

Senate Bill 619

By: Senators Tolleson of the 20th, Bulloch of the 11th, Harp of the 29th and Hudgens of the 47th

AS PASSED SENATE

**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 programs for persons with brain-related
4 disorders and disabilities; to provide for a portion of the revenue to go to Pilot International;
5 to provide for issuance, renewal, fees, licensing agreements, applications, and transfers
6 relative to such special license plates; to provide for related matters; to provide a contingent
7 effective date; 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 supporting programs for persons with brain-related
16 disorders and disabilities projects in Georgia. The license plates must be of the same size
17 as general issue motor vehicle license plates and shall include a unique design and
18 identifying number, whereby the total number of characters does not exceed six. It shall
19 not be a requirement that a county name decal shall be fixed and displayed on license plates
20 issued under this Code section. The graphic on the special license plate shall be placed to
21 the left of the alphanumeric characters and shall be no larger than three inches by three
22 inches.

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

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

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

19 (d) An applicant may request a license plate supporting programs for persons with
20 brain-related disorders and disabilities in Georgia any time during the applicant's
21 registration period. If such a license plate is to replace a current valid license plate, the
22 license plate shall be issued with appropriate decals attached.

23 (e) The manufacturing fee derived from the sale of license plates supporting programs for
24 persons with brain-related disorders and disabilities in Georgia shall be apportioned as
25 follows: \$2.00 to the department, \$13.00 to be deposited into the general fund, and \$10.00
26 to Pilot International, for support of programs for persons with brain-related disorders and
27 disabilities in Georgia.

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

34 (g) The department shall not be required to continue to manufacture the special license
35 plate if the number of active registrations falls below 500 registrations at any time during
36 the five-year period as provided in subsection (b) of Code Section 40-2-31. A current
37 registrant may continue to renew such special license plate during his or her annual

1 registration period upon payment of an additional \$25.00 annual special tag fee, which fee
2 shall be collected by the county tag agent at the time of collection of other registration fees
3 and shall be remitted to the state as provided in Code Section 40-2-34. The department
4 may continue to issue such special license plates that it has in its inventory to assist in
5 achieving the minimum number of registrations. If the special license plate falls below 500
6 active registrations at any time during the period provided in subsection (b) of Code
7 Section 40-2-31, manufacture of the license plates shall not be continued until the
8 commissioner receives 1,000 applications.

9 (h) License plates supporting programs for persons with brain-related disorders and
10 disabilities in Georgia shall be transferred from one vehicle to another vehicle in
11 accordance with the provisions of Code Section 40-2-42.

12 (i) License plates supporting programs for persons with brain-related disorders and
13 disabilities in Georgia shall be issued within 30 days of application."

14 **SECTION 2.**

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

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

22 **SECTION 3.**

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