

HOUSE SUBSTITUTE TO SENATE BILL 121

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 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 found
 9 ation's philanthropic activities and charitable sponsorships; to provide for related matters; to
 10 provide an effective date; to repeal conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 **SECTION 1.**

13 Said article is further amended by revising Code Section 40-2-85.1, relating to special and
 14 distinctive license plates for veterans, as follows:

15 "40-2-85.1.

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

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

19 (A) Medal of Honor;

20 (B) Bronze Star Medal;

21 (C) Silver Star Medal;

22 (D) Distinguished Service Cross;

23 (E) Navy Cross;

24 (F) Air Force Cross;

25 (G) Defense Distinguished Service Medal;

26 (H) Homeland Security Distinguished Service Medal;

27 (I) Distinguished Service Medal;

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

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

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

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

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

61 (B) Each member or former member of the armed forces listed in subsection (b) of this
 62 Code section shall be entitled to no more than one such free license plate at a time;
 63 provided, however, that upon payment of a manufacturing fee of \$25.00, a member
 64 shall be entitled to one additional such license plate. For each additional license plate

65 for which a \$25.00 manufacturing fee is required, there shall be an additional annual
66 registration fee of \$25.00 which fee shall be collected by the county tag agent at the
67 time of collection of other registration fees and shall be remitted to the state as provided
68 in Code Section 40-2-34.

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

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

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

95 (f) Special license plates issued under this Code section, except as provided in
96 subparagraph (b)(2)(A) of this Code section, shall be renewed annually with a revalidation
97 decal as provided in Code Section 40-2-31 without payment of an additional \$25.00 annual
98 registration fee. ~~It shall be a requirement that a county name decal shall be affixed and~~
99 ~~displayed on license plates issued under this Code section."~~

100 **SECTION 2.**

101 Said article is further amended by revising paragraph (24) of subsection (1) of Code Section
102 40-2-86, relating to special license plates promoting certain beneficial projects and
103 supporting certain worthy agencies, funds, or nonprofit corporations, and by adding two new
104 paragraphs to read as follows:

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

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

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

120 **SECTION 3.**

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

122 **SECTION 4.**

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