
15 issued pursuant to Article 2 of Chapter 34 of Title 43, Chapter 35 of Title 43, or Chapter  
16 9 of Title 43, respectively.

17 (b) A hearing impaired person otherwise qualified under this subsection shall be eligible  
18 to have issued to him or her a specially designated disabled person's license plate in  
19 accordance with this Code section. As used in this Code section, 'hearing impaired person'  
20 shall have the same meaning as defined in Code Section 24-9-101, except that the term  
21 'hearing impaired person' shall not include any person who is not qualified for a driver's  
22 license pursuant to Code Section 40-5-35, relating to reports by physicians and vision  
23 specialists in connection with the issuance or revocation of drivers' licenses, as now or  
24 hereafter amended. For purposes of this subsection, presentation of an identification card  
25 for persons with disabilities issued pursuant to Article 8 of Chapter 5 of this title shall  
26 constitute proof of hearing impairment.

27 (c) Upon complying with the motor vehicle laws relating to registration, licensing, and  
28 payment of fees and upon submission of proof of disability as provided in subsection (a)  
29 ~~or (a.1)~~ of this Code section, as applicable:

30 (1) Any resident person who is the joint owner of a motor vehicle with a disabled person  
31 as prescribed in this Code section shall be authorized to obtain such specialized plates for  
32 such jointly owned vehicle; and

33 (2) Any resident motor vehicle owner who is the spouse, parent, or legal guardian of a  
34 person who is disabled as prescribed in this Code section shall be authorized to obtain  
35 such specialized plates for such vehicle.

1 Upon the death of the disabled person or if the joint ownership of such vehicle ceases for  
 2 any reason, the specialized license plate shall be canceled and the owner of such motor  
 3 vehicle shall be issued a regular license plate for such vehicle.

4 (d) The commissioner is directed to furnish such license plates as provided for in this Code  
 5 section, which shall bear the official international wheelchair symbol or a reasonable  
 6 facsimile thereof, or such other symbols as the commissioner may deem appropriate.

7 ~~(e) The commissioner may begin issuing disabled persons' license plates with the year~~  
 8 ~~1976.~~ Any license plate issued pursuant to the provisions of this Code section shall be  
 9 transferred to another vehicle as provided in Code Section 40-2-80.

10 (f) Any person who is not a disabled person as prescribed in this Code section or a person  
 11 otherwise entitled to obtain such special license plates and who willfully and falsely  
 12 represents himself or herself as having the qualifications to obtain the special plates  
 13 prescribed by this Code section shall be guilty of a misdemeanor.

14 ~~(f.1)~~(g) Any practitioner of the healing arts who knowingly and willfully makes a false or  
 15 misleading statement in his or her affidavit stating that an applicant is a disabled person as  
 16 prescribed in this Code section shall be guilty of a misdemeanor.

17 ~~(g)~~(h) Any person owning a vehicle bearing the special plates and not entitled to do so  
 18 under this Code section shall be guilty of a misdemeanor."

#### 19 SECTION 4.

20 Said article is further amended by inserting a new Code Section 40-2-74.1 immediately  
 21 following Code Section 40-2-74, relating to special license plates for persons with  
 22 disabilities, to read as follows:

23 "40-2-74.1.

24 (a) Any person meeting the requirements for a disabled person's license plate as provided  
 25 for in Code Section 40-2-74 may obtain a special decal to be placed on any vehicle owned  
 26 by such person in lieu of a disabled person's license plate. The cost of the decal shall be  
 27 \$5.00 and the county tag agent is authorized to retain a \$1.00 processing fee.

28 (b)(1) The commissioner shall design a special disabled person's decal to be placed on  
 29 the rear windshield of a private passenger vehicle.

30 (2) The special disabled person's decal shall be so constructed that it will adhere to the  
 31 inside of the rear window of the vehicle and when removed will self-destruct.

32 (3) The special disabled person's decal shall have a place to write the month and year of  
 33 expiration and shall expire at the end of the month in the fourth year from the date of  
 34 issue.

35 (4) The decal shall be placed in the bottom left of the rear window so not to obscure the  
 36 view of the driver to indicate that the owner has met the requirements to park in a parking

1 space designated for a disabled person as provided for in Part 2 of Article 10 of Chapter  
2 6 of this title.

3 (c) Any person who is not a disabled person as prescribed in Code Section 40-2-74 and  
4 who willfully and falsely represents himself or herself as having the qualifications to obtain  
5 a special disabled person's decal shall be guilty of a misdemeanor.

