

House Bill 485

By: Representative Rice of the 51st

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 specify that certain existing license plates shall not be subject to the special tag renewal fee;
4 to provide for new revenue-sharing license plates; to provide for related matters; to provide
5 for an effective date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to
9 prestige license plates and special plates for certain persons and vehicles, is amended by
10 revising subsection (e) of Code Section 40-2-85.1, relating to special and distinctive license
11 plates for veterans, as follows:

12 "(e) Special license plates issued under this Code section, except as provided in
13 subparagraph (a)(2)(A) of this Code section, shall be renewed annually with a revalidation
14 decal as provided in Code Section 40-2-31 ~~upon~~ without payment of an additional \$25.00
15 annual registration fee ~~which fee shall be collected by the county tag agent at the time of~~
16 ~~collection of other registration fees and remitted to the state as provided in Code Section~~
17 ~~40-2-34~~. It shall be a requirement that a county name decal shall be affixed and displayed
18 on license plates issued under this Code section."

19 **SECTION 2.**

20 Said article is further amended in Code Section 40-2-85.2, relating to special and distinctive
21 license plates for veterans of the Chosin Reservoir Campaign of 1950, by revising subsection
22 (e) as follows:

23 "(e) Special license plates issued under this Code section shall be renewed annually with
24 a revalidation decal, as provided in Code Section 40-2-31, ~~upon~~ without payment of an
25 additional \$25.00 annual registration fee ~~which fee shall be collected by the county tag~~

1 ~~agent at the time of collection of other registration fees and shall be remitted to the state~~
 2 ~~as provided in Code Section 40-2-34. Special license plates issued under this Code section~~
 3 ~~shall be transferred between vehicles as provided in Code Section 40-2-80. It shall be a~~
 4 ~~requirement that a county name decal shall be affixed and displayed on license plates~~
 5 ~~issued under this Code section."~~

6 SECTION 3.

7 Said article is further amended in Code Section 40-2-86.21, relating to special license plates
 8 supporting beneficial projects, by revising subsections (a), (d), (e), (g), (h), (i), and (m) as
 9 follows:

10 "(a)(1) As used in this Code section, the term:

11 (A) 'Manufacturing fee' means a \$25.00 fee paid at the time a metal special license
 12 plate is issued.

13 (B) 'Special tag renewal fee' means a \$25.00 fee paid at the time a revalidation decal
 14 is issued for a special license plate.

15 (2) The General Assembly has determined that the issuance of special license plates to
 16 support an agency or fund or a program beneficial to the people of this state that is
 17 administered by a nonprofit corporation organized under Section 501(c)(3) of Title 26 of
 18 the Internal Revenue Code and dedicating a portion of the funds raised from the sale of
 19 these special license plates is in the best interests of the people of this state. Therefore,
 20 the special license plates listed in subsection ~~(m)~~(o) of this Code section shall be issued
 21 by the department beginning on July 1, 2007, if all of the requirements of subsections (b)
 22 through (k) of this Code section have been satisfied. The license plates listed in
 23 ~~subsection (m)~~ subsections (m) and (n) of this Code section shall continue to be issued
 24 as so long as they ~~continue to~~ meet the requirements of subsections (b), (c), (f), (g), (i),
 25 (j), and (k) of this Code section."

26 "(d) Beginning on January 1, 2007, any Georgia resident who is the owner of a motor
 27 vehicle, except a vehicle registered under the International Registration Plan, upon
 28 complying with the motor vehicle laws relating to registration and licensing of motor
 29 vehicles and upon the payment of the manufacturing fee and the special tag renewal fee in
 30 addition to the regular motor vehicle registration fee shall be able to apply for a special
 31 license plate listed in subsection ~~(m)~~(o) of this Code section. Revalidation decals shall be
 32 issued for special license plates in the same manner as provided for general issue license
 33 plates.

