

House Bill 1189

By: Representatives Cummings of the 16th, Rice of the 51st, Yates of the 73rd, Smith of the 129th, Sims of the 169th, 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 promoting the slogan, "Support Our Troops"; to provide
4 for a portion of the revenue to go to Georgia Support Our Troops, Inc.; to provide for
5 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 **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 displaying the slogan, 'Support Our Troops.' The license
16 plates must be of the same size as general issue motor vehicle license plates and shall
17 include a unique design and identifying number, whereby the total number of characters
18 does not exceed six. It shall not be a requirement that a county name decal shall be fixed
19 and 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 'Support Our Troops'
26 license plates, as well as the design of subsequent editions and excepting only any part or

1 parts of the designs owned by others and licensed to the state, shall be owned solely by the
2 State of Georgia for its exclusive use and control, except as authorized by the
3 commissioner. The commissioner may take such steps as may be necessary to give notice
4 of and protect such right, including the copyright or copyrights. However, such steps shall
5 be cumulative of the ownership and exclusive use and control established by this
6 subsection as a matter of law, and no person shall reproduce or otherwise use such design
7 or designs, except as authorized by the 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 an 'Support Our Troops' license plate. Special license plates issued under this
13 Code section shall be renewed annually with a revalidation decal as provided in Code
14 Section 40-2-31 upon payment of an additional \$25.00 annual registration fee, which fee
15 shall be collected by the county tag agent at the time of collection of other registration fees
16 and remitted to the state as provided in Code Section 40-2-34.

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

20 (e) The manufacturing fee derived from the sale of 'Support Our Troops' license plates
21 shall be apportioned as follows: \$2.00 to the department, \$13.00 to be deposited into the
22 general fund, and \$10.00 to Georgia Support Our Troops, Inc., as provided by Article III,
23 Section IX, Paragraph VI(n) of the Constitution.

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

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

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

5 (h) 'Support Our Troops' license plates shall be transferred from one vehicle to another
6 vehicle in accordance with the provisions of Code Section 40-2-42.

7 (i) 'Support Our Troops' license plates shall be issued within 30 days of application."

8 **SECTION 2.**

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

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

15 **SECTION 3.**

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