6 (d) Any person who acquires a special disabled person's decal who is not entitled to do so  
7 under this Code section shall be guilty of a misdemeanor."

8 **SECTION 5.**

9 Said article is further amended by striking Code Section 40-2-84, relating to license plates  
10 for veterans awarded the Purple Heart, and inserting in its place the following:

11 "40-2-84.

12 (a) Motor vehicle or ~~boat trailer~~ motorcycle owners who are veterans of the armed forces  
13 of the United States who have been awarded the Purple Heart citation shall be eligible to  
14 receive a special and distinctive vehicle license plate for a private passenger car,  
15 motorcycle, or truck used for personal transportation ~~or for a boat trailer~~, provided that the  
16 requisite number of applications are received by the commissioner as provided in  
17 subsection (b) of this Code section. Such license plate shall be issued in compliance with  
18 the state motor vehicle laws relating to registration and licensing of motor vehicles as  
19 prescribed in Article 2 of this chapter.

20 (b) A veteran who qualifies for the special and distinctive license plate pursuant to  
21 subsection (a) of this Code section shall make application therefor with the commissioner  
22 and include the requisite fee. Said applicant may apply for and be limited to not more than  
23 one free license plate at a time; provided, however, that upon payment of the regular  
24 license fee provided for in Code Section 40-2-151 and payment of the manufacturing fee  
25 provided for in this Code section, a veteran may obtain an additional such license plate.  
26 The commissioner shall retain all applications received for such special and distinctive  
27 license plate until a minimum of 250 applications have been received. After receipt of 250  
28 applications for such distinctive license plate, the commissioner shall design a distinctive  
29 license plate as provided in subsection (c) of this Code section and issue the distinctive  
30 license plates to present and future qualifying applicants. If the commissioner does not  
31 receive the required minimum 250 applications no later than July 31 of the year preceding  
32 the year of issuance of such plates, the commissioner shall not accept any applications for  
33 nor issue such distinctive license plates and all fees shall be refunded to applicants. The  
34 commissioner shall promulgate such rules and regulations as may be necessary to enforce  
35 compliance with all state license laws relating to the use and operation of private passenger  
36 cars, motorcycles, and trucks ~~and boat trailers~~ before issuing these license plates in lieu of

1 the regular Georgia license plates. The manufacturing fee for each additional special and  
 2 distinctive license plate shall be \$25.00. The commissioner is specifically authorized to  
 3 promulgate all rules and regulations necessary to ensure compliance in instances where  
 4 such vehicles have been transferred or sold. Except as provided in subsection (d) of this  
 5 Code section, such plates shall be nontransferable.

6 (c) The special and distinctive vehicle license plates shall be as prescribed in Article 2 of  
 7 this chapter for private passenger cars, motorcycles, or trucks used for personal  
 8 transportation ~~or for boat trailers~~. Additional words or symbols, in addition to the numbers  
 9 and letters prescribed by law, shall be inscribed upon such license plates so as to identify  
 10 distinctively the owner as a Purple Heart recipient. For any redesigned plates issued on or  
 11 after January 1, 2006, such inscription shall include the designation 'Combat Wounded.'

12 (d) The license plate issued pursuant to this Code section shall be transferred between  
 13 vehicles as provided in Code Section 40-2-80. The spouse of a deceased veteran of the  
 14 armed forces of the United States who was awarded the Purple Heart citation shall continue  
 15 to be eligible to be issued a distinctive personalized license plate as provided in this Code  
 16 section for any vehicle owned by such veteran ownership of which is transferred to the  
 17 surviving spouse or for any other vehicle owned by such surviving spouse either at the time  
 18 of the qualifying veteran's death or acquired thereafter, so long as such person does not  
 19 remarry.

20 (e) For each additional special license plate issued under this Code section there shall be  
 21 an additional \$25.00 annual registration fee which fee shall be collected by the county tag  
 22 agent at the time of collection of other registration fees and shall be remitted to the state  
 23 as provided in Code Section 40-2-34."

## 24 SECTION 6.

25 Said article is further amended by adding new Code Sections 40-2-86.10 through 40-2-86.15  
 26 to read as follows:

27 "40-2-86.10.

