

Senate Bill 293 - Prefile

By: Senators Heath of the 31st, Rogers of the 21st, Tippins of the 37th, and Hill of the 4th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to
2 registration and licensing of motor vehicles, so as to require the nation's motto, "In God We
3 Trust," to be printed on license plates; to provide that purchasers of license plates may cover
4 the motto with a county name decal; to provide for related matters; to provide for an effective
5 date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and
9 licensing of motor vehicles, is amended by repealing subsection (c) of Code Section 40-2-8,
10 relating to the operation of a vehicle without a current license plate, as follows:

11 ~~"(c) It shall be unlawful and punishable as for a misdemeanor to operate any vehicle~~
12 ~~required to be registered in the State of Georgia without a valid county decal designating~~
13 ~~the county where the vehicle was last registered, unless such operation is otherwise~~
14 ~~permitted under this chapter. Any person convicted of such offense shall be punished by~~
15 ~~a fine of \$25.00 for a first offense and \$100.00 for a second or subsequent such offense.~~
16 ~~However, a county name decal shall not be required if there is no space provided for a~~
17 ~~county name decal on the current license plate."~~

18 **SECTION 2.**

19 Said chapter is further amended by revising Code Section 40-2-9, relating to the display of
20 the "In God We Trust" decal, as follows:

21 "40-2-9.

22 (a) ~~Any special, distinctive, or prestige license plate, except those provided for in Code~~
23 ~~Sections 40-2-61, 40-2-62, 40-2-74, 40-2-82, and 40-2-85.1 or as otherwise expressly~~
24 ~~provided in this chapter, shall contain a space for a county name decal. The provisions of~~
25 ~~this chapter relative to county name decals shall be applicable to all such license plates.~~

26 Every license plate manufactured on or after July 1, 2012, for use in this state shall contain
 27 our nation's motto, 'In God We Trust,' printed thereon. The motto shall be printed in the
 28 same space and with the same dimensions as the county name decal formerly required to
 29 be contained on license plates in this state.

30 (b) The department shall make available to all license plates recipients a decal with the
 31 same dimensions as the printed 'In God We Trust' motto containing only the county name,
 32 ~~decal that contains the words, 'In God We Trust.'~~ The department shall charge any person
 33 requesting such county name decal no more than the cost to the department for the
 34 manufacture and distribution of such decal. Such decal may be displayed in the space
 35 reserved for ~~the county name decal in lieu of the county name decal~~ our nation's motto."

36

SECTION 3.

37 Said chapter is further amended by revising subsections (b), (d), (e), and (f) of Code Section
 38 40-2-31, relating to the design of license plates and revalidation and county decals, as
 39 follows:

40 "(b) Such license plates shall be at least six inches wide and not less than 12 inches in
 41 length, except motorcycle license plates which shall be at least four inches wide and not
 42 less than seven inches in length, and shall show in boldface characters the month and year
 43 of expiration, the serial number, and either the full name or the abbreviation of the name
 44 of the state, shall ~~designate the county from which the license plate was issued~~ contain our
 45 nation's motto, 'In God We Trust,' unless specifically stated otherwise in this chapter, and
 46 shall show such other distinctive markings as in the judgment of the commissioner may be
 47 deemed advisable, so as to indicate the class of weight of the vehicle for which the license
 48 plate was issued; and any license plate for a low-speed vehicle shall designate the vehicle
 49 as such. Such plates may also bear such figures, characters, letters, or combinations thereof
 50 as in the judgment of the commissioner will to the best advantage advertise, popularize,
 51 and otherwise promote Georgia as the 'Peach State.' The license plate shall be of such
 52 strength and quality that the plate shall provide a minimum service period of at least five
 53 years. The commissioner shall adopt rules and regulations, pursuant to the provisions of
 54 Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act,' for the design and
 55 issuance of new license plates and to implement the other provisions of this Code section."

56 "(d) In those years in which a new license plate is not issued, a revalidation decal with a
 57 distinctive serial number shall be issued and affixed in the space provided on the license
 58 plate issued to the applicant which shall indicate the year and month through which the
 59 registration of the vehicle shall be valid; provided, however, that if the commissioner
 60 determines that it is necessary, two revalidation decals shall be issued for each license plate
 61 to reflect the required information. When an applicant is issued a revalidation decal and

62 such applicant registered the vehicle in another county the previous year, the applicant,
 63 upon request, shall also be issued a new county decal which shall be properly affixed to the
 64 license plate and shall replace the other county decal.

