

Senate Bill 384

By: Senators Hatchett of the 50th, Goodman of the 8th, Burns of the 23rd, Echols of the 49th, Williams of the 25th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 9 of Title 12 and Title 40 of the Official Code of Georgia
2 Annotated, relating to motor vehicle emission inspection and maintenance and motor
3 vehicles and traffic, respectively, so as to provide for an optional five-year motor vehicle
4 registration and revalidation for certain motor vehicles; to provide for the submission of
5 certificates of emission inspection for such five-year motor vehicle registrations; to authorize
6 electronic notice in certain instances; to prohibit credits or refunds of registration fees; to
7 provide for fees for five-year registration decals for prestige and specialty license plates; to
8 provide for the submission of certificates of emission inspections to the Department of
9 Revenue; to revise and provide for definitions; to provide for conforming changes; to provide
10 for related matters; to provide for an effective date; to repeal conflicting laws; and for other
11 purposes.

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

13 **SECTION 1.**

14 Article 2 of Chapter 9 of Title 12 of the Official Code of Georgia Annotated, relating to
15 motor vehicle emission inspection and maintenance, is amended in Code Section 12-9-45,
16 relating to certificate of emission inspection, by revising subsection (b) as follows:

S. B. 384

17 "(b) A certificate of emission inspection shall be valid for one inspection term. The owner
18 of each responsible motor vehicle subject to subsection (a) of this Code section is required
19 to obtain a new certificate of emission inspection on or before the date the current
20 certificate of emission inspection expires or prior to the ~~vehicle registration date~~ conclusion
21 of the registration period, as such term is defined in Code Section 40-2-21, in the year
22 following the expiration of the certificate, as determined by the board."

23

SECTION 2.

24 Said article is further amended in Code Section 12-9-51, relating to emission inspection
25 required for motor vehicle registration, operation without registration, and improper reuse,
26 by revising subsection (a) as follows:

27 "(a) Beginning July 1, 1992, it shall be unlawful for any county to and no county shall
28 register any responsible motor vehicle subject to any requirement under Code Section
29 12-9-45 pursuant to or subject to the requirements of Chapter 2 of Title 40 without proof
30 of a valid certificate of emission inspection issued pursuant to Code Section 12-9-48
31 indicating that such responsible motor vehicle satisfied all applicable requirements of Code
32 ~~Section~~ Sections 12-9-45 and ~~Code Section~~ 12-9-48. In applying for a motor vehicle
33 registration for a responsible motor vehicle subject to any requirement under Code Section
34 12-9-45, the application shall be accompanied by proof of the issuance of a certificate of
35 emission inspection issued pursuant to Code Section 12-9-48. A valid certificate of
36 emission inspection shall be submitted during each inspection term of a five-year motor
37 vehicle registration. Any county which registers any responsible motor vehicle without
38 proof of a certificate of emission inspection or fails to suspend a five-year registration of
39 a responsible motor vehicle without proof of a certificate of emission inspection during an
40 inspection term shall be in violation of this article."

41

SECTION 3.

42 Said article is further amended in Code Section 12-9-55, relating to prohibited acts,
 43 registration of vehicle by county without proof of inspection, penalty, and withholding of
 44 funding, by revising subsection (i) as follows:

45 "(i) If it is determined that any county has registered responsible motor vehicles or failed
 46 to suspend a five-year registration of responsible motor vehicles without receiving proof
 47 from the owners that the responsible motor vehicles satisfy all applicable requirements of
 48 Code Sections 12-9-45 and 12-9-48, the director shall notify the commissioner of
 49 transportation that such an unlawful act has occurred. Upon such notification, the State
 50 Transportation Board may at its discretion withhold Department of Transportation funding
 51 assistance from any such county."

52

SECTION 4.

53 Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, is
 54 amended in Code Section 40-1-9, relating to electronic notifications and communications by
 55 Department of Revenue, by adding a new subsection to read as follows:

56 "(b.1)(1) Notice required by the department upon an owner for failure to comply with
 57 emission inspection certification requirements pursuant to Code Section 40-2-137 shall
 58 be satisfied by electronic means when:

59 (A) The owner consents to receive notifications and communications electronically
 60 pursuant to the conditions set forth in paragraph (2) of this subsection; and

61 (B) The department provides notifications and communications electronically to the
 62 owner 30 days, 20 days, and ten days prior to the date of any suspension.

63 (2) The department shall be authorized to utilize electronic notifications and
 64 communications pursuant to this subsection for any owner who agrees to a statement
 65 which reads:

66 I AGREE TO RECEIVE NOTIFICATIONS AND COMMUNICATIONS
67 ELECTRONICALLY OF A FAILURE TO SUBMIT EMISSION INSPECTION
68 CERTIFICATION AND POSSIBLE SUSPENSION OF MY VEHICLE
69 REGISTRATION."

70 **SECTION 5.**

71 Said title is further amended in Code Section 40-2-1, relating to definitions relative to
72 registration and licensing of motor vehicles, by adding a new paragraph to read as follows:

73 "(3.3) 'Eligible motor vehicle' means a motor vehicle for which required state and local
74 ad valorem taxes have been paid in accordance with the alternative ad valorem tax set
75 forth Code Section 48-5C-1. Such term shall not include a commercial motor vehicle or
76 an alternative fueled vehicle, as such term is defined in paragraph (7) of subsection (l) of
77 Code Section 40-2-86.1."

78 **SECTION 6.**

79 Said title is further amended by adding a new Code section to read as follows:

80 "40-2-10.1.
81 In no case shall an owner be entitled to a credit or refund for any payment of fees for a
82 registration issued under this chapter upon the cancellation, termination, suspension, or
83 revocation of such registration."

84 **SECTION 7.**

85 Said title is further amended by revising Code Section 40-2-20, relating to registration and
86 license requirements, certificate of registration and temporary operating permit, and two-year
87 registration option for new motor vehicles, as follows:

88 "40-2-20.

