

House Bill 104 (COMMITTEE SUBSTITUTE)

By: Representatives Carson of the 46th, Dudgeon of the 25th, Allison of the 8th, and Tanner of the 9th

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 of certain persons and vehicles, so as to
3 clarify the provision of special license plates for veterans; to modify provisions relating to
4 a special license plate for the AIDS Survival Project and designate the special license plate
5 funds for AID Atlanta; to modify provisions relating to a special license plate supporting the
6 Appalachian Trail Conservancy in its mission to protect, maintain, and conserve the Georgia
7 portion of the Appalachian Trail; to add a special license plate supporting the Atlanta Braves
8 Foundation and the foundation's philanthropic activities and charitable sponsorships; to
9 provide for related matters; to provide an effective date; to repeal conflicting laws; and for
10 other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 style="text-align:center">**SECTION 1.**

13 Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to
14 prestige license plates and special plates of certain persons and vehicles, is amended by
15 revising Code Section 40-2-85.1, relating to special and distinctive license plates for
16 veterans, as follows:

17 "40-2-85.1.

18 (a) For purposes of this Code section, the term:

19 (1) 'Military medal award' means the following medals, decorations, or other recognition
20 of honor for military service awarded by a branch of the United States military:

21 (A) Medal of Honor;

22 (B) Bronze Star Medal;

23 (C) Silver Star Medal;

24 (D) Distinguished Service Cross;

25 (E) Navy Cross;

26 (F) Air Force Cross;

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- 27 (G) Defense Distinguished Service Medal;
 28 (H) Homeland Security Distinguished Service Medal;
 29 (I) Distinguished Service Medal;
 30 (J) Navy Distinguished Service Medal;
 31 (K) Air Force Distinguished Service Medal;
 32 (L) Coast Guard Distinguished Service Medal;
 33 (M) Defense Superior Service Medal;
 34 (N) Legion of Merit;
 35 (O) Distinguished Flying Cross;
 36 (P) Purple Heart; and
 37 (Q) Air Medal.

38 (2) 'Served during active military combat' means active duty service in World War I,
 39 World War II, the Korean War, the Vietnam War, Operation Desert Storm, the Global
 40 War on Terrorism as defined by Presidential Executive Order 13289, Section 2, the war
 41 in Afghanistan, or the war in Iraq, which includes either Operation Iraqi Freedom or
 42 Operation Enduring Freedom.

43 (3) 'Veteran' means a former member of the armed forces of the United States who is
 44 discharged from the armed forces under conditions other than dishonorable.

45 (b)(1) Motor vehicle and trailer owners who are ~~retired~~ veterans of the armed forces of
 46 the United States, or who have received a military medal award, or persons who served
 47 during active military combat shall be eligible to receive special and distinctive vehicle
 48 license plates for private passenger cars, trucks, or recreational vehicles used for personal
 49 transportation. ~~Eligibility to receive a special and distinctive vehicle license plate for~~
 50 ~~persons who are no longer serving in the United States military shall be conditioned on~~
 51 ~~such person having been discharged from military service under honorable conditions.~~
 52 Such license plates shall be issued in compliance with the state motor vehicle laws
 53 relating to registration and licensing of motor vehicles as prescribed in Article 2 of this
 54 chapter.

55 (2)(A) Motor vehicle and trailer owners who ~~retired from active duty with the armed~~
 56 ~~forces of the United States~~ are veterans or have received a military medal award or
 57 served during active military combat shall be issued upon application for and upon
 58 compliance with the state motor vehicle laws relating to registration and licensing of
 59 motor vehicles a ~~retired~~ veteran's license plate, military medal award recipient license
 60 plate, or commemorative service license plate for service during active military combat.
 61 One such license plate shall be issued without the requisite registration fee,
 62 manufacturing fee, or annual registration fee.

63 (B) Each member or former member of the armed forces listed in subsection (b) of this
64 Code section shall be entitled to no more than one such free license plate at a time;
65 provided, however, that upon payment of a manufacturing fee of \$25.00, a member
66 shall be entitled to one additional such license plate. For each additional license plate
67 for which a \$25.00 manufacturing fee is required, there shall be an additional annual
68 registration fee of \$25.00 which fee shall be collected by the county tag agent at the
69 time of collection of other registration fees and shall be remitted to the state as provided
70 in Code Section 40-2-34.

