

Senate Bill 293

By: Senators Heath of the 31st, Rogers of the 21st, Tippins of the 37th, Hill of the 4th and Hill of the 32nd

A BILL TO BE ENTITLED
AN ACT

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

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

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

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

SECTION 2.

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

~~"40-2-9.~~

~~(a) Any special, distinctive, or prestige license plate, except those provided for in Code Sections 40-2-61, 40-2-62, 40-2-74, 40-2-82, and 40-2-85.1 or as otherwise expressly provided in this chapter, shall contain a space for a county name decal. The provisions of 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 be
29 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

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

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

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

(1) The applicant is a resident of or a business located in the county named on the decal;

(2) The applicant is registering a new vehicle in such county, is renewing a current vehicle registration, or is transferring registration of a vehicle to the county named on the decal; and

(3) The application for registration of the vehicle is being made in the county named on the decal."

SECTION 4.

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

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

SECTION 5.

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

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

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

SECTION 6.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 7.

This Act shall become effective on July 1, 2012.

SECTION 8.

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