89 (a)(1)(A) Except as ~~provided in subsections (b) and (d) of otherwise provided in this~~
90 Code section and subsection (a) of Code Section 40-2-47, every owner of a motor
91 vehicle, including a tractor or motorcycle, and every owner of a trailer shall, during the
92 owner's registration period ~~in each year~~, register such vehicle as provided in this chapter
93 and obtain a license plate or revalidation decal to operate it ~~for the 12-month period~~
94 until such person's next registration period.

95 (B)(i) The purchaser or other transferee owner of every new or used motor vehicle,
96 including tractors and motorcycles, or trailer shall register such vehicle as provided
97 in Code Section 40-2-8 and obtain or transfer as provided in this chapter a license to
98 operate it for the period remaining until such person's next registration period which
99 immediately follows such initial registration period, without regard to whether such
100 next registration period occurs in the same calendar year as the initial registration
101 period or how soon such next registration period follows the initial registration period;
102 provided, however, that this registration and licensing requirement does not apply to
103 a dealer which acquires a new or used motor vehicle and holds it for resale. ~~The~~
104 ~~commissioner may provide by rule or regulation for one 30-day extension of such~~
105 ~~initial registration period which may be granted by the county tag agent if the~~
106 ~~transferor has not provided such purchaser or other transferee owner with a title to the~~
107 ~~motor vehicle more than five business days prior to the expiration of such initial~~
108 ~~registration period. The county tag agent shall grant an extension of the initial~~
109 ~~registration period when the transferor, purchaser, or transferee can demonstrate by~~
110 ~~affidavit in a form provided by the commissioner that title has not been provided to~~
111 ~~the purchaser or transferee due to the failure of a security interest or lienholder to~~
112 ~~timely release a security interest or lien in accordance with Code Section 40-3-56.~~
113 (ii) No person, company, or corporation, including, but not limited to, used motor
114 vehicle dealers and auto auctions, shall sell or transfer a motor vehicle without

115 providing to the purchaser or transferee of such motor vehicle the last certificate of
116 registration on such vehicle at the time of such sale or transfer; provided, however,
117 that, in the case of a salvage motor vehicle or a motor vehicle which is stolen but
118 subsequently recovered by the insurance company after payment of a total loss claim,
119 the salvage dealer or insurer, respectively, shall not be required to provide the
120 certificate of registration for such vehicle; and provided, further, that in the case of a
121 repossessed motor vehicle or a court ordered sale or other involuntary transfer, the
122 lienholder or the transferor shall not be required to provide the certificate of
123 registration for such vehicle but shall, prior to the sale of such vehicle, surrender the
124 license plate of such vehicle to the commissioner or the county tag agent by personal
125 delivery or by certified mail or statutory overnight delivery for cancellation.

126 ~~(C) Upon application for renewal of a vehicle registration, the county tag agent may~~
127 ~~issue a temporary operating permit for any vehicle that fails to comply with applicable~~
128 ~~federal emission standards, provided that the owner of such vehicle has provided~~
129 ~~verification of the existence of minimum motor vehicle liability insurance coverage and~~
130 ~~paid all applicable taxes, penalties, insurance lapse fees, and fees other than the~~
131 ~~registration fee. Such temporary operating permit shall be valid for 30 days and shall~~
132 ~~not be renewable.~~

133 (2) An application for the registration of a motor vehicle may not be submitted separately
134 from the application for a certificate of title for such motor vehicle, unless a certificate
135 of title has been issued in the owner's name, such title has been applied for in the owner's
136 name, or the motor vehicle is not required to be titled. An application for a certificate of
137 title for a motor vehicle may be submitted separately from the application for the
138 registration of such motor vehicle.

139 (b) Subsection (a) of this Code section shall not apply:

140 (1) To any motor vehicle or trailer owned by the state or any municipality or other
141 political subdivision of this state except to the extent provided by Code Section 40-2-37;

- 142 (2) To any tractor or three-wheeled motorcycle used only for agricultural purposes;
143 ~~(2.1)~~(3) To any vehicle or equipment used for transporting cargo or containers between
144 and within wharves, storage areas, or terminals within the facilities of any port under the
145 jurisdiction of the Georgia Ports Authority when such vehicle or equipment is being
146 operated upon any public road not part of The Dwight D. Eisenhower System of
147 Interstate and Defense Highways by the owner thereof or his or her agent within a radius
148 of ten miles of the port facility of origin and accompanied by an escort vehicle equipped
149 with one or more operating amber flashing lights that are visible from a distance of 500
150 feet;
- 151 ~~(3)~~(4) To any trailer which has no springs and which is being employed in hauling
152 unprocessed farm products to their first market destination;
- 153 ~~(4)~~(5) To any trailer which has no springs, which is pulled from a tongue, and which is
154 used primarily to transport fertilizer to a farm;
- 155 ~~(5)~~(6) To any electric powered personal transportation vehicle;
- 156 ~~(6)~~(7) To any moped; or
- 157 ~~(7)~~(8) To any golf car.
- 158 ~~(c) Any person who fails to register a new or used motor vehicle as required in subsection~~
159 ~~(a) of this Code section shall be guilty of a misdemeanor and, upon conviction thereof,~~
160 ~~shall be punished by a fine not exceeding \$100.00.~~
- 161 ~~(d) Upon the payment of the requisite fee, the purchaser of a new motor vehicle which is~~
162 ~~a passenger car, for which such purchaser has paid state and local title ad valorem taxes,~~
163 ~~may choose to register such passenger car for an initial period of two years instead of the~~
164 ~~annual registration provided for in this Code section, provided that the motor vehicle owner~~
165 ~~does not elect a prestige or special license plate. Thereafter, such passenger car shall be~~
166 ~~subject to the annual registration requirements of this Code section.~~
- 167 (c) On and after January 1, 2027, an owner of an eligible motor vehicle who has complied
168 with all other requirements of this chapter shall be authorized to renew the motor vehicle

169 registration for such eligible vehicle annually or for a period of five years. In addition to
170 the applicable license fee set forth in Code Section 40-2-151, an owner of an eligible motor
171 vehicle with a prestige or special license plate shall pay any applicable registration renewal
172 fees for such license plate. Any owner of an eligible motor vehicle who elects a five-year
173 registration and revalidation decal shall not be relieved of any applicable emission
174 inspection certification requirements under Article 2 of Chapter 9 of Title 12.