65 (e) The commissioner shall furnish without cost to each tag agent reflective adhesive
 66 decals in sufficient number, upon which there shall be printed the name of the agent's
 67 county. Such a decal, upon request, shall be issued with each metal license plate and shall
 68 be affixed in the space provided on the license plate without obscuring any number or other
 69 information required to be present on the plate.

70 (f) Upon request, a ~~A~~ county tag agent shall issue a county name decal for the agent's
 71 county only if:

- 72 (1) The applicant is a resident of or a business located in the county named on the decal;
 73 (2) The applicant is registering a new vehicle in such county, is renewing a current
 74 vehicle registration, or is transferring registration of a vehicle to the county named on the
 75 decal; and
 76 (3) The application for registration of the vehicle is being made in the county named on
 77 the decal."

78 **SECTION 4.**

79 Said chapter is further amended by revising subsection (c) of Code Section 40-2-37, relating
 80 to registration and licensing of vehicles of state and political subdivisions, as follows:

81 "(c) All license plates issued to government vehicles pursuant to this Code section shall
 82 be marked in such a manner as to indicate the specific type of governmental unit operating
 83 the vehicle. These markings shall be prominently displayed and shall consist of one of the
 84 following appropriate legends: 'STATE,' 'CITY,' 'COUNTY,' 'AUTHORITY,' or 'BOARD.'
 85 In addition, each such license plate, ~~shall upon request, may~~ bear a county identification
 86 strip decal indicating the county in which the vehicle is based ~~except that vehicles owned~~
 87 ~~by the state shall not be required to bear such county identification strip."~~

88 **SECTION 5.**

89 Said chapter is further amended by revising subsection (d) of Code Section 40-2-60.1,
 90 relating to the administrative procedure for issuing special license plates, as follows:

91 "(d) The agency, fund, or nonprofit corporation sponsoring a special license plate, in
 92 cooperation with the commissioner, shall design a special distinctive license plate
 93 appropriate to promote the program benefited by the issuance of the special license plate.
 94 Special license plates for groups of individuals and vehicles shall be readily recognizable
 95 by the insertion of an appropriate logo or graphic identifying the special nature of the
 96 license plate. All special license plates must be of the same size as general issue motor

97 vehicle license plates and shall include a unique design and identifying number, whereby
 98 the total number of characters does not exceed an amount to be determined by the
 99 commissioner. No two recipients shall receive identically numbered plates. Spaces for
 100 ~~county name labels~~ our nation's motto, 'In God We Trust,' are required for license plates
 101 authorized under this Code section unless expressly eliminated by the request of the
 102 agency, fund, or nonprofit corporation sponsoring a special license plate at the time the
 103 license plate is designed."

104 **SECTION 6.**

105 Said chapter is further amended by revising paragraphs (2), (4), (7), (8), (15), (17), (18), (20),
 106 (22), (30), (45), (46), (47), and (48) of subsection (1) of Code Section 40-2-86, relating to
 107 special license plates supporting certain beneficial projects, as follows:

108 "(2) Special license plates promoting the Nongame-Endangered Wildlife Program of the
 109 Georgia Department of Natural Resources. The funds raised by the sale of these special
 110 license plates shall be disbursed to the Nongame Wildlife Conservation and Wildlife
 111 Habitat Acquisition Fund of the Georgia Department of Natural Resources for the
 112 purposes enumerated in subsection (b) of Code Section 12-3-602. Such license plates
 113 shall not include ~~a space for a county name decal~~ our nation's motto, 'In God We Trust,'
 114 but shall instead bear the legend 'Give Wildlife a Chance' in lieu of the ~~name of the~~
 115 ~~county of issuance~~ motto."