34 (e) The manufacturing fee and the special tag renewal fee derived from the sale of special
 35 license plates listed in subsection ~~(m)~~(o) of this Code section shall be apportioned as
 36 follows: \$1.00 to the county tag agent, \$2.00 to the department, \$12.00 to be deposited into

1 the general fund, and \$10.00 to be dedicated to the sponsoring agency, fund, or nonprofit
2 corporation as permitted by Article III, Section IX, Paragraph VI(n) of the Constitution."

3 "(g) An applicant may request a special license plate any time during the applicant's
4 registration period. If such a license plate is to replace a current valid license plate, the
5 special license plate if issued under subsection (m) of this Code section shall be issued with
6 appropriate decals attached upon payment of the manufacturing fee but without payment
7 of the special tag renewal fee. However, special license plates issued under ~~subsection (n)~~
8 subsections (n) and (o) of this Code section shall be issued with appropriate decals attached
9 upon payment of the manufacturing fee and the special tag renewal fee.

10 (h) No special license plate authorized pursuant to subsection ~~(n)~~(o) of this Code section
11 shall be issued except upon the receipt by the department of at least 1,000 applications. The
12 special license plate shall have an application period of two years after ~~January 1, 2007, the~~
13 date on which the application period becomes effective for payment of the manufacturing
14 fee. After such time if the minimum number of applications is not met, the department shall
15 not continue to accept the manufacturing fee, and all fees shall be refunded to applicants.

16 (i) The department shall not be required to continue to manufacture the special license
17 plate if the number of active registrations falls below 500 registrations at any time during
18 the period provided for in subsection (b) of Code Section 40-2-31. A current registrant
19 may continue to renew such special license plate during his or her annual registration
20 period upon payment of the special tag renewal fee, if applicable, which fee shall be
21 collected by the county tag agent at the time of collection of other registration fees and
22 shall be remitted to the state as provided in Code Section 40-2-34. The department may
23 continue to issue such special license plates that it has in its inventory to assist in achieving
24 the minimum number of registrations. If the special license plate falls below 500 active
25 registrations at any time during the period provided for in subsection (b) of Code Section
26 40-2-31, the sponsoring agency, fund, or nonprofit corporation shall be required again to
27 obtain 1,000 applications accompanied by the manufacturing fee to continue to
28 manufacture the special license plate."

29 "(m)(1) The General Assembly has determined that the following existing special license
30 plates supporting the agencies, funds, or nonprofit corporations listed in this subsection
31 shall continue to be issued for the purposes indicated and that all of the funds raised from
32 the manufacturing fee ~~and the special tag renewal fee~~, less a \$1.00 fee to be paid to the
33 county tag agent and a \$2.00 manufacturing ~~or special tag renewal~~ fee to be paid to the
34 department, shall be disbursed to the agency, fund, or nonprofit corporation indicated in
35 this subsection. The special license plates listed in this subsection shall not be subject to
36 a special tag renewal fee.

1 ~~(2) A special license plate promoting the United States Disabled Athletes Fund, for the~~
2 ~~support of disabled athletes. The funds raised by the sale of this special license plate shall~~
3 ~~be disbursed to the United States Disabled Athletes Fund.~~

4 ~~(3) Special license plates promoting the Nongame-Endangered Wildlife Program of the~~
5 ~~Georgia Department of Natural Resources. The funds raised by the sale of these special~~
6 ~~license plates shall be disbursed to the Nongame Wildlife Conservation and Wildlife~~
7 ~~Habitat Acquisition Fund of the Georgia Department of Natural Resources for the~~
8 ~~purposes enumerated in subsection (b) of Code Section 12-3-602. Such license plates~~
9 ~~shall not include a space for a county name decal but shall instead bear the legend 'Give~~
10 ~~Wildlife a Chance' in lieu of the name of the county of issuance.~~

11 ~~(4) A special license plate commemorating Civil War battlefields and historic sites. The~~
12 ~~funds raised by the sale of this special license plate shall be disbursed to the Civil War~~
13 ~~Commission for the acquisition of Civil War battlefields and associated Civil War~~
14 ~~historic sites in this state and for the maintenance, protection, and interpretation of the~~
15 ~~same as provided by Ga. L. 1993, p. 1952.~~

16 ~~(5)~~(3) A special license plate promoting conservation and enhancement of trout
17 populations. The funds raised by the sale of this special license plate shall be disbursed
18 to the Wildlife Resources Division of the Department of Natural Resources to supplement
19 trout restoration and management programs.