28 (a) Motor vehicle owners who are or formerly were police officers who were wounded in  
 29 the line of duty as a police officer shall be eligible to receive a special and distinctive  
 30 vehicle license plate for a private passenger car or truck used for personal transportation,  
 31 provided that the requisite number of applications are received by the commissioner as  
 32 provided in subsection (b) of this Code section. Such license plate shall be issued in  
 33 compliance with the state motor vehicle laws relating to registration and licensing of motor  
 34 vehicles as prescribed in Article 2 of this chapter. The commissioner shall be authorized  
 35 to promulgate rules and regulations to determine the eligibility of such persons for such  
 36 special and distinctive license plates.

1 (b) A person who qualifies for the special and distinctive license plate pursuant to  
2 subsection (a) of this Code section shall make application therefor with the commissioner  
3 and include the requisite fee. Said applicant, upon payment of the regular license fee  
4 provided for in Code Section 40-2-151 and payment of the manufacturing fee provided for  
5 in this Code section, may apply for and be limited to not more than one such special and  
6 distinctive license plate. The commissioner shall retain all applications received for such  
7 distinctive license plate until a minimum of 1,000 applications have been received. After  
8 receipt of 1,000 applications for such distinctive license plate, the commissioner shall  
9 design a distinctive license plate as provided in subsection (c) of this Code section and  
10 issue the distinctive license plates to present and future qualifying applicants. The  
11 distinctive license plate shall have an application period of two years after January 1, 2006,  
12 for payment of the manufacturing fee. After such time if the minimum number of  
13 applications is not met, the department shall not continue to accept the manufacturing fee,  
14 and all fees shall be refunded to applicants. The department shall not be required to  
15 continue to manufacture the distinctive license plate if the number of active registrations  
16 falls below 500 registrations at any time during the period as provided in subsection (b) of  
17 Code Section 40-2-31. A current registrant may continue to renew such special license  
18 plate during his or her annual registration period upon payment of an additional \$25.00  
19 annual special tag fee which fee shall be collected by the county tag agent at the time of  
20 collection of other registration fees and shall be remitted to the state as provided in Code  
21 Section 40-2-34. The department may continue to issue such special license plates that it  
22 has in its inventory to assist in achieving the minimum number of registrations. If the  
23 special license plate falls below 500 active registrations at any time during the period as  
24 provided in subsection (b) of Code Section 40-2-31, the department must receive 1,000  
25 applications accompanied by the manufacturing fee to continue to manufacture the license  
26 plate. The commissioner shall promulgate such rules and regulations as may be necessary  
27 to enforce compliance with all state license laws relating to the use and operation of private  
28 passenger cars and trucks and boat trailers before issuing these license plates in lieu of the  
29 regular Georgia license plates. The manufacturing fee for each additional special and  
30 distinctive license plate shall be \$25.00. The commissioner is specifically authorized to  
31 promulgate all rules and regulations necessary to ensure compliance in instances where  
32 such vehicles have been transferred or sold. Except as provided in subsection (d) of this  
33 Code section, such plates shall be nontransferable.

34 (c) The special and distinctive vehicle license plates shall be as prescribed in Article 2 of  
35 this chapter for private passenger cars or trucks used for personal transportation.  
36 Additional words or symbols, in addition to the numbers and letters prescribed by law,

1 shall be inscribed upon such license plates so as to identify distinctively the owner as a  
2 police officer who was wounded in the line of duty.

3 (d) The license plate issued pursuant to this Code section shall be transferred between  
4 vehicles as provided in Code Section 40-2-80. The spouse of a person who qualifies for  
5 such special and distinctive license plate under subsection (a) of this Code section shall  
6 continue to be eligible to be issued a distinctive personalized license plate as provided in  
7 this Code section for any vehicle owned by such person ownership of which is transferred  
8 to the surviving spouse or for any other vehicle owned by such surviving spouse either at  
9 the time of the qualifying person's death or acquired thereafter, so long as such person does  
10 not remarry.

11 (e) For each special license plate issued under this Code section there shall be an  
12 additional \$25.00 annual registration fee which fee shall be collected by the county tag  
13 agent at the time of collection of other registration fees and shall be remitted to the state  
14 as provided in Code Section 40-2-34.

15 (f) For the purposes of this Code section, the term 'police officer' shall mean any law  
16 enforcement officer charged with the duty of enforcing the criminal laws and ordinances  
17 of this state, any other state, or the United States or of the counties or municipalities of this  
18 state or any other state who is employed by and compensated by the United States, the  
19 state, or any county or municipality of the state. The term shall include, but not be limited  
20 to, municipal police, county police, sheriffs, deputy sheriffs, wardens, guards, agents of the  
21 Georgia Bureau of Investigation, members of the uniform division of the Department of  
22 Public Safety, agents and investigators of the State Forestry Commission, conservation  
23 rangers of the Department of Natural Resources, agents of the Department of Revenue,  
24 agents of the Federal Bureau of Investigation, agents of the federal Drug Enforcement  
25 Administration, and agents of the federal Secret Service.