116 "(4) A special license plate supporting the Bobwhite Quail Restoration Initiative. The
 117 funds raised by the sale of this special license plate shall be disbursed to the Wildlife
 118 Resources Division of the Department of Natural Resources to conduct programs
 119 designed to enhance the bobwhite quail population in this state. Such programs may
 120 include the creation of habitat demonstration areas on state managed wildlife lands,
 121 education programs, technical assistance to private landowners in the creation and
 122 maintenance of bobwhite quail habitats on their lands, and projects to encourage public
 123 support for the license plate and the activities it funds. The Department of Natural
 124 Resources may enter into such contractual agreements as may be appropriate to further
 125 the objectives of the Bobwhite Quail Restoration Initiative, including entering into
 126 contractual agreements whereby private landowners, public agencies, or corporate entities
 127 create, preserve, or enhance habitat for bobwhite quail in return for the payment of
 128 incentives. Such license plate shall not include ~~a space for a county decal~~ our nation's
 129 motto, 'In God We Trust,' but shall instead bear the legend 'Support Wildlife' in lieu of
 130 the ~~name of the county of issuance~~ motto."

131 "(7) Special license plates to honor Georgia educators. The funds raised by the sale of
 132 these special license plates shall be disbursed to a charitable foundation designated by the

133 State School Superintendent and used to fund educational programs, grants to teachers,
 134 and scholarships. The license plates shall display the phrase 'Georgia Educators Make
 135 A Difference' in lieu of our nation's motto, 'In God We Trust.' and a ripe Red Delicious
 136 apple shall be depicted to the left of the identifying number of each plate.

137 (8)(A) The commissioner in cooperation with a college or university may design a
 138 special license plate to be issued commemorating that college or university, which
 139 license plate shall be similar in design to the license plate issued to all other residents
 140 of the state except that the logo or emblem of the college or university shall be placed
 141 on the license plate along with the letters and numbers on the license plate. The name
 142 of the college or university shall be imprinted on such special license plate in lieu of ~~the~~
 143 ~~county name decal.~~ our nation's motto, 'In God We Trust.'

144 (B) Any college or university that enters into an agreement with the commissioner
 145 pursuant to this paragraph shall waive any royalty fees to which it might otherwise be
 146 entitled for use of its seal, symbol, emblem, or logotype as provided in this paragraph.

147 (C) Each college or university located in Georgia that enters into an agreement with
 148 the commissioner pursuant to this paragraph shall designate a charitable foundation
 149 which shall annually receive an allocation from the special license plate and special
 150 license plate renewal fees collected as provided in paragraph (1) of this subsection.
 151 Special license plates issued under this paragraph shall be transferred between vehicles
 152 as provided in Code Section 40-2-42.

153 (D) The funds allocated for colleges and universities located in Georgia shall be
 154 delivered by the department to the charitable foundation designated by the particular
 155 college or university to support needs based, academic, financial aid scholarships for
 156 eligible undergraduate students enrolled in the college or university. The funds
 157 otherwise allocated for colleges and universities located outside the State of Georgia
 158 shall be placed into the general fund.

159 (E) Each college or university shall review and approve plans for the implementation
 160 of these scholarship programs by the applicable charitable foundation. These plans
 161 shall include, but need not be limited to, criteria for the awarding of the scholarships
 162 and procedures for determining the recipients."

163 "(15) A special license plate for stroke awareness, treatment, and prevention to support
 164 programs aiding stroke victims in Georgia. Such license plate shall not include ~~a space~~
 165 ~~for a county name decal~~ our nation's motto, 'In God We Trust.' but shall instead bear the
 166 legend 'Stroke Awareness' in lieu of the ~~name of the county of issuance~~ motto. The funds
 167 raised by the sale of this special license plate shall be disbursed to the Center for
 168 Telehealth of the Georgia Health Sciences University."

169 "(17) A special license plate for pediatric cancer to raise funds to support the treatment
 170 of pediatric cancer. Such license plate shall not include ~~a space for a county name decal~~
 171 ~~our nation's motto, 'In God We Trust,'~~ but shall instead bear the legend 'Cure Kids'
 172 Cancer' in lieu of the ~~name of the county of issuance motto~~. The funds raised by the sale
 173 of this special license plate shall be disbursed to the Department of Community Health
 174 to be deposited in the Indigent Care Trust Fund created by Code Section 31-8-152 to fund
 175 pediatric cancer screening and treatment related programs for those children who are
 176 medically indigent and may have cancer.