175 (d) Upon application for renewal of a motor vehicle registration, the county tag agent shall
176 be authorized to issue a temporary operating permit for any vehicle that fails to comply
177 with emission inspection certification requirements under Article 2 of Chapter 9 of
178 Title 12, provided that the owner of such vehicle has provided verification of the existence
179 of minimum motor vehicle liability insurance coverage and paid all applicable taxes,
180 penalties, insurance lapse fees, and fees other than the registration fee. Such temporary
181 operating permit shall be valid for 30 days and shall not be renewable."

182

SECTION 8.

183 Said title is further amended in Code Section 40-2-21, relating to registration periods, by
184 adding a new paragraph to subsection (a) and revising subsection (b) as follows:

185 "(.01) 'Eligible motor vehicle registration term' means every fifth registration period for
186 an owner of an eligible motor vehicle who elects a five-year revalidation decal option."

187 "(b) The owner of every vehicle registered in the previous calendar year shall register
188 renew such registration and obtain a license to operate such vehicle with a revalidation
189 decal not later than the last day of the owner's registration period for an annual motor
190 vehicle registration or the last day of an eligible motor vehicle registration term for a
191 five-year motor vehicle registration."

192

SECTION 9.

193 Said title is further amended in Code Section 40-2-42, relating to transfer of license plates
194 and revalidation decals, by revising subsection (b) as follows:

195 "(b) The commissioner shall provide by rules and regulations appropriate procedures
196 whereby, upon the payment of a fee of \$5.00, and, upon preparation and filing of an
197 appropriate application therefor, currently valid ~~annual and five-year~~ license plates and
198 revalidation decals shall be transferred from one vehicle to another vehicle of the same
199 class of which ownership is acquired following that person's or those persons' ceasing to
200 own or operate on the public roads the vehicle for which such plate was originally issued
201 and during the initial registration period for the acquired vehicle. If such acquired vehicle
202 is of a different class than the vehicle no longer owned or operated by such person, he or
203 she shall submit the license plate currently issued to him or her for cancellation and, upon
204 payment of any additional fee for registering such acquired vehicle, the commissioner shall
205 issue a new license plate to such person for use on such acquired vehicle. License plates
206 and revalidation decals may be transferred in accordance with the provisions of this
207 subsection at any time after issuance or renewal thereof and until the expiration of the
208 period for which issued."

209

SECTION 10.

210 Said title is further amended in Code Section 40-2-60, relating to prestige license plates, by
211 revising subsection (a) as follows:

212 "(a) Motor vehicle owners who are residents of Georgia, upon complying with the motor
213 vehicle laws relating to registration and licensing of motor vehicles and, except as provided
214 in subsection (c) of this Code section, upon the payment of a fee of \$35.00 in addition to
215 the regular motor vehicle registration fee, shall be issued special personalized prestige
216 license plates by the commissioner. Special personalized license plates issued pursuant to
217 this Code section shall be subject to an additional annual registration fee of \$35.00 as a

218 condition of obtaining an annual revalidation decal or an additional registration fee of
 219 \$175.00 as a condition of obtaining a five-year revalidation decal for such license plate,
 220 ~~which fee~~ The fee required by this Code section shall be collected by the county tag agent
 221 at the time of collection of other registration fees and shall be remitted to the state as
 222 provided in Code Section 40-2-34."

223 **SECTION 11.**

224 Said title is further amended in Code Section 40-2-60.1, relating to standardized
 225 administrative process for special license plates, designs, fees, and application process, by
 226 revising paragraph (5) of subsection (c) as follows:

227 "(5) 'Special license plate renewal fee' means ~~a \$35.00 fee~~ the fee required to be paid at
 228 the time a special license plate is renewed and a revalidation decal is issued. For an
 229 annual revalidation decal, such fee shall be \$35.00 and for a five-year revalidation decal,
 230 such fee shall be \$175.00."

231 **SECTION 12.**

232 Said title is further amended by revising Code Section 40-2-61, relating to license plates for
 233 U.S. Senators and Congressmen, state constitutional officers, Speaker of the House of
 234 Representatives, Justices of Supreme Court, Judges of Court of Appeals, and Public Service
 235 Commission members, as follows:

236 "40-2-61.

237 (a) As used in this Code section, the term 'state constitutional officer' means the Governor,
 238 Lieutenant Governor, Secretary of State, Attorney General, State School Superintendent,
 239 Commissioner of Insurance, Commissioner of Agriculture, or Commissioner of Labor.

240 (b) The commissioner shall design and issue distinctive license plates to each United
 241 States Senator and Congressman elected from the State of Georgia, each state constitutional
 242 officer, the Speaker of the House of Representatives, each Justice of the Supreme Court

243 and each Judge of the Court of Appeals, and each member of the Public Service
 244 Commission to be placed on such official's personal motor vehicle. Each such distinctive
 245 license plate shall indicate the individual's elected office and no county name decal need
 246 be affixed to such plate as required pursuant to Code Section 40-2-9. The special license
 247 plate authorized by this Code section shall be issued to such elected official upon
 248 application and payment of a manufacturing fee of \$25.00 and upon compliance with the
 249 state laws relating to registration and licensing of motor vehicles and shall be transferred
 250 as provided in Code Section 40-2-80. Distinctive license plates issued pursuant to this
 251 Code section shall be ~~renewed annually, and revalidation decals shall be issued upon~~
 252 ~~compliance with the laws relating to registration and licensing and upon payment of~~ subject
 253 to an additional annual registration fee of \$35.00 which shall as a condition of obtaining
 254 an annual revalidation decal or an additional registration fee of \$175.00 as a condition of
 255 obtaining a five-year revalidation decal for such license plate. The fee required by this
 256 Code section shall be collected by the county tag agent at the time for collection of other
 257 registration fees and shall be remitted to the state as provided in Code Section 40-2-34. For
 258 ~~purposes of this Code section, the term 'state constitutional officer' means the Governor,~~
 259 ~~Lieutenant Governor, Secretary of State, Attorney General, State School Superintendent,~~
 260 ~~Commissioner of Insurance, Commissioner of Agriculture, or Commissioner of Labor."~~

261 **SECTION 13.**

262 Said title is further amended by revising Code Section 40-2-62, relating to license plates for
 263 current and former members of the General Assembly, as follows:

264 "40-2-62.