26 40-2-86.11.

27 (a) There shall be issued beginning in 2006 special and distinctive vehicle license plates  
28 commemorating the Benevolent and Protective Order of Elks for its contributions to  
29 Georgians through programs dedicated to our youth such as 'Hoop Shoot,' 'Soccer Shoot,'  
30 'Drug Awareness and Prevention,' and youth scholarship contests; our veterans in local VA  
31 hospitals; the Elks major state project, 'Elks Aidmore Children's Center,' a home for  
32 disadvantaged youth of Georgia; and the many contributions made by local Elks lodges  
33 across the state, subject to the conditions set forth in this Code section.

34 (b) The commissioner, in cooperation with the Benevolent and Protective Order of Elks,  
35 shall design special distinctive license plates to commemorate the Benevolent and  
36 Protective Order of Elks. The license plates must be of the same size as general issue

1 motor vehicle license plates and shall include a unique design and identifying number,  
2 whereby the total number of characters does not exceed six. No two recipients shall  
3 receive identically numbered plates. The graphic on the special license plate shall be  
4 placed to the left of the alphanumeric characters and shall be no larger than three inches by  
5 three inches. Such design shall not provide space in which to indicate the name of the  
6 county of issuance. The organization may request the assignment of the first of 100 in a  
7 series of license plates upon payment of an additional initial registration fee of \$25.00 for  
8 each license plate requested.

9 (c) Notwithstanding the foregoing provisions of this Code section, this Code section shall  
10 not be implemented until such time as the State of Georgia has, through a licensing  
11 agreement or otherwise and at no cost to the state, received such licenses or other  
12 permissions as may be required for the use of the Benevolent and Protective Order of Elks  
13 logo or as may otherwise be necessary or appropriate to implement this Code section. No  
14 royalty, license fee, or other moneys shall be paid to any organization or its licensor for the  
15 use by the state of such logo or design on license plates authorized by this Code section.  
16 The commissioner may charge fees, take other actions, and agree to or impose terms and  
17 conditions which might normally be envisioned in licensing and cross-licensing agreements  
18 for the use of designs and similar intellectual property. Without limitation, the  
19 commissioner may agree to allow to others the exclusive or nonexclusive use of the design  
20 of the special license plate. The design of the special license plate, excepting only the  
21 Benevolent and Protective Order of Elks logo and any other part of the design owned by  
22 others and licensed to the state, shall be owned solely by the State of Georgia for its  
23 exclusive use and control, except as authorized by the commissioner. The commissioner  
24 may take such steps as may be necessary to give notice of and protect such right, including  
25 the copyright. However, such steps shall be cumulative of the ownership and exclusive use  
26 and control established by this subsection as a matter of law and no person shall reproduce  
27 or otherwise use such design, except as authorized by the commissioner.

28 (d) Beginning in calendar year 2006, any Georgia resident who is the owner of a motor  
29 vehicle, except a vehicle registered under the International Registration Plan, upon  
30 complying with the motor vehicle laws relating to registration and licensing of motor  
31 vehicles and upon the payment of a manufacturing fee of \$25.00 in addition to the regular  
32 motor vehicle registration fee shall be issued a license plate commemorating the  
33 Benevolent and Protective Order of Elks. Revalidation decals shall be issued for such  
34 license plates in the same manner as provided for general issue license plates.

35 (e) An applicant may request a license plate commemorating the Benevolent and  
36 Protective Order of Elks at any time during the applicant's registration period. If such a

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

3 (f) 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, 2006, 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 (g) 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 period as provided in subsection (b) of Code Section 40-2-31. A current registrant may  
12 continue to renew such special license plate during his or her annual registration period  
13 upon payment of an additional \$25.00 annual special tag fee which fee shall be collected  
14 by the county tag agent at the time of collection of other registration fees and shall be  
15 remitted to the state as provided in Code Section 40-2-34. The department may continue  
16 to issue such special license plates that it has in its inventory to assist in achieving the  
17 minimum number of registrations. If the special license plate falls below 500 active  
18 registrations at any time during the period as provided in subsection (b) of Code Section  
19 40-2-31, the department must receive 1,000 applications accompanied by the  
20 manufacturing fee to continue to manufacture the license plate.

