

House Bill 1150

By: Representatives Talton of the 145<sup>th</sup>, Murphy of the 23<sup>rd</sup>, O'Neal of the 146<sup>th</sup>, and Brooks of the 63<sup>rd</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 and special plates for certain persons and vehicles, so as to  
3 provide for a special license plate supporting pediatric cancer research; to provide for a  
4 portion of the revenue to go to the Joanna McAfee Childhood Cancer Foundation; to provide  
5 for issuance, renewal, fees, licensing agreements, applications, and transfers relative to such  
6 special license plates; to provide for related matters; to provide a contingent effective date;  
7 to 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 40-2-86.18 to read as follows:

13 "40-2-86.18.

14 (a) The commissioner, in cooperation with supporters of this license plate, shall design a  
15 special license plate to be issued supporting pediatric cancer research. The license plates  
16 must be of the same size as general issue motor vehicle license plates and shall include a  
17 unique design and identifying number, whereby the total number of characters does not  
18 exceed six. It shall not be a requirement that a county name decal shall be fixed and  
19 displayed on license plates issued under this Code section. The graphic on the special  
20 license plate shall be placed to the left of the alphanumeric characters and shall be no larger  
21 than three inches by three inches.

22 (b) Notwithstanding the foregoing provisions of this Code section, this Code section shall  
23 not be implemented until such time as the State of Georgia has, through a licensing  
24 agreement or otherwise, received such licenses or other permissions as may be required to  
25 implement this Code section. The design of the initial edition of the license plates, as well  
26 as the design of subsequent editions and excepting only any part or parts of the designs

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

8 (c) Beginning on July 1, 2007, any Georgia resident who is the owner of a motor vehicle,  
9 except a vehicle registered under the International Registration Plan, upon complying with  
10 the motor vehicle laws relating to registration and licensing of motor vehicles and upon the  
11 payment of a fee of \$25.00 in addition to the regular motor vehicle registration fee, shall  
12 be issued a license plate supporting pediatric cancer research. Special license plates issued  
13 under this Code section shall be renewed annually with a revalidation decal as provided in  
14 Code Section 40-2-31 upon payment of an additional \$25.00 annual registration fee, which  
15 fee shall be collected by the county tag agent at the time of collection of other registration  
16 fees and remitted to the state as provided in Code Section 40-2-34.

17 (d) An applicant may request a license plate supporting pediatric cancer research any time  
18 during the applicant's registration period. If such a license plate is to replace a current  
19 valid license plate, the license plate shall be issued with appropriate decals attached.

20 (e) The manufacturing fee derived from the sale of license plates supporting pediatric  
21 cancer research shall be apportioned as follows: \$2.00 to the department, \$13.00 to be  
22 deposited into the general fund, and \$10.00 to the Joanna McAfee Childhood Cancer  
23 Foundation for support of pediatric cancer research as provided by Article III, Section IX,  
24 Paragraph VI(n) of the Constitution.

25 (f) No special license plate authorized pursuant to this Code section shall be issued except  
26 upon the receipt of at least 1,000 applications. The special license plate shall have an  
27 application period of two years after January 1, 2007, for payment of the manufacturing  
28 fee. After such time if the minimum number of applications is not met, the department  
29 shall not continue to accept the manufacturing fee, and all fees shall be refunded to  
30 applicants.

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

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

6 (h) License plates supporting pediatric cancer research shall be transferred from one  
7 vehicle to another vehicle in accordance with the provisions of Code Section 40-2-42.

8 (i) License plates supporting pediatric cancer research shall be issued within 30 days of  
9 application."

10 **SECTION 2.**

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

13 (b) If an amendment to the Constitution of the State of Georgia authorizing the donation of  
14 revenue from sales of special license plates to organizations specified by the General  
15 Assembly is not ratified at the general election in 2006, this Act shall be repealed in its  
16 entirety on January 1, 2007, and no such motor vehicle license plates shall be issued pursuant  
17 to this Act.

18 **SECTION 3.**

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