265 The commissioner shall mail special and distinctive license plates printed for members of
 266 the General Assembly and former members of the General Assembly who are hereby
 267 deemed to have emeritus status after having served in the General Assembly eight or more
 268 years to the local tag agent in the counties wherein such members or former members

269 reside on or before the owner's registration period each year. Such special and distinctive
270 license plates shall be issued only upon applications made to the local tag agent and
271 payment of a \$25.00 manufacturing fee. License plates may be issued by the local tag
272 agent upon a proper application and in accordance with the terms of this chapter. License
273 plates issued pursuant to this Code section need not contain a place for the county name
274 decal as required pursuant to Code Section 40-2-9, and no county name decal need be
275 affixed to a license plate issued pursuant to this Code section. Special and distinctive
276 license plates issued pursuant to this Code section shall be ~~renewed annually, and~~
277 ~~revalidation decals shall be issued upon compliance with the laws relating to registration~~
278 ~~and licensing and upon payment of~~ subject to an additional annual registration fee of
279 \$35.00 ~~which~~ as a condition of obtaining an annual revalidation decal or an additional
280 registration fee of \$175.00 as a condition of obtaining a five-year revalidation decal for
281 such license plate. The fee required by this Code section shall be collected by the county
282 tag agent at the time for collection of other registration fees and shall be remitted to the
283 state as provided in Code Section 40-2-34. The special license plates issued pursuant to
284 this Code section shall be transferred to another vehicle as provided in Code Section
285 40-2-80."

286 **SECTION 14.**

287 Said title is further amended by revising Code Section 40-2-63, relating to license plates for
288 sheriffs, as follows:

289 "40-2-63.

290 The commissioner shall mail to the local tag agents special and distinctive license plates
291 for the elected sheriffs in the counties of this state on or before the owner's registration
292 period of each sheriff. The sheriffs shall make application with the local tag agent and
293 shall pay a fee of \$25.00. Special sheriffs' license plates issued pursuant to this Code
294 section shall be ~~renewed annually, and revalidation decals shall be issued upon compliance~~

295 ~~with the laws relating to registration and licensing and upon payment of an additional~~
296 ~~registration fee of \$25.00 which~~ subject to an additional annual registration fee of \$25.00
297 as a condition of obtaining an annual revalidation decal or an additional registration fee of
298 \$125.00 as a condition of obtaining a five-year revalidation decal for such license plate.
299 The fee required by this Code section shall be collected by the county tag agent at the time
300 of collection of other registration fees and shall be remitted to the state as provided in Code
301 Section 40-2-34. License plates shall be issued by the local tag agents upon proper
302 application and in accordance with the terms of Article 2 of this chapter. Only one special
303 and distinctive license plate shall be issued to each elected sheriff; however, a sheriff may
304 choose to use the sheriff's distinctive license plate either on the law enforcement vehicle
305 assigned to such sheriff or on his or her personal vehicle."

306

SECTION 15.

307 Said title is further amended in Code Section 40-2-64, relating to license plates for honorary
308 consuls, by revising subsection (a) as follows:

309 "(a) Honorary consuls shall be issued license plates as prescribed in Code Section 40-2-31
310 in duplicate for use on their official or private passenger automobiles, upon application and
311 compliance with the state motor vehicle laws relative to the registration and licensing of
312 motor vehicles, payment of the regular license fees for license plates as provided by law,
313 payment of a manufacturing fee of \$25.00, and payment of an additional annual registration
314 fee of \$25.00 ~~which fee~~ as a condition of obtaining an annual revalidation decal or an
315 additional registration fee of \$125.00 as a condition of obtaining a five-year revalidation
316 decal for such license plate. The fee required by this Code section shall be collected by the
317 county tag agent at the time of collection of other registration fees and shall be remitted as
318 provided in Code Section 40-2-34; ~~shall be issued license plates as prescribed in Code~~
319 ~~Section 40-2-31 in duplicate for use on their official or private passenger automobiles.~~
320 Such license plates shall be fastened to both the front and the rear of the vehicle. No more

321 than two sets of honorary consular corps license plates shall be issued to any country. Such
322 plates shall not be used by any person after his or her appointment has ended."

323 **SECTION 16.**

324 Said title is further amended in Code Section 40-2-64.1, relating to license plates for official
325 representatives of the Taipei Economic and Cultural Representatives Office, by revising
326 subsection (b) as follows:

327 "(b) Upon application and compliance with the state motor vehicle laws relating to the
328 registration and licensing of motor vehicles and the payment of any registration fees,
329 including the \$25.00 manufacturing fee and the \$35.00 special license plate fee ~~or the~~
330 ~~\$35.00 special license plate renewal fee, as applicable,~~ official representatives of the Taipei
331 Economic and Cultural Representatives Office in the United States who maintain a
332 presence in Georgia shall be issued Foreign Organization license plates as prescribed in
333 Code Section 40-2-31 in duplicate. License plates issued pursuant to this Code section
334 shall be subject to an additional annual registration fee of \$35.00 as a condition of
335 obtaining an annual revalidation decal or an additional registration fee of \$175.00 as a
336 condition of obtaining a five-year revalidation decal for such license plate. The fee
337 required by this Code section shall be collected by the county tag agent at the time of
338 collection of other registration fees and shall be remitted to the state as provided in Code
339 Section 40-2-34. Such license plates shall be fastened to both the front and the rear of the
340 vehicle."