21 (h) Benevolent and Protective Order of Elks license plates shall be transferred from one  
22 vehicle to another vehicle in accordance with the provisions of Code Section 40-2-80.

23 (i) Benevolent and Protective Order of Elks license plates shall be issued within 30 days  
24 of application once the requirements of this Code section have been met.

25 40-2-86.12.

26 (a) The commissioner, in cooperation with licensed emergency services personnel in  
27 Georgia, and in order to promote and honor these individuals, shall design a special license  
28 plate to be issued displaying the National Highway Traffic Safety Administration's EMS  
29 Star of Life Symbol and the initials 'EMS.' The license plates must be of the same size as  
30 general issue motor vehicle license plates and shall include a unique design and identifying  
31 number, whereby the total number of characters does not exceed six. It shall not be a  
32 requirement that a county name decal shall be fixed and displayed on license plates issued  
33 under this Code section.

34 (b) Notwithstanding the foregoing provisions of this Code section, this Code section shall  
35 not be implemented until such time as the State of Georgia has, through a licensing  
36 agreement or otherwise, received such licenses or other permissions as may be required to

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

10 (c) Beginning in calendar year 2006, any Georgia resident who is the owner of a motor  
11 vehicle, except a vehicle registered under the International Registration Plan, and provides  
12 proof of certification or licensure by the State of Georgia as an emergency medical  
13 technician, paramedic, or owner of a licensed ambulance service in the State of Georgia,  
14 upon complying with the motor vehicle laws relating to registration and licensing of motor  
15 vehicles and upon the payment of a fee of \$25.00 in addition to the regular motor vehicle  
16 registration fee, shall be issued an emergency medical services license plate. Special  
17 license plates issued under this Code section shall be renewed annually with a revalidation  
18 decal as provided in Code Section 40-2-31 upon payment of an additional \$25.00 annual  
19 registration fee, which fee shall be collected by the county tag agent at the time of  
20 collection of other registration fees and remitted to the state as provided in Code Section  
21 40-2-34.

22 (d) A qualified applicant may request an emergency medical services license plate any  
23 time during the applicant's registration period. If such a license plate is to replace a current  
24 valid license plate, the emergency medical services license plate shall be issued with  
25 appropriate decals attached.

26 (e) No special license plate authorized pursuant to this Code section shall be issued except  
27 upon the receipt of at least 1,000 applications. The special license plate shall have an  
28 application period of two years after January 1, 2006, for payment of the manufacturing  
29 fee. After such time if the minimum number of applications is not met, the department  
30 shall not continue to accept the manufacturing fee, and all fees shall be refunded to  
31 applicants.

32 (f) The department shall not be required to continue to manufacture the special license  
33 plate if the number of active registrations falls below 500 registrations at any time during  
34 the period as provided in subsection (b) of Code Section 40-2-31. A current registrant may  
35 continue to renew such special license plate during his or her annual registration period  
36 upon payment of an additional \$25.00 annual special tag fee, which fee shall be collected  
37 by the county tag agent at the time of collection of other registration fees and shall be

1 remitted to the state as provided in Code Section 40-2-34. The department may continue  
2 to issue such special license plates that it has in its inventory to assist in achieving the  
3 minimum number of registrations. If the special license plate falls below 500 active  
4 registrations at any time during the period as provided in subsection (b) of Code Section  
5 40-2-31, manufacture of the license plates shall not be continued until the commissioner  
6 receives 1,000 applications.

7 (g) Emergency medical services license plates shall be transferred from one vehicle to  
8 another vehicle in accordance with the provisions of Code Section 40-2-42.

9 (h) Emergency medical services license plates shall be issued within 30 days of  
10 application.

11 40-2-86.13.

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

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

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

31 (d) Beginning on January 1, 2006, any Georgia resident who is the owner of a motor  
32 vehicle, except a vehicle registered under the International Registration Plan, upon  
33 complying with the motor vehicle laws relating to registration and licensing of motor  
34 vehicles and upon the payment of a fee of not more than \$25.00 in addition to the regular  
35 motor vehicle registration fee, may be issued a historic preservation license plate.  
36 Revalidation decals shall be issued for historic preservation license plates in the same

1 manner as provided for general issue license plates upon complying with the motor vehicle  
2 laws relating to registration and licensing of motor vehicles and upon the payment of a fee  
3 of not more than \$25.00 in addition to the regular motor vehicle registration fee.