177 (18) A special license plate for the child care industry to promote the child care industry
 178 by encouraging higher educational standards and providing for professional camaraderie
 179 for child care providers. Such license plate shall not include ~~a space for a county name~~
 180 ~~decal~~ our nation's motto, 'In God We Trust,' but shall instead bear the legend 'Support
 181 Improved Child Care' in lieu of the ~~name of the county of issuance motto~~. The funds
 182 raised by the sale of this special license plate shall be disbursed to the Minority Alliance
 183 for Child Care Development Advocates, Inc., for the development of programs to help
 184 improve child care."

185 "(20) A special license plate for child abuse prevention. Such license plate shall not
 186 include ~~a space for a county name decal~~ our nation's motto, 'In God We Trust,' but shall
 187 instead bear the legend 'Prevent Child Abuse' in lieu of the ~~name of the county of~~
 188 ~~issuance motto~~. The funds raised by the sale of this special license plate shall be
 189 disbursed to the Foster Family Foundation of Georgia for the development of programs
 190 to help victims of child abuse."

191 "(22) A special license plate for pediatric cancer research. The funds raised by the sale
 192 of this special license plate shall be disbursed to the Joanna McAfee Childhood Cancer
 193 Foundation for support of pediatric cancer research. The design of the special license
 194 plate provided for in this paragraph shall include the words 'Joanna McAfee Childhood
 195 Cancer Foundation' horizontally across the bottom of the plate in lieu of ~~the county name:~~
 196 our nation's motto, 'In God We Trust.'"

197 "(30) A special license plate for the Atlanta Falcons Youth Foundation to assist the
 198 charities supported by the foundation. The funds raised by the sale of this special license
 199 plate shall be disbursed to the Atlanta Falcons Youth Foundation. Such license plate
 200 shall not include ~~a space for a county name decal~~ our nation's motto, 'In God We Trust,'
 201 but shall instead bear the legend 'Atlanta Falcons' in lieu of the ~~name of the county of~~
 202 ~~issuance motto~~."

203 "(45) A special license plate supporting the Georgia Sea Turtle Center. The funds raised
 204 by the sale of this special license plate shall be charged and disbursed to the Nongame
 205 Wildlife Conservation and Wildlife Habitat Acquisition Fund and used to fund nongame

206 wildlife conservation and education programs. The design of the license plate provided
 207 for in this paragraph shall include the words 'Jekyll Island – Georgia's Jewel' horizontally
 208 across the bottom of the plate in lieu of ~~the county name~~, our nation's motto, 'In God We
 209 Trust,' with a diamond jewel symbol in place of the dash.

210 (46) A special license plate commemorating and supporting the sport of soccer in
 211 Georgia. The funds raised by the sale of this special license plate shall be disbursed to
 212 the Georgia State Soccer Association, Inc., for the development and promotion of soccer
 213 programs in the State of Georgia. Such license plate shall not include ~~a space for a~~
 214 ~~county decal~~ our nation's motto, 'In God We Trust,' but shall instead bear the legend
 215 'gasoccer.org'.

216 (47) A special license plate for the Georgia Aquarium to support its mission as an
 217 entertaining, educational, and scientific institution and to promote the conservation of
 218 aquatic biodiversity throughout the world. The funds raised by the sale of this special
 219 plate shall be disbursed to Georgia Aquarium, Inc. Such license plate shall not include
 220 ~~a space for a county name decal~~ our nation's motto, 'In God We Trust,' but shall instead
 221 bear the legend 'Georgia Aquarium' in lieu of the ~~name of the county of issuance~~ motto.

222 (48) A special license plate for Zoo Atlanta to support its mission to inspire the citizens
 223 of Atlanta and Georgia and all visitors to the zoo to value wildlife on Earth; to help
 224 safeguard existing species through conservation by providing for an informative,
 225 educational, and engaging experience to all visitors; to carry out the responsible
 226 stewardship of the animals and the zoo facility; and to engage in related conservation
 227 activities and research. The funds raised by the sale of this special plate shall be
 228 disbursed to the Atlanta-Fulton County Zoo, Inc. Such license plate shall not include ~~a~~
 229 ~~space for a county name decal~~ our nation's motto, 'In God We Trust,' but shall instead
 230 bear the legend 'Protect Wildlife' in lieu of the ~~name of the county of issuance~~ motto."

231 **SECTION 7.**

232 This Act shall become effective on July 1, 2012.

233 **SECTION 8.**

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