341 **SECTION 17.**

342 Said title is further amended in Code Section 40-2-65, relating to license plates for active and
343 retired reservists and certain members of the National Guard, by revising subsection (a) as
344 follows:

345 "(a)(1) Motor vehicle owners who are assigned or attached members of troop program
346 units of any branch of the active reserve components of the United States inside or
347 outside the State of Georgia shall be eligible to receive free motor vehicle license plates
348 for private passenger cars, motorcycles, or trucks used for personal transportation. Motor
349 vehicle owners who are members of any National Guard unit in a state adjoining the State
350 of Georgia and for whom there is no National Guard unit in the county of their residence
351 shall be eligible to receive free motor vehicle plates for private passenger cars,
352 motorcycles, or trucks used for personal transportation to identify such vehicle owner as
353 a reservist. Such license plates shall be issued in compliance with the state motor vehicle
354 laws relating to registration and licensing of motor vehicles as prescribed in Article 2 of
355 this chapter. No person shall be entitled to more than one free motor vehicle license plate
356 for any calendar year; provided, however, that, upon payment of the regular license fee
357 provided for in Code Section 40-2-151 and a manufacturing fee of \$25.00, a reservist
358 shall be entitled to receive one additional such license plate. For each additional license
359 plate for which an initial \$25.00 fee was required, there shall be an additional annual
360 registration fee of \$25.00, which fee as a condition of obtaining an annual revalidation
361 decal or an additional registration fee of \$125.00 as a condition of obtaining a five-year
362 revalidation decal for such license plate. The fee required by this paragraph shall be
363 collected by the county tag agent at the time of collection of other registration fees and
364 shall be remitted to the state as provided in Code Section 40-2-34. Additional words or
365 symbols in addition to numbers and letters prescribed by law shall be inscribed upon such
366 license plates so as to identify distinctively the owner as a member of one of the
367 following branches of the United States military reserve: Army, Navy, Marines, Air
368 Force, Space Force, or Coast Guard. The commanding officer of each active reserve
369 component program unit or the adjutant general of the National Guard unit of each
370 neighboring state shall, upon request of any reserve member or National Guard member
371 of that unit, respectively, furnish to that member approved documentation supporting the

372 member's current membership in the respective reserve or National Guard unit. This
373 documentation shall be presented ~~annually~~ to the tax commissioner of the county in
374 which the reserve member or National Guard member applies for the special license plate
375 under this Code section ~~and upon subsequent reregistration for each succeeding year.~~

376 (2) Motor vehicle owners who are retired from any branch of the active reserve
377 components whose active reservists are eligible to obtain free motor vehicle license plates
378 under paragraph (1) of this subsection, upon application for license plates and upon
379 compliance with the state motor vehicle laws relating to registration and licensing of
380 motor vehicles as prescribed under Article 2 of this chapter, shall be issued, free of
381 charge, a license plate as prescribed in that article for private passenger cars, motorcycles,
382 or trucks used for personal transportation. Each such retired member shall be entitled to
383 no more than one such free plate for any calendar year; provided, however, that, upon
384 payment of the regular license fee provided for in Code Section 40-2-151 and a
385 manufacturing fee of \$25.00, a retired member shall be entitled to receive one additional
386 such license plate. For each additional license plate for which an initial \$25.00 fee was
387 required, there shall be an additional annual registration fee of \$25.00, ~~which fee as a~~
388 condition of obtaining an annual revalidation decal or an additional registration fee of
389 \$125.00 as a condition of obtaining a five-year revalidation decal for such license plate.
390 The fee required by this paragraph shall be collected by the county tag agent at the time
391 of collection of other registration fees and shall be remitted to the state as provided in
392 Code Section 40-2-34. The license plates issued pursuant to this paragraph shall, in
393 addition to the numbers and letters prescribed by law, be identical to those issued
394 pursuant to paragraph (1) of this subsection to members of the branch of the active
395 reserve component from which that person retired. The commanding officer of each
396 active reserve component program unit shall, upon request of any retired reserve member
397 from that unit, furnish to that retired member approved documentation supporting the
398 retired member's current retired membership status from that reserve unit. This

399 documentation shall be presented to the tax commissioner of the county in which the
400 retired reserve member applies for the special license plate under this Code section.
401 (3) The license plates issued pursuant to paragraph (2) of this subsection shall contain
402 the word 'RETIRED' in the location of and in lieu of the name of the county of issuance."

403 **SECTION 18.**

404 Said title is further amended in Code Section 40-2-66, relating to license plates for active and
405 retired members of the Georgia National Guard, by revising paragraphs (1) and (2) of
406 subsection (a) as follows:

407 "(a)(1) Motor vehicle owners who are members of the Georgia National Guard, upon
408 application for license plates and upon compliance with the state motor vehicle laws
409 relating to registration and licensing of motor vehicles as prescribed under Article 2 of
410 this chapter, shall be issued, free of charge, a license plate, as prescribed in that article for
411 private passenger cars, motorcycles, or trucks used for personal transportation. Each
412 member of the Georgia National Guard shall be entitled to no more than one such free
413 plate at a time; provided, however, that, upon payment of the regular license fee provided
414 for in Code Section 48-10-2 and a manufacturing fee of \$25.00, a member shall be
415 entitled to one additional such license plate. For each additional license plate for which
416 an initial \$25.00 fee was required, there shall be an additional annual registration fee of
417 \$25.00 which fee as a condition of obtaining an annual revalidation decal or an additional
418 registration fee of \$125.00 as a condition of obtaining a five-year revalidation decal for
419 such license plate. The fee required by this paragraph shall be collected by the county
420 tag agent at the time of collection of other registration fees and shall be remitted to the
421 state as provided in Code Section 40-2-34. Additional words or symbols, in addition to
422 the numbers and letters prescribed by law, shall be inscribed upon such license plates so
423 as to identify distinctively the owner as a member of the Georgia National Guard. The
424 adjutant general of Georgia shall, upon request of any member of that National Guard

