

House Bill 127

By: Representatives Holt of the 112<sup>th</sup>, Smith of the 131<sup>st</sup>, Ramsey of the 72<sup>nd</sup>, Hudson of the 124<sup>th</sup>, Battles of the 15<sup>th</sup>, 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 special license plates for amateur radio operators; to provide for conditions; to  
4 provide for a design; to provide for a list of eligible names; to provide for rules and  
5 regulations; to provide for related matters; 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 Code Section 40-2-75, which is reserved, as follows:

11 "40-2-75.

12 ~~Reserved.~~

13 (a) Motor vehicle owners who are residents of the State of Georgia and who hold an  
14 unrevoked and unexpired official amateur radio station license issued by the Federal  
15 Communications Commission, upon application, accompanied by proof of ownership of  
16 such license, and upon full compliance with the state motor vehicle laws in relation to  
17 registration and licensing of motor vehicles shall be issued, free of charge, a special design  
18 license plate for a private passenger vehicle upon which shall be inscribed the official  
19 amateur radio call letters of such applicant as assigned by the Federal Communications  
20 Commission. Each licensed amateur radio operator shall be entitled to no more than one  
21 such free plate at a time. The commissioner may consult with licensed amateur radio  
22 operators residing in the State of Georgia in the design of the special licence plate  
23 authorized by this subsection.

24 (b) The commissioner shall, on or before March 1 in each year, furnish to the sheriff of  
25 each county in the State of Georgia an alphabetical arrangement of the list of names,  
26 addresses, and license plate letters of each person to whom a license plate is issued under

27 this Code section, and it shall be the duty of the sheriffs of the state to maintain and to keep  
 28 current such lists for public information and inquiry.

29 (c) The commissioner shall make such rules and regulations as necessary to ascertain  
 30 compliance with all state license laws relating to use and operation of a private passenger  
 31 vehicle before issuing these plates in lieu of the regular Georgia license plate. Such plates  
 32 shall be transferred to another vehicle as provided in Code Section 40-2-80.

33 (d) No person to whom license plates are issued under this Code section shall receive  
 34 compensation in any form for his or her services in making amateur radio communication  
 35 available to the public or to individuals, firms, corporations, or organizations."

36 **SECTION 2.**

37 Said article is further amended by revising subsection (1) of Code Section 40-2-86.1, relating  
 38 to special license plates promoting certain beneficial projects and supporting certain worthy  
 39 agencies, funds, or nonprofit corporations, as follows:

40 "(1)(1) The General Assembly has determined that license plates promoting the agencies,  
 41 funds, or nonprofit corporations listed in this subsection shall be issued for the purposes  
 42 indicated and the revenue shall be deposited in the general fund, subject to the  
 43 appropriation process of the General Assembly.

44 (2) A special license plate identifying persons with diabetes. The main purpose of the  
 45 special license plate is that law enforcement officers and emergency personnel will be  
 46 alerted to the potential for special needs before they approach the driver of a vehicle,  
 47 especially if the vehicle has been involved in an accident. The funds raised by the sale  
 48 of this special license plate shall be deposited in the general fund.

49 (3) A special license plate honoring all veterans who have served in the armed services  
 50 of the United States. All of these men and women have sacrificed a portion of their lives  
 51 in order to serve their country and protect our freedom. The funds raised by the sale of  
 52 this special license plate shall be deposited in the general fund.

53 (4) A special license plate honoring the Georgia Association of Realtors. The  
 54 Association is being honored for its long-standing support of housing opportunities for  
 55 all citizens of this state, private property rights, and all organizations that assist people  
 56 in achieving the American dream of home ownership. The funds raised by the sale of this  
 57 special license plate shall be deposited in the general fund.

58 (5) A special license plate honoring Georgia municipal clerks. The municipal clerk's  
 59 office provides the professional link connecting citizens with their local governing bodies  
 60 and agencies of government at other levels. The funds raised by the sale of this license  
 61 plate shall be deposited in the general fund.