4 (e) The funds derived from the sale and revalidation of historic preservation license plates,  
5 less a \$1.00 processing fee, which shall be granted to county tag offices per plate sold, and  
6 less the actual manufacturing cost of the plates, shall be deposited in the general fund of  
7 the state treasury. As soon as practicable after December 31 of each year, the  
8 commissioner shall report the net amount derived from the sale of historic preservation  
9 license plates to the Office of Planning and Budget and the Division of Historic  
10 Preservation of the Department of Natural Resources. Subject to the appropriations  
11 process, it is the intent of the General Assembly that the General Assembly appropriate an  
12 amount equal to the net proceeds from the sale of such license plates to the Department of  
13 Natural Resources for use by the Historic Preservation Division to fund historic  
14 preservation programs in the state through the Georgia historic preservation grant program  
15 as otherwise authorized by law.

16 (f) No special license plate authorized pursuant to this Code section shall be issued except  
17 upon the receipt by the department of at least 1,000 applications. The special license plate  
18 shall have an application period of two years after January 1, 2006, for payment of the  
19 manufacturing fee. After such time if the minimum number of applications is not met, the  
20 department shall not continue to accept the manufacturing fee, and all fees shall be  
21 refunded to applicants.

22 (g) The department shall not be required to continue to manufacture the special license  
23 plate if the number of active registrations falls below 500 registrations at any time during  
24 the period as provided in subsection (b) of Code Section 40-2-31. A current registrant may  
25 continue to renew such special license plate during his or her annual registration period  
26 upon payment of an additional \$25.00 annual special tag fee which fee shall be collected  
27 by the county tag agent at the time of collection of other registration fees and shall be  
28 remitted to the state as provided in Code Section 40-2-34. The department may continue  
29 to issue such special license plates that it has in its inventory to assist in achieving the  
30 minimum number of registrations. If the special license plate falls below 500 active  
31 registrations at any time during the period as provided in subsection (b) of Code Section  
32 40-2-31, the department must receive 1,000 applications accompanied by the  
33 manufacturing fee to continue to manufacture the license plate.

34 (h) An applicant may request a historic preservation license plate any time during the  
35 applicant's registration period. If a historic preservation license plate is to replace a current  
36 valid license plate, the department shall issue the historic preservation license plate with  
37 appropriate decals attached. When an applicant requests a historic preservation license

1 plate at the beginning of the registration period, the applicant shall pay the tax together  
2 with all applicable fees.

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

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

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

12 40-2-86.14.

13 (a) There shall be issued beginning in 2006 special and distinctive vehicle license plates  
14 identifying licensed Georgia physicians, subject to the conditions set forth in this Code  
15 section.

16 (b) The commissioner shall design special distinctive license plates identifying licensed  
17 Georgia physicians. The license plates must be of the same size as general issue motor  
18 vehicle license plates and shall include a unique design and identifying number, whereby  
19 the total number of characters does not exceed six. No two recipients shall receive  
20 identically numbered plates. The license plate will contain the words 'Licensed Georgia  
21 Physician' in the space normally containing the county of issuance. Such design shall not  
22 provide space in which to indicate the name of the county of issuance. The graphic on the  
23 special license plate shall be placed to the left of the alphanumeric characters and shall be  
24 no larger than three inches by three inches.

25 (c) Notwithstanding the foregoing provisions of this Code section, this Code section shall  
26 not be implemented until such time as the State of Georgia has, through a licensing  
27 agreement or otherwise and at no cost to the state, received such licenses or other  
28 permissions as may be required for the use of any logo or as may otherwise be necessary  
29 or appropriate to implement this Code section. No royalty, license fee, or other moneys  
30 shall be paid to any organization or its licensor for the use by the state of such logo or  
31 design on license plates authorized by this Code section. The commissioner may charge  
32 fees, take other actions, and agree to or impose terms and conditions which might normally  
33 be envisioned in licensing and cross-licensing agreements for the use of designs and similar  
34 intellectual property. Without limitation, the commissioner may agree to allow to others  
35 the exclusive or nonexclusive use of the design of the special license plate. The design of  
36 the special license plate, excepting only any part of the design owned by others and

1 licensed to the state, shall be owned solely by the State of Georgia for its exclusive use and  
2 control, except as authorized by the commissioner. The commissioner may take such steps  
3 as may be necessary to give notice of and protect such right, including the copyright.  
4 However, such steps shall be cumulative of the ownership and exclusive use and control  
5 established by this subsection as a matter of law and no person shall reproduce or otherwise  
6 use such design, except as authorized by the commissioner.