425 unit, furnish to that member approved documentation supporting the member's current
426 membership in that National Guard unit. This documentation shall be presented ~~annually~~
427 to the tax commissioner of the county in which the National Guard member applies for
428 the special license plate under this Code section ~~and upon subsequent reregistration for~~
429 ~~each succeeding year.~~

430 (2) Motor vehicle owners who are retired members of the Georgia National Guard, upon
431 application for license plates and upon compliance with the state motor vehicle laws
432 relating to registration and licensing of motor vehicles as prescribed under Article 2 of
433 this chapter, shall be issued, free of charge, a license plate as prescribed in that article for
434 private passenger cars, motorcycles, or trucks used for personal transportation. Each
435 retired member of the Georgia National Guard shall be entitled to no more than one such
436 free plate at a time; provided, however, that, upon payment of the regular license fee
437 provided for in Code Section 48-10-2 and a manufacturing fee of \$25.00, a member shall
438 be entitled to one additional such license plate. For each additional license plate for
439 which an initial \$25.00 fee was required, there shall be an additional annual registration
440 fee of \$25.00 ~~which fee~~ as a condition of obtaining an annual revalidation decal or an
441 additional registration fee of \$125.00 as a condition of obtaining a five-year revalidation
442 decal for such license plate. The fee required by this paragraph shall be collected by the
443 county tag agent at the time of collection of other registration fees and shall be remitted
444 to the state as provided in Code Section 40-2-34. The license plates issued pursuant to
445 this paragraph shall, in addition to the numbers and letters prescribed by law, be identical
446 to those issued pursuant to paragraph (1) of this subsection. The adjutant general of
447 Georgia shall, upon request of any member retired from that National Guard unit, furnish
448 to that retired member approved documentation supporting the member's retired
449 membership status in that National Guard unit. This documentation shall be presented
450 ~~annually~~ to the tax commissioner of the county in which the retired National Guard

451 member applies for the special license plate under this Code section ~~and upon subsequent~~
452 ~~reregistration for each succeeding year."~~

453 **SECTION 19.**

454 Said title is further amended in Code Section 40-2-67, relating to license plates for state
455 commanders of nationally chartered veterans' organizations, by revising subsection (a) as
456 follows:

457 "(a) The state commanders of nationally chartered veterans' organizations shall be issued
458 license plates as prescribed in Code Section 40-2-31 for use on their official or private
459 passenger automobiles, upon application and compliance with the state motor vehicle laws
460 relative to the registration and licensing of motor vehicles, upon payment of the regular
461 license fees for license plates as provided by law, and upon the payment of an additional
462 initial fee of \$25.00 and an additional annual registration fee of \$25.00 ~~which fee as a~~
463 condition of obtaining an annual revalidation decal or an additional registration fee of
464 \$125.00 as a condition of obtaining a five-year revalidation decal for such license plate.
465 The fee required by this subsection shall be collected by the county tag agent at the time
466 of collection of other registration fees and shall be remitted as provided in Code Section
467 40-2-34, ~~shall be issued license plates as prescribed in Code Section 40-2-31 for use on~~
468 ~~their official or private passenger automobiles, upon which,~~ For a license plate issued
469 under this Code section, in lieu of the numbers prescribed by ~~said Code section~~, Code
470 Section 40-2-31, there shall be such figures or symbols indicative of the office held by such
471 individuals as may be prescribed by the commissioner."

472 **SECTION 20.**

473 Said title is further amended by revising Code Section 40-2-81, relating to license plates for
474 members of the Georgia State Defense Force, as follows:

475 "40-2-81.

476 (a) For purposes of this Code section, the term 'Georgia State Defense Force' means that
477 organization established pursuant to Part 3 of Article 1 of Chapter 2 of Title 38.

478 (b)(1) Motor vehicle and trailer owners who are members of the Georgia State Defense
479 Force shall be eligible to receive special and distinctive vehicle license plates for private
480 passenger cars, trucks, motorcycles, or recreational vehicles used for personal
481 transportation. Such license plates shall be issued in compliance with the state motor
482 vehicle laws relating to registration and licensing of motor vehicles as prescribed in
483 Article 2 of this chapter.

484 (2)(A) Motor vehicle and trailer owners who are members of the Georgia State
485 Defense Force shall be issued, upon application for and upon compliance with the state
486 motor vehicle laws relating to registration and licensing of motor vehicles, a Georgia
487 State Defense Force member license plate. One such license plate shall be issued
488 without the requisite registration fee, manufacturing fee, or annual registration fee.

489 (B) Each member of the Georgia State Defense Force shall be entitled to no more than
490 one such free license plate at a time; provided, however, that, upon payment of a
491 manufacturing fee of \$25.00, a member shall be entitled to one additional such license
492 plate. For each additional license plate for which a \$25.00 manufacturing fee is
493 required, there shall be an additional annual registration fee of \$25.00 ~~which fee~~ as a
494 condition of obtaining an annual revalidation decal or an additional registration fee of
495 \$125.00 as a condition of obtaining a five-year revalidation decal for such license plate.
496 The fee required by this Code section shall be collected by the county tag agent at the
497 time of collection of other registration fees and shall be remitted to the state as provided
498 in Code Section 40-2-34.

499 (c) The commissioner shall design a Georgia State Defense Force member license plate.
500 The commissioner shall promulgate such rules and regulations as may be necessary to
501 enforce compliance with all state license laws relating to the use and operation of private

502 passenger cars, trucks, motorcycles, and trailers before issuing these license plates in lieu
503 of the regular Georgia license plates. ~~The manufacturing fee for such special and~~
504 ~~distinctive license plates shall be \$25.00.~~ The commissioner is specifically authorized to
505 promulgate all rules and regulations necessary to ensure compliance in instances where
506 such vehicles have been transferred or sold. ~~Such~~ Except as provided in subsection (e) of
507 this Code section, such plates shall be nontransferable.

508 (d) The special and distinctive vehicle license plates shall be as prescribed in Article 2 of
509 this chapter for private passenger cars, trucks, motorcycles, and trailers used for personal
510 transportation. Such plates shall contain such words or symbols, in addition to the numbers
511 and letters prescribed by law, so as to identify distinctively the owners as members of the
512 Georgia State Defense Force.