62 ~~(6) A special license plate identifying residents of the State of Georgia who hold an~~  
 63 ~~unrevoked and unexpired official amateur radio station license issued by the Federal~~  
 64 ~~Communication Commission. The special license plate shall be inscribed with the~~  
 65 ~~official amateur radio call letters of such applicant as assigned by the Federal~~  
 66 ~~Communication Commission. The funds raised by the sale of this license plate shall be~~  
 67 ~~deposited in the general fund Reserved.~~

68 (7)(A) A special license plate to be issued for alternative fueled vehicles, which license  
 69 plate shall be similar in design to the license plate issued to all other residents of ~~the~~ this  
 70 state except that the commissioner shall place a distinctive logo or emblem on the  
 71 license plate which shall distinguish the vehicle as an alternative fueled vehicle eligible  
 72 to travel in travel lanes designated for such vehicles under paragraph (4) of subsection  
 73 (a) of Code Section 32-9-4. The words 'alternative fueled vehicle' shall be imprinted  
 74 on such special license plate in lieu of the county name decal. The funds raised by the  
 75 sale of this license plate shall be deposited in the general fund.

76 (B) As used in this paragraph, the term:

77 (i) 'Alternative fuel' means methanol, denatured ethanol, and other alcohols; mixtures  
 78 containing 85 percent or more or such other percentage, but not less than 70 percent,  
 79 as determined by the United States secretary of energy, by rule as it existed on  
 80 January 1, 1997, to provide for requirements relating to cold start, safety, or vehicle  
 81 functions, by volume of methanol, denatured ethanol, and other alcohols with gasoline  
 82 or other fuels; natural gas; liquefied petroleum gas; hydrogen; coal derived liquid  
 83 fuels; fuels other than alcohol derived from biological materials; electricity, including  
 84 electricity from solar energy; and any other fuel the United States secretary of energy  
 85 determined by rule as it existed on January 1, 1997, is substantially not petroleum and  
 86 would yield substantial energy security benefits and substantial environmental  
 87 benefits.

88 (ii) 'Alternative fueled vehicle' means:

89 (I) Any vehicle fueled by alternative fuel as defined in division (i) of this  
 90 subparagraph; or

91 (II) A hybrid vehicle, which means a motor vehicle which draws propulsion energy  
 92 from onboard sources of stored energy which include an internal combustion or heat  
 93 engine using combustible fuel and a rechargeable energy storage system; and, in the  
 94 case of a passenger automobile or light truck, means for any 2000 and later model,  
 95 a vehicle which has received a certificate of conformity under the Clean Air Act, 42  
 96 U.S.C. Section 7401, et seq., and meets or exceeds the equivalent qualifying  
 97 California low-emission vehicle standard under Section 243(e)(2) of the Clean Air  
 98 Act, 42 U.S.C. Section 7583(c)(2), for that make and model year or, for any 2004

99 and later model, a vehicle which has received a certificate that such vehicle meets  
100 or exceeds the Bin 5 Tier II emission level established in regulations prescribed by  
101 the administrator of the Environmental Protection Agency under Section 202(i) of  
102 the Clean Air Act, 42 U.S.C. Section 7521(i), for that make and model year vehicle  
103 and which achieves a composite label fuel economy greater than or equal to 1.5  
104 times the Model Year 2002 EPA composite class average for the same vehicle class  
105 and which is made by a manufacturer.

106 (8) A special license plate for antique or hobby or special interest vehicles. As used in  
107 this paragraph, the term 'antique or hobby or special interest vehicle' means any motor  
108 vehicle or motor cycle or a motor vehicle which has been designed and manufactured to  
109 resemble an antique or historical vehicle and which is owned as a collector's item and for  
110 participation in club activities, exhibitions, tours, parades, and similar uses but which may  
111 be used for general transportation. No owner of such antique vehicle or hobby or special  
112 interest vehicle shall be required to obtain any special permits for its operation on the  
113 roads of this state. The funds raised by the sale of this license plate shall be deposited in  
114 the general fund.