7 (d) Beginning in calendar year 2006, any qualified Georgia resident who shows proof that  
8 he or she is a licensed Georgia physician and is the owner of a motor vehicle, except a  
9 vehicle registered under the International Registration Plan, upon complying with the  
10 motor vehicle laws relating to registration and licensing of motor vehicles and upon the  
11 payment of a manufacturing fee of \$25.00 in addition to the regular motor vehicle  
12 registration fee shall be issued a license plate identifying him or her as a licensed Georgia  
13 physician. Revalidation decals shall be issued for such license plates in the same manner  
14 as provided for general issue license plates.

15 (e) An applicant may request a license plate identifying him or her as a licensed Georgia  
16 physician at any time during the applicant's registration period. If such a license plate is  
17 to replace a current valid license plate, such license plate shall be issued with appropriate  
18 decals attached.

19 (f) No special license plate authorized pursuant to this Code section shall be issued except  
20 upon the receipt by the department of at least 1,000 applications. The special license plate  
21 shall have an application period of two years after January 1, 2006, for payment of the  
22 manufacturing fee. After such time if the minimum number of applications is not met, the  
23 department shall not continue to accept the manufacturing fee, and all fees shall be  
24 refunded to applicants.

25 (g) The department shall not be required to continue to manufacture the special license  
26 plate if the number of active registrations falls below 500 registrations at any time during  
27 the period as provided in subsection (b) of Code Section 40-2-31. A current registrant may  
28 continue to renew such special license plate during his or her annual registration period  
29 upon payment of an additional \$25.00 annual special tag fee which fee shall be collected  
30 by the county tag agent at the time of collection of other registration fees and shall be  
31 remitted to the state as provided in Code Section 40-2-34. The department may continue  
32 to issue such special license plates that it has in its inventory to assist in achieving the  
33 minimum number of registrations. If the special license plate falls below 500 active  
34 registrations at any time during the period as provided in subsection (b) of Code Section  
35 40-2-31, the department must receive 1,000 applications accompanied by the  
36 manufacturing fee to continue to manufacture the license plate.

1 (h) License plates identifying licensed Georgia physicians shall be transferred from one  
2 vehicle to another vehicle in accordance with the provisions of Code Section 40-2-80.

3 (i) License plates identifying licensed Georgia physicians shall be issued within 30 days  
4 of application once the requirements of this Code section have been met.

5 40-2-86.15.

6 (a) In order to promote the Governor's Highway Safety Program, there shall be issued  
7 beginning January 1, 2006, special license plates bearing the NASCAR logo with a specific  
8 driver or general motorsports theme, subject to the conditions set forth in this Code section.

9 Also, in order to promote and provide for motorist and bicyclist safety and interaction  
10 education and awareness programs and media campaigns; adult and child bicycling safety  
11 training, workshops, and educational materials; assistance in forming local bicycle advisory  
12 committees; law enforcement education and implementation programs for policing by  
13 bicycle and policing to improve bicycling conditions; and 'share the road/yield to  
14 bicycles/bicyclists may use full lane' sign installations through the Governor's Highway  
15 Safety Program, there shall be issued beginning January 1, 2006, special license plates  
16 promoting and benefiting such efforts, which shall be known as the 'Share the Road'  
17 Motorists and Bicyclists special license plate.

18 (b) Notwithstanding the provisions of Code Section 40-2-4, for the NASCAR plates, the  
19 supplier of the plates, as designated by NASCAR, in consultation with the commissioner  
20 shall design special distinctive license plates bearing the NASCAR logo with a specific  
21 driver or general motorsports theme. For the 'Share the Road' plates, the commissioner  
22 shall design a special distinctive license plate in conjunction with the Southern Bicycle  
23 League and Bicycle Ride Across Georgia appropriate to promote the message of motorists  
24 and bicyclists safely and courteously sharing the roadway. The license plates shall be of  
25 the same size as general issue motor vehicle license plates and shall include a unique  
26 design and identifying number, whereby the total number of characters does not exceed six.  
27 No two recipients shall receive identically numbered plates. The graphic on the special  
28 license plates shall be placed to the left of the alphanumeric characters and shall be no  
29 larger than three inches by three inches. Such design shall not provide space in which to  
30 indicate the name of the county of issuance.