513 (e) The license plate issued pursuant to this Code section may be transferred between
514 vehicles as provided in Code Section 40-2-80.

515 (f) ~~Special license plates issued under this Code section, except as provided in~~
516 ~~subparagraph (b)(2)(A) of this Code section, shall be renewed annually with a revalidation~~
517 ~~decal as provided in Code Section 40-2-31 without payment of an additional \$25.00 annual~~
518 ~~registration fee.~~

519 (g) Should a member of the Georgia State Defense Force who has been issued a license
520 plate or license plates be discharged or otherwise separated from the Georgia State Defense
521 Force, the member shall forward his or her Georgia State Defense Force member license
522 plate or plates to the commissioner along with a certificate to the effect that such person
523 has been discharged or otherwise separated from the Georgia State Defense Force, and
524 thereupon the commissioner shall issue a regular license plate, at no additional charge, to
525 such former member of the Georgia State Defense Force to replace the Georgia State
526 Defense Force member plate or plates."

527

SECTION 21.

528 Said title is further amended in Code Section 40-2-84, relating to license plates for Purple
529 Heart recipients, by revising subsection (e) as follows:

530 "(e) For each additional special license plate issued under this Code section there shall be
531 an additional ~~\$25.00~~ annual registration fee which fee of \$25.00 as a condition of obtaining
532 an annual revalidation decal or an additional registration fee of \$125.00 as a condition of
533 obtaining a five-year revalidation decal for such license plate. The fee required by this
534 Code section shall be collected by the county tag agent at the time of collection of other
535 registration fees and shall be remitted to the state as provided in Code Section 40-2-34."

536

SECTION 22.

537 Said title is further amended in Code Section 40-2-85, relating to license plates for veterans
538 who survived attack on Pearl Harbor, by revising subsection (e) as follows:

539 "(e) Special license plates issued under this Code section shall be ~~renewed annually with~~
540 ~~a revalidation decal as provided in Code Section 40-2-31. It shall be a requirement that a~~
541 ~~county name decal shall be affixed and displayed on license plates issued under this Code~~
542 ~~section~~ subject to an additional annual registration fee of \$25.00 as a condition of obtaining
543 an annual revalidation decal or an additional registration fee of \$125.00 as a condition of
544 obtaining a five-year revalidation decal for such license plate. The fee required by this
545 Code section shall be collected by the county tag agent at the time of collection of other
546 registration fees and shall be remitted to the state as provided in Code Section 40-2-34."

547

SECTION 23.

548 Said title is further amended in Code Section 40-2-85.1, relating to license plates for certain
549 veterans, by revising subparagraph (b)(2)(B) and subsections (e.1) and (f) as follows:

550 "(B) Each member or former member of the armed forces of the United States listed
551 in this subsection shall be entitled to no more than one such free license plate at a time;

552 provided, however, that, upon payment of a manufacturing fee of \$25.00, a member
 553 shall be entitled to one additional such license plate. For each additional license plate
 554 for which a \$25.00 manufacturing fee is required, there shall be an additional annual
 555 registration fee of \$25.00, ~~and such fee as a condition of obtaining an annual~~
 556 revalidation decal or an additional registration fee of \$125.00 as a condition of
 557 obtaining a five-year revalidation decal for such license plate. The fee required by this
 558 subparagraph shall be collected by the county tag agent at the time of collection of other
 559 registration fees and shall be remitted to the state as provided in Code Section 40-2-34."
 560 ~~"(e.1)(f)~~ (f) The spouse of any person eligible to be issued a special license plate under this
 561 Code section shall also be eligible for such license plate, provided that no motor vehicle
 562 is registered in the name of the eligible person and all other requirements relating to
 563 registration and licensing relative to motor vehicles as prescribed in Article 2 of this
 564 chapter have been satisfied.
 565 ~~(f)(g)~~ (g) Special license plates issued under this Code section, except as provided in
 566 subparagraph (b)(2)(A) of this Code section, shall be ~~renewed annually with a revalidation~~
 567 ~~decal as provided in Code Section 40-2-31 without payment of an additional \$25.00 annual~~
 568 ~~registration fee~~ subject to an additional annual registration fee of \$25.00 as a condition of
 569 obtaining an annual revalidation decal or an additional registration fee of \$125.00 as a
 570 condition of obtaining a five-year revalidation decal for such license plate. The fee
 571 required by this Code section shall be collected by the county tag agent at the time of
 572 collection of other registration fees and shall be remitted to the state as provided in Code
 573 Section 40-2-34."

574

SECTION 24.

575 Said title is further amended in Code Section 40-2-85.2, relating to license plates for veterans
 576 of the Chosin Reservoir Campaign, by revising subsection (e) as follows:

577 "(e) Special license plates issued under this Code section shall be ~~renewed annually with~~
578 ~~a revalidation decal, as provided in Code Section 40-2-31, without payment of an~~
579 ~~additional \$25.00 annual registration fee~~ subject to an additional annual registration fee of
580 \$25.00 as a condition of obtaining an annual revalidation decal or an additional registration
581 fee of \$125.00 as a condition of obtaining a five-year revalidation decal for such license
582 plate. The fee required by this Code section shall be collected by the county tag agent at
583 the time of collection of other registration fees and shall be remitted to the state as provided
584 in Code Section 40-2-34.

585 (f) Special license plates issued under this Code section shall be transferred between
586 vehicles as provided in Code Section 40-2-80."

587

SECTION 25.

