

Senate Bill 121

By: Senators Ramsey, Sr. of the 43rd, Henson of the 41st, Chance of the 16th, Hill of the 32nd, Carter of the 1st and others

AS PASSED

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

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

13 **SECTION 1.**

14 Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to
15 prestige license plates and special plates for certain persons and vehicles, is amended by
16 revising Code Section 40-2-62, relating to special license plates for members of the General
17 Assembly, as follows:

18 "40-2-62.

19 The commissioner shall mail special and distinctive license plates printed for members of
20 the General Assembly and former members of the General Assembly who are hereby
21 deemed to have emeritus status after having served in the General Assembly eight or more
22 years to the local tag agent in the counties wherein such members or former members
23 reside on or before the owner's registration period each year. Such special and distinctive
24 license plates shall be issued only upon applications made to the local tag agent and
25 payment of a \$25.00 manufacturing fee. License plates may be issued by the local tag
26 agent upon a proper application and in accordance with the terms of this chapter. License

27 plates issued pursuant to this Code section need not contain a place for the county name
 28 decal, and no county name decal need be affixed to a license plate issued pursuant to this
 29 Code section. Special and distinctive license plates issued pursuant to this Code section
 30 shall be renewed annually, and revalidation decals shall be issued upon compliance with
 31 the laws relating to registration and licensing and upon payment of an additional
 32 registration fee of \$35.00 which shall be collected by the county tag agent at the time for
 33 collection of other registration fees and shall be remitted to the state as provided in Code
 34 Section 40-2-34. The special license plates issued pursuant to this Code section shall be
 35 transferred to another vehicle as provided in Code Section 40-2-80."

36 **SECTION 2.**

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

39 "40-2-85.1.

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

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

43 (A) Medal of Honor;

44 (B) Bronze Star Medal;

45 (C) Silver Star Medal;

46 (D) Distinguished Service Cross;

47 (E) Navy Cross;

48 (F) Air Force Cross;

49 (G) Defense Distinguished Service Medal;

50 (H) Homeland Security Distinguished Service Medal;

51 (I) Distinguished Service Medal;

52 (J) Navy Distinguished Service Medal;

53 (K) Air Force Distinguished Service Medal;

54 (L) Coast Guard Distinguished Service Medal;

55 (M) Defense Superior Service Medal;

56 (N) Legion of Merit;

57 (O) Distinguished Flying Cross;

58 (P) Purple Heart; and

59 (Q) Air Medal.

60 (2) 'Served during active military combat' means active duty service in World War I,
 61 World War II, the Korean War, the Vietnam War, Operation Desert Storm, the Global
 62 War on Terrorism as defined by Presidential Executive Order 13289, Section 2, the war

63 in Afghanistan, or the war in Iraq, which includes either Operation Iraqi Freedom or
64 Operation Enduring Freedom.

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

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

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

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

93 (c) The commissioner shall design a ~~retired~~ veteran's license plate, a military medal award
94 recipient license plate, and a license plate to commemorate service with the United States
95 armed forces during active military combat. The commissioner shall promulgate such rules
96 and regulations as may be necessary to enforce compliance with all state license laws
97 relating to the use and operation of private passenger cars, trucks, and trailers before
98 issuing these license plates in lieu of the regular Georgia license plates. The manufacturing
99 fee for such special and distinctive license plates shall be \$25.00. The commissioner is

100 specifically authorized to promulgate all rules and regulations necessary to ensure
 101 compliance in instances where such vehicles have been transferred or sold. Except as
 102 provided in subsection (e) of this Code section, such plates shall be nontransferable.

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

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

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

124 SECTION 3.

125 Said article is further amended by revising paragraph (24) of subsection (l) of Code Section
 126 40-2-86, relating to special license plates promoting certain beneficial projects and
 127 supporting certain worthy agencies, funds, or nonprofit corporations, and by adding two new
 128 paragraphs to read as follows:

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

133 "(49) A special license plate supporting the Appalachian Trail. The funds raised by the
 134 sale of this special license plate shall be disbursed to the Appalachian Trail Conservancy
 135 and used to protect, maintain, and conserve the Georgia portion of the Appalachian Trail

136 and connecting trails, and to promote awareness of wilderness, hiking, and back country
137 recreation. Such license plate shall not include a space for a county name decal but shall
138 instead bear the legend 'www.appalachiantrail.org'.

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

144 **SECTION 4.**

145 This Act shall become effective on July 1, 2013; provided, however, Section 1 shall only
146 apply to members of the General Assembly who have eight or more years of service as of
147 December 31, 2013.

148 **SECTION 5.**

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