31 (c) Notwithstanding the provisions of subsection (b) of this Code section, this Code section  
32 shall not be implemented until such time as the State of Georgia has, through a licensing  
33 agreement or otherwise, received any licenses or other permissions that may be required  
34 to implement this Code section. The design of the initial edition of the license plates, as  
35 well as the design of subsequent editions and excepting only any part or parts of the  
36 designs owned by others and licensed to the state, shall be owned solely by the State of

1 Georgia for its exclusive use and control, except as authorized by the commissioner. The  
2 commissioner may take such steps as may be necessary to give notice of and protect such  
3 right, including the copyright or copyrights. However, such steps shall be cumulative of  
4 the ownership and exclusive use and control established by this subsection as a matter of  
5 law, and no person shall reproduce or otherwise use such design or designs, except as  
6 authorized by the commissioner.

7 (d) Beginning in calendar year 2006, any Georgia resident who is the owner of a motor  
8 vehicle, except a vehicle registered under the International Registration Plan, upon  
9 complying with the motor vehicle laws relating to registration and licensing of motor  
10 vehicles and upon the payment of a manufacturing fee of \$25.00 in addition to the regular  
11 motor vehicle registration fee shall be issued a license plate promoting NASCAR or  
12 promoting bicycle safety and sharing the roadway. Revalidation decals shall be issued for  
13 such license plates in the same manner as provided for general issue license plates.

14 (e)(1) From the additional \$25.00 fee charged for the issuance and renewal of the  
15 NASCAR license plates authorized under this Code section, \$10.25 shall be used by the  
16 department for purchasing plates from the supplier of the plates, as designated by  
17 NASCAR, and royalty costs, and \$14.75 shall be paid to the general fund of the state  
18 treasury with the intent of supporting the Governor's Highway Safety Program. From the  
19 additional \$25.00 fee charged for the issuance of the 'Share the Road' license plates  
20 authorized under this Code section, subject to the general appropriations process, it is the  
21 intent of the General Assembly that all such funds shall be utilized by the Governor's  
22 Highway Safety Program to provide for motorist and bicyclist safety and interaction  
23 education and awareness programs and media campaigns; adult and child bicycling safety  
24 training, workshops, and educational materials; assistance in forming local bicycle  
25 advisory committees; law enforcement education and implementation programs for  
26 policing by bicycle and policing to improve bicycling conditions; and 'share the  
27 road/yield to bicycles/bicyclists may use full lane' sign installations. The Office of  
28 Highway Safety may enter into contractual agreements, as may be appropriate, to further  
29 such objectives. The Office of Highway Safety may provide said funds for use as local  
30 or minimum matching funds. The agency or organization ultimately making use of such  
31 funds shall periodically provide to the commissioner an audit of the use of the funds or  
32 other evidence of use of the funds satisfactory to the commissioner. Any audit performed  
33 under Chapter 6 of Title 50 shall meet this auditing requirement. If an audit demonstrates  
34 that the funds are not being used for the purposes set forth in this Code section or if the  
35 required audit or evidence is not provided to the commissioner, then the commissioner  
36 shall so notify the appropriations committees of the Senate and the House of  
37 Representatives. Any funds appropriated pursuant to this Code section shall not lapse.

1 (2) Subject to the general appropriations process, it is the intent of the General Assembly  
2 in the enactment of this Code section that the funds dedicated by this subsection be made  
3 available for the ultimate use of the Governor's Highway Safety Program administered  
4 by the Office of Highway Safety in the Department of Public Safety.

5 (f) An applicant may request a NASCAR or 'Share the Road' license plate any time during  
6 the applicant's registration period. If such a license plate is to replace a current valid  
7 license plate, the NASCAR or 'Share the Road' license plate shall be issued with  
8 appropriate decals attached.

9 (g) No special license plate authorized pursuant to this Code section shall be issued except  
10 upon the receipt of at least 1,000 applications. The special license plates shall have an  
11 application period of two years after January 1, 2006, for payment of the manufacturing  
12 fee. After such time if the minimum number of applications is not met, the department  
13 shall not continue to accept the manufacturing fee, and all fees shall be refunded to  
14 applicants.

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

27 (i) NASCAR or 'Share the Road' license plates shall be transferred from one vehicle to  
28 another vehicle in accordance with the provisions of Code Section 40-2-80.

29 (j) NASCAR or 'Share the Road' license plates shall be issued within 30 days of  
30 application once the requirements of this Code section have been met."

### 31 SECTION 7.

32 This Act shall become effective on January 1, 2006.

### 33 SECTION 8.

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