20 ~~(6) A special license plate promoting historic preservation efforts. The funds raised by~~
21 ~~the sale of this special license plate shall be disbursed to the Department of Natural~~
22 ~~Resources for use by the Historic Preservation Division to fund historic preservation~~
23 ~~programs in the state through the Georgia historic preservation grant program as~~
24 ~~otherwise authorized by law.~~

25 ~~(7) A special license plate promoting bicycle safety. The funds raised by the sale of this~~
26 ~~special license plate shall be disbursed to the Governor's Highway Safety Program~~
27 ~~administered by the Office of Highway Safety in the Department of Public Safety.~~

28 ~~(8) A special license plate honoring families with a member serving in the military. The~~
29 ~~funds raised by the sale of this special license plate shall be disbursed to the Department~~
30 ~~of Veterans Service for use by the National Guard Foundation in carrying out such~~
31 ~~programs and purposes as may be contractually agreed upon by the department and the~~
32 ~~foundation.~~

33 ~~(9) A special license plate promoting 'Support Georgia Troops.' The funds raised by the~~
34 ~~sale of this special license plate shall be disbursed to the Department of Veterans Service~~
35 ~~for use by the National Guard Foundation in carrying out such programs and purposes as~~
36 ~~may be contractually agreed upon by the department and the foundation.~~

1 ~~(10) A special license plate promoting NASCAR. The provisions of paragraph (1) of this~~
 2 ~~subsection notwithstanding, from the additional \$25.00 fee charged for the issuance and~~
 3 ~~renewal of the NASCAR license plates authorized under this paragraph, \$10.25 shall be~~
 4 ~~used by the department for purchasing plates from the supplier of the plates, as~~
 5 ~~designated by NASCAR, and royalty costs, and \$14.75 shall be disbursed to the~~
 6 ~~Governor's Highway Safety Program administered by the Office of Highway Safety in~~
 7 ~~the Department of Public Safety.~~

8 ~~(11)~~(4) A special license plate supporting the Bobwhite Quail Restoration Initiative. The
 9 funds raised by the sale of this special license plate shall be disbursed to the Wildlife
 10 Resources Division of the Department of Natural Resources to conduct programs
 11 designed to enhance the bobwhite quail population in this state. Such programs may
 12 include the creation of habitat demonstration areas on state managed wildlife lands,
 13 education programs, technical assistance to private landowners in the creation and
 14 maintenance of bobwhite quail habitats on their lands, and projects to encourage public
 15 support for the license plate and the activities it funds. The Department of Natural
 16 Resources may enter into such contractual agreements as may be appropriate to further
 17 the objectives of the Bobwhite Quail Restoration Initiative, including entering into
 18 contractual agreements whereby private landowners, public agencies, or corporate entities
 19 create, preserve, or enhance habitat for bobwhite quail in return for the payment of
 20 incentives. Such license plate shall not include a space for a county decal but shall
 21 instead bear the legend 'Support Wildlife' in lieu of the name of the county of issuance.

22 (n)(1) The General Assembly has determined that the following special license plates
 23 supporting the agencies, funds, or nonprofit corporations listed in this subsection shall be
 24 issued for the purposes indicated and that all of the funds raised from the manufacturing
 25 fee and the special tag renewal fee, less a \$1.00 fee to be paid to the county tag agent and
 26 a \$2.00 manufacturing fee to be paid to the department, shall be disbursed to the agency,
 27 fund, or nonprofit corporation indicated in this subsection. The special license plates
 28 listed in this subsection shall be subject to a special tag renewal fee.