115 (9)(A) A special license plate for owners of a private passenger car or truck used for  
116 personal transportation, who are firefighters certified pursuant to Article 1 of Chapter  
117 4 of Title 25 and who are members of fire departments certified pursuant to Article 2  
118 of Chapter 3 of Title 25 and motor vehicle owners who are certified firefighters of  
119 legally organized volunteer fire departments which have been certified pursuant to  
120 Article 2 of Chapter 3 of Title 25. Such license plate shall be inscribed with such  
121 letters, numbers, words, symbols, or a combination thereof as determined by the  
122 commissioner to identify the owner as a certified firefighter. The chiefs of the various  
123 fire departments shall furnish to the commissioner a list of the certified firefighters of  
124 their fire departments who reside in Georgia which list shall be updated as necessary.  
125 The funds raised by the sale of this license plate shall be deposited in the general fund.

126 (B) Should a certified firefighter who has been issued a special and distinctive license  
127 plate be separated from such firefighter's department for any reason other than  
128 retirement from employment, the chief of such fire department shall obtain the  
129 separated member's license plate at the time of the separation and shall forward same  
130 to the commissioner along with a certificate to the effect that such person has been  
131 separated, and thereupon the commissioner shall reissue a regular license plate, at no  
132 additional charge, to such former certified firefighter to replace the special and  
133 distinctive plate. Should a certified firefighter return to service with the same or  
134 another fire department, the chief of such fire department shall likewise secure the  
135 regular license plate of such person and return same to the commissioner, along with

136 a certificate to the effect that such person has become a member of the fire department,  
137 and the effective date thereof, whereupon the commissioner shall, upon application and  
138 upon the payment of a \$35.00 manufacturing fee and all other applicable registration  
139 and licensing fees at the time of registration, reissue a special and distinctive license  
140 plate to such new member to replace the returned regular plate. Upon such request for  
141 a change in plate for a certified firefighter who is separated from a fire department, the  
142 chief of the fire department shall furnish such member with a copy of the chief's letter  
143 to the commissioner requesting the appropriate change in plate, which copy of such  
144 letter may be used by such member pending the issuance of the new plate.

145 (C) Motor vehicle owners who were firefighters certified pursuant to Article 1 of  
146 Chapter 4 of Title 25 or were members of fire departments certified pursuant to Article  
147 2 of Chapter 3 of Title 25 and who retired from employment as such shall continue to  
148 be eligible for the firefighter license plates issued under this paragraph the same as if  
149 they continued to be certified and employed as firefighters. Whenever such a certified  
150 firefighter who has been issued a special and distinctive license plate is retired from  
151 employment with such firefighter's department, the chief of such fire department shall  
152 forward to the commissioner a certificate to the effect that such person has been retired.

153 (D) The spouse of a deceased firefighter shall continue to be eligible to be issued a  
154 distinctive special firefighter's license plate as provided in this paragraph so long as  
155 such person does not remarry.

156 (10) A special license plate supporting Rotary International. The design of the special  
157 license plate, excepting only the Rotary International logo and motto 'Service Above Self'  
158 and the years 1905-2005 and any other part of the design owned by others and licensed  
159 to the state, shall be owned solely by the State of Georgia for its exclusive use and  
160 control, except as authorized by the commissioner. The funds raised by the sale of this  
161 license plate shall be deposited in the general fund.

162 (11) A special license plate for any Georgia resident who is the owner of a private  
163 passenger motor vehicle and provides proof of certification or licensure by the State of  
164 Georgia as an emergency medical technician, paramedic, or owner of a licensed  
165 ambulance service in the State of Georgia promoting the EMS Star of Life Symbol. Such  
166 license plate shall display the National Highway Traffic Safety Administration's EMS  
167 Star of Life Symbol and the initials 'EMS.' The funds raised by the sale of this license  
168 plate shall be deposited in the general fund."

169 **SECTION 2.**

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