71 (c) The commissioner shall design a ~~retired~~ veteran's license plate, a military medal award
72 recipient license plate, and a license plate to commemorate service with the United States
73 armed forces during active military combat. The commissioner shall promulgate such rules
74 and regulations as may be necessary to enforce compliance with all state license laws
75 relating to the use and operation of private passenger cars, trucks, and trailers before
76 issuing these license plates in lieu of the regular Georgia license plates. The manufacturing
77 fee for such special and distinctive license plates shall be \$25.00. The commissioner is
78 specifically authorized to promulgate all rules and regulations necessary to ensure
79 compliance in instances where such vehicles have been transferred or sold. Except as
80 provided in subsection (e) of this Code section, such plates shall be nontransferable.

81 (d) The special and distinctive vehicle license plates shall be as prescribed in Article 2 of
82 this chapter for private passenger cars, trucks, and trailers used for personal transportation.
83 Such plates shall contain such words or symbols, in addition to the numbers and letters
84 prescribed by law, so as to identify distinctively the owners as ~~retired~~ veterans of the armed
85 forces of the United States, or recipients of a military medal award, or persons who served
86 during active military combat and shall additionally, ~~for such plates manufactured after~~
87 ~~July 1, 2001~~, identify distinctly the owner as a veteran of one of the following branches of
88 the armed forces: Army, Navy, Marines, Air Force, or Coast Guard.

89 (e) The license plate issued pursuant to this Code section shall be transferred between
90 vehicles as provided in Code Section 40-2-80. The spouse of a deceased veteran of the
91 armed forces of the United States or of a deceased person who received a military medal
92 award or who served during active military combat shall continue to be eligible to be issued
93 a distinctive personalized license plate as provided in this Code section for any vehicle
94 owned by such veteran ownership of which is transferred to the surviving spouse or for any
95 other vehicle owned by such surviving spouse either at the time of the qualifying veteran's
96 death or acquired thereafter, so long as such person does not remarry.

97 (f) Special license plates issued under this Code section, except as provided in
98 subparagraph (b)(2)(A) of this Code section, shall be renewed annually with a revalidation
99 decal as provided in Code Section 40-2-31 without payment of an additional \$25.00 annual

100 registration fee. ~~It shall be a requirement that a county name decal shall be affixed and~~
 101 ~~displayed on license plates issued under this Code section."~~

102 **SECTION 2.**

103 Said article is further amended by revising paragraph (24) of subsection (l) of Code Section
 104 40-2-86, relating to special license plates promoting certain beneficial projects and
 105 supporting certain worthy agencies, funds, or nonprofit corporations, and by adding two new
 106 paragraphs to read as follows:

107 "(24) A special license plate for the ~~AIDS Survival Project~~ AID Atlanta. The funds
 108 raised by the sale of this special license plate shall be disbursed to the ~~AIDS Survival~~
 109 ~~Project~~ AID Atlanta which is committed to providing people living with HIV the
 110 information and support they need to live healthy and productive lives."

111 "(49) A special license plate supporting the Appalachian Trail. The funds raised by the
 112 sale of this special license plate shall be disbursed to the Appalachian Trail Conservancy
 113 and used to protect, maintain, and conserve the Georgia portion of the Appalachian Trail
 114 and connecting trails, and to promote awareness of wilderness, hiking, and back country
 115 recreation. Such license plate shall not include a space for a county name decal but shall
 116 instead bear the legend 'www.appalachiantrail.org'.

117 (50) A special license plate supporting the Atlanta Braves Foundation. The funds raised
 118 by the sale of this special license plate shall be disbursed as provided in paragraph (1) of
 119 this subsection to the Atlanta Braves Foundation and used in the foundation's
 120 philanthropic activities and charitable sponsorships. Such license plate shall not include
 121 a space for a county name decal but shall instead bear the legend 'Go Braves.'"

122 **SECTION 3.**

123 This Act shall become effective on July 1, 2013.

124 **SECTION 4.**

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