

House Bill 977

By: Representative Jones of the 44<sup>th</sup>

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 for certain persons and vehicles, so as to provide for a  
3 special license plate supporting improvement in the child care industry; to provide for a  
4 portion of the revenue to go to the Minority Alliance for Child Care Development Advocates,  
5 Inc.; to provide for purposes, design, applications, fees, issuance, revenues, renewals, and  
6 transfers; to provide for related matters; to provide a contingent effective date; to repeal  
7 conflicting laws; and for other purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to  
11 prestige license plates for certain persons and vehicles, is amended by adding a new Code  
12 Section 40-2-86.18 to read as follows:

13 "40-2-86.18.

14 (a) In order to promote the child care industry by encouraging higher educational standards  
15 and providing for professional camaraderie for child care providers there shall be issued  
16 beginning July 1, 2007, special license plates under this Code section.

17 (b) The commissioner shall design, in cooperation with supporters of this license plate, a  
18 special distinctive license plate appropriate for the purposes provided by this Code section.  
19 Such special license plate shall be of the same size as general issue motor vehicle license  
20 plates and shall include a unique design and an identifying number of not more than six  
21 digits. No two recipients shall receive identically numbered plates. Such design shall not  
22 include a space for a county name decal but shall instead bear the legend 'Support  
23 Improved Child Care' in lieu of the name of the county of issuance. The graphic on the  
24 special license plate shall be placed to the left of the alphanumeric characters and shall be  
25 no larger than three inches by three inches.

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

19 (d) Beginning in July 1, 2007, any Georgia resident who is the owner of a motor vehicle,  
20 except a vehicle registered under the International Registration Plan, upon complying with  
21 the motor vehicle laws relating to registration and licensing of motor vehicles and upon the  
22 payment of a manufacturing fee of \$25.00 in addition to the regular motor vehicle  
23 registration fee shall be issued a license plate supporting improved child care. Revalidation  
24 decals shall be issued for such license plates in the same manner as provided for general  
25 issue license plates.

26 (e) The manufacturing fee derived from the sale of support improved child care license  
27 plates shall be apportioned as follows: \$2.00 to the department, \$13.00 to be deposited into  
28 the general fund, and \$10.00 to the Minority Alliance for Child Care Development  
29 Advocates, Inc., for the development of programs to help improve child care as provided  
30 by Article III, Section IX, Paragraph VI(n) of the Constitution. The private recipients of  
31 these funds shall use the funds as grants to fund projects supporting the improvement of  
32 child care in Georgia.

33 (f) An applicant may request a license plate supporting improved child care at any time  
34 during the applicant's registration period. If such a license plate is to replace a current  
35 valid license plate, such license plate shall be issued with appropriate decals attached.

36 (g) No special license plate authorized pursuant to this Code section shall be issued except  
37 upon the receipt by the department of at least 1,000 applications. The special license plate

1 shall have an application period of two years after July 1, 2007, for payment of the  
2 manufacturing fee. After such time if the minimum number of applications is not met, the  
3 department shall not continue to accept the manufacturing fee, and all fees shall be  
4 refunded to applicants.

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

17 (i) Support improved child care license plates shall be transferred from one vehicle to  
18 another vehicle in accordance with the provisions of Code Section 40-2-80.

19 (j) Support improved child care license plates shall be issued within 30 days of application  
20 once the requirements of this Code section have been met."

## 21 SECTION 2.

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

24 (b) If an amendment to the Constitution of the State of Georgia authorizing the donation  
25 of revenue from sales of special license plates to the Minority Alliance for Child Care  
26 Development Advocates, Inc., or to any organization deemed suitable by the General  
27 Assembly is not ratified at the general election in 2006, this Act shall be repealed in its  
28 entirety on January 1, 2007, and no such motor vehicle license plates shall be issued  
29 pursuant to this Act.

## 30 SECTION 3.

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