29 (2) A special license plate promoting the United States Disabled Athletes Fund, for the
 30 support of disabled athletes. The funds raised by the sale of this special license plate shall
 31 be disbursed to the United States Disabled Athletes Fund.

32 (3) A special license plate commemorating Civil War battlefields and historic sites. The
 33 funds raised by the sale of this special license plate shall be disbursed to the Civil War
 34 Commission for the acquisition of Civil War battlefields and associated Civil War
 35 historic sites in this state and for the maintenance, protection, and interpretation of the
 36 same as provided by Ga. L. 1993, p. 1952.

1 (4) A special license plate promoting historic preservation efforts. The funds raised by
 2 the sale of this special license plate shall be disbursed to the Department of Natural
 3 Resources for use by the Historic Preservation Division to fund historic preservation
 4 programs in the state through the Georgia historic preservation grant program as
 5 otherwise authorized by law.

6 (5) A special license plate promoting bicycle safety. The funds raised by the sale of this
 7 special license plate shall be disbursed to the Governor's Highway Safety Program
 8 administered by the Office of Highway Safety in the Department of Public Safety.

9 (6) A special license plate honoring families with a member serving in the military. The
 10 funds raised by the sale of this special license plate shall be disbursed to the Department
 11 of Veterans Service for use by the National Guard Foundation in carrying out such
 12 programs and purposes as may be contractually agreed upon by the department and the
 13 foundation.

14 (7) A special license plate promoting 'Support Georgia Troops.' The funds raised by the
 15 sale of this special license plate shall be disbursed to the Department of Veterans Service
 16 for use by the National Guard Foundation in carrying out such programs and purposes as
 17 may be contractually agreed upon by the department and the foundation.

18 (8) A special license plate promoting NASCAR. The provisions of paragraph (1) of this
 19 subsection notwithstanding, from the additional \$25.00 fee charged for the issuance and
 20 renewal of the NASCAR license plates authorized under this paragraph, \$10.25 shall be
 21 used by the department for purchasing plates from the supplier of the plates, as
 22 designated by NASCAR, and royalty costs, and \$14.75 shall be disbursed to the
 23 Governor's Highway Safety Program administered by the Office of Highway Safety in
 24 the Department of Public Safety."

25 **SECTION 4.**

26 Said article is further amended in said Code section by redesignating existing subsection (n)
 27 as subsection (o).

28 **SECTION 5.**

29 Said article is further amended in said Code section by revising paragraph (15) of and adding
 30 paragraphs to subsection (o), as redesignated in Section 2 of this Act, as follows:

31 "(15) A special license plate for pediatric cancer research. The funds raised by the sale
 32 of this special license plate shall be disbursed to the Joanna McAfee Childhood Cancer
 33 Foundation for support of pediatric cancer research. The design of the special license
 34 plate provided for in this paragraph shall include the words 'Joanna McAfee Childhood

1 Cancer Foundation' horizontally across the bottom of the plate in lieu of the county name."

2 "(32) A special license plate promoting the arts in Georgia. The funds raised by the sale
3 of this special license plate shall be disbursed to the Georgia Council for the Arts.

4 (33) A special license plate supporting programs for the treatment of autism. The funds
5 raised by the sale of this special license plate shall be disbursed to the Department of
6 Human Resources for the support of programs for the treatment of autism in Georgia.

7 (34) A special license plate honoring the work of The Garden Club of Georgia, Inc. The
8 funds raised by the sale of this special license plate shall be disbursed to The Garden Club
9 of Georgia, Inc., and used to fund scholarships that are awarded by the club.

10 (35) A special license plate promoting the Georgia Junior Golf Foundation. The funds
11 raised by the sale of this special license plate shall be disbursed to the Georgia Junior
12 Golf Foundation."

13 **SECTION 6.**

14 This Act shall become effective upon its approval by the Governor or upon its becoming law
15 without such approval.

16 **SECTION 7.**

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