

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

**AS PASSED SENATE**

**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 delete provisions requiring license plates  
3 to display a county decal; to require the nation's motto, "In God We Trust," to be available  
4 on a decal for use on license plates; 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~~  
25 ~~of this chapter relative to county name decals shall be applicable to all such license plates.~~

26 (b) The department shall make available to all license plates recipients a decal with the  
 27 same dimensions as the county name decal that contains the words, 'In God We Trust.' The  
 28 department shall provide such decal free of charge to any person requesting it. ~~such decal~~  
 29 ~~no more than the cost to the department for the manufacture and distribution of such decal.~~  
 30 Such decal may be displayed in the space reserved for authorized decals ~~the county name~~  
 31 ~~decal in lieu of the county name decal."~~

32 **SECTION 3.**

33 Said chapter is further amended by revising subsections (b), (d), (e), and (f) of Code Section  
 34 40-2-31, relating to the design of license plates and revalidation and county decals, as  
 35 follows:

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

52 "(d) In those years in which a new license plate is not issued, a revalidation decal with a  
 53 distinctive serial number shall be issued and affixed in the space provided on the license  
 54 plate issued to the applicant which shall indicate the year and month through which the  
 55 registration of the vehicle shall be valid; provided, however, that if the commissioner  
 56 determines that it is necessary, two revalidation decals shall be issued for each license plate  
 57 to reflect the required information. When an applicant is issued a revalidation decal and  
 58 such applicant registered the vehicle in another county the previous year, the applicant,  
 59 upon request, shall also be issued a new county decal or other authorized decal which shall  
 60 be properly affixed to the license plate ~~and shall replace the other county decal.~~

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

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

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

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

79 **SECTION 4.**

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

82 "(d) The agency, fund, or nonprofit corporation sponsoring a special license plate, in  
 83 cooperation with the commissioner, shall design a special distinctive license plate  
 84 appropriate to promote the program benefited by the issuance of the special license plate.  
 85 Special license plates for groups of individuals and vehicles shall be readily recognizable  
 86 by the insertion of an appropriate logo or graphic identifying the special nature of the  
 87 license plate. All special license plates must be of the same size as general issue motor  
 88 vehicle license plates and shall include a unique design and identifying number, whereby  
 89 the total number of characters does not exceed an amount to be determined by the  
 90 commissioner. No two recipients shall receive identically numbered plates. Spaces for  
 91 ~~county name labels~~ authorized decals, including, but not limited to, county name decals or  
 92 'In God We Trust' decals, are required for all license plates authorized under this Code  
 93 section unless expressly eliminated by the request of issued in this state. If the agency,  
 94 fund, or nonprofit corporation sponsoring a special license plate at the time the license plate  
 95 is designed has requested that the license plate bear a special legend in the space reserved

96 for authorized decals, it shall be permissible for the legend to be covered with an  
 97 authorized decal."

98 **SECTION 5.**

99 Said chapter is further amended by revising paragraphs (2), (4), (8), (15), (17), (18), (20),  
 100 (22), (30), (45), (46), (47), and (48) of subsection (1) of Code Section 40-2-86, relating to  
 101 special license plates supporting certain beneficial projects, as follows:

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

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

123 "(8)(A) The commissioner in cooperation with a college or university may design a  
 124 special license plate to be issued commemorating that college or university, which license  
 125 plate shall be similar in design to the license plate issued to all other residents of the state  
 126 except that the logo or emblem of the college or university shall be placed on the license  
 127 plate along with the letters and numbers on the license plate. The name of the college or  
 128 university shall be imprinted on such special license plate ~~in lieu of the county name~~  
 129 ~~decal.~~

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

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

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

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

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

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

162 (18) A special license plate for the child care industry to promote the child care industry  
 163 by encouraging higher educational standards and providing for professional camaraderie  
 164 for child care providers. Such license plate shall ~~not include a space for a county name~~  
 165 ~~decal but shall instead~~ bear the legend 'Support Improved Child Care,' ~~in lieu of the name~~  
 166 ~~of the county of issuance.~~ The funds raised by the sale of this special license plate shall

167 be disbursed to the Minority Alliance for Child Care Development Advocates, Inc., for  
 168 the development of programs to help improve child care."

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

174 "(22) A special license plate for pediatric cancer research. The funds raised by the sale  
 175 of this special license plate shall be disbursed to the Joanna McAfee Childhood Cancer  
 176 Foundation for support of pediatric cancer research. The design of the special license  
 177 plate provided for in this paragraph shall include the words 'Joanna McAfee Childhood  
 178 Cancer Foundation' horizontally across the bottom of the plate ~~in lieu of the county~~  
 179 ~~name.~~"

180 "(30) A special license plate for the Atlanta Falcons Youth Foundation to assist the  
 181 charities supported by the foundation. The funds raised by the sale of this special license  
 182 plate shall be disbursed to the Atlanta Falcons Youth Foundation. Such license plate  
 183 shall ~~not include a space for a county name decal but shall instead~~ bear the legend  
 184 'Atlanta Falcons,' ~~in lieu of the name of the county of issuance.~~"

185 "(45) A special license plate supporting the Georgia Sea Turtle Center. The funds raised  
 186 by the sale of this special license plate shall be charged and disbursed to the Nongame  
 187 Wildlife Conservation and Wildlife Habitat Acquisition Fund and used to fund nongame  
 188 wildlife conservation and education programs. The design of the license plate provided  
 189 for in this paragraph shall include the words 'Jekyll Island – Georgia's Jewel' horizontally  
 190 across the bottom of the plate ~~in lieu of the county name~~, with a diamond jewel symbol  
 191 in place of the dash.

192 (46) A special license plate commemorating and supporting the sport of soccer in  
 193 Georgia. The funds raised by the sale of this special license plate shall be disbursed to  
 194 the Georgia State Soccer Association, Inc., for the development and promotion of soccer  
 195 programs in the State of Georgia. Such license plate shall ~~not include a space for a~~  
 196 ~~county decal but shall instead~~ bear the legend 'gasoccer.org.':

197 (47) A special license plate for the Georgia Aquarium to support its mission as an  
 198 entertaining, educational, and scientific institution and to promote the conservation of  
 199 aquatic biodiversity throughout the world. The funds raised by the sale of this special  
 200 plate shall be disbursed to Georgia Aquarium, Inc. Such license plate shall bear the  
 201 legend 'Georgia Aquarium,' ~~in lieu of the name of the county of issuance.~~

202 (48) A special license plate for Zoo Atlanta to support its mission to inspire the citizens  
 203 of Atlanta and Georgia and all visitors to the zoo to value wildlife on Earth; to help

204 safeguard existing species through conservation by providing for an informative,  
205 educational, and engaging experience to all visitors; to carry out the responsible  
206 stewardship of the animals and the zoo facility; and to engage in related conservation  
207 activities and research. The funds raised by the sale of this special plate shall be  
208 disbursed to the Atlanta-Fulton County Zoo, Inc. Such license plate shall ~~not include a~~  
209 ~~space for a county name decal but shall instead~~ bear the legend 'Protect Wildlife,' ~~in lieu~~  
210 ~~of the name of the county of issuance."~~

211 **SECTION 6.**

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

213 **SECTION 7.**

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