588 Said title is further amended in Code Section 40-2-85.3, relating to license plates for Gold
589 Star family members, by revising subsections (d) through (g) as follows:

590 "(d) Any motor vehicle owner who is a resident of Georgia, other than one registering
591 under the International Registration Plan, upon complying with state laws relating to
592 registration and licensing of motor vehicles shall be issued such a special license plate upon
593 application therefor. ~~Special license plates issued under this Code section shall be renewed~~
594 ~~annually with a revalidation decal as provided in Code Section 40-2-31.~~ Upon payment
595 of all ad valorem taxes and other fees due at registration of a motor vehicle, an eligible
596 family member may apply for a Gold Star license plate. In order to qualify as an eligible
597 family member for purposes of this Code section, the person must be related to the fallen
598 service member as a spouse, mother, father, sibling, child, stepparent, or surviving spouse
599 of such service member's sibling. ~~Up to two free license plates shall be allowed for any~~
600 ~~eligible family member and they may purchase additional license plates for each motor~~
601 ~~vehicle they register in this state. If a Gold Star license plate is lost, damaged, or stolen,~~
602 ~~the eligible family member must pay the reasonable cost, to be established by the~~

603 ~~department, but not to exceed the cost of other specialty license plates, to replace the Gold~~
604 ~~Star license plate~~ An eligible family member shall be entitled to no more than two free
605 license plates at a time; provided, however, that an eligible family member shall be entitled
606 to additional license plates upon payment of a manufacturing fee of \$25.00. For each
607 additional license plate for which a \$25.00 manufacturing fee is required, there shall be an
608 additional annual registration fee of \$35.00 as a condition of obtaining an annual
609 revalidation decal or an additional registration fee of \$175.00 as a condition of obtaining
610 a five-year revalidation decal for such license plate. The fee required by this Code section
611 shall be collected by the county tag agent at the time of collection of other registration fees
612 and shall be remitted to the state as provided in Code Section 40-2-34.

613 (e) Whether a service member is deemed to have been killed in action shall be determined
614 by the classification of death as listed by the United States Department of Defense and may
615 be verified from documentation directly from the Department of Defense.

616 (f) Free Gold Star license plates shall be issued only to eligible family members who
617 resided in Georgia at the time of the death of the service member. ~~However,; provided,~~
618 however, that an eligible family member who was not a resident of Georgia at the time of
619 the death of the service member may purchase a Gold Star license plate, at a cost to be
620 established by the department, not to exceed the cost of other specialty license plates shall
621 be entitled to such license plate upon payment of a manufacturing fee of \$25.00.

622 (g) ~~Renewal decals shall be issued at no cost to any person that received a free license~~
623 ~~plate under the provisions of this Code section upon the payment of ad valorem taxes and~~
624 ~~other registration fees, provided that the renewal is applied for on or within 30 days prior~~
625 ~~to the renewal date of the eligible person. If the eligible person fails to renew within such~~
626 ~~time, he or she shall pay a standard renewal fee and be subject to the standard penalties for~~
627 ~~late payment of ad valorem taxes due on the motor vehicle~~ A special license plate issued
628 to an eligible family member pursuant to this Code section shall be issued the required
629 revalidation decal at no cost. Any special license plate issued pursuant to this Code section

630 for a fee shall be subject to an additional annual registration fee of \$35.00 as a condition
631 of obtaining an annual revalidation decal or an additional registration fee of \$175.00 as a
632 condition of obtaining a five-year revalidation decal for such license plate. The fee
633 required by this Code section shall be collected by the county tag agent at the time of
634 collection of other registration fees and shall be remitted to the state as provided in Code
635 Section 40-2-34."

636 **SECTION 26.**

637 Said title is further amended in Code Section 40-2-86, relating to license plates promoting
638 or supporting certain agencies, funds, or nonprofit corporations with proceeds disbursed to
639 the general fund and the agency, fund, or nonprofit corporation, by revising subparagraph
640 (a)(1)(C) as follows:

641 "(C) 'Special license plate renewal fee' means ~~a \$35.00 fee~~ the fee required to be paid
642 at the time a revalidation decal is issued for a special license plate. For an annual
643 revalidation decal, such fee shall be \$35.00 and for a five-year revalidation decal, such
644 fee shall be \$175.00."

645 **SECTION 27.**

646 Said title is further amended in Code Section 40-2-86.1, relating to license plates promoting
647 or supporting certain agencies, funds, or nonprofit corporations or issued to qualified motor
648 vehicles or owners with proceeds deposited in the general fund, by revising subsection (d)
649 as follows:

650 "(d) Any Georgia resident who is the owner of a motor vehicle, except a vehicle registered
651 under the International Registration Plan, upon complying with the motor vehicle laws
652 relating to registration and licensing of motor vehicles and upon the payment of a
653 manufacturing fee of \$25.00 and a special license plate fee of \$35.00, in addition to the
654 regular motor vehicle registration fee, shall be able to apply for a special license plate listed

655 in subsection (l) of this Code section. Revalidation decals shall be issued for special
656 license plates in the same manner as provided for general issue license plates, ~~with the~~
657 ~~addition of a \$35.00 special license plate renewal fee~~, For an annual revalidation decal,
658 such fee shall be \$35.00 and for a five-year revalidation decal, such fee shall be \$175.00,
659 provided that special license plates issued pursuant to paragraph (9) of subsection (l) of this
660 Code section shall be exempt from such special license plate renewal fee."

661 **SECTION 28.**

662 Said title is further amended in Code Section 40-2-151, relating to annual license fees for
663 operation of vehicles, fee for permanent licensing of certain trailers, and fee for new
664 passenger car with paid title ad valorem taxes, by revising subsection (c) as follows:

665 "~~(c) The fee for a new motor vehicle which is a passenger car for which the purchaser has~~
666 ~~paid state and local title ad valorem taxes and that is being registered as provided in~~
667 ~~subsection (d) of Code Section 40-2-20 shall be \$40.00 for the two-year registration period.~~
668 Upon the election of a five-year motor vehicle registration and revalidation decal by an
669 owner of an eligible motor vehicle, the fees for the licensing of the operation of such
670 eligible motor vehicle shall be five times the applicable amount set forth in subsection (a)
671 of this Code section for the five-year registration period."

672 **SECTION 29.**

673 Said title is further amended by adding a new Code section to read as follows:

674 "40-2-139.

675 (a) For purposes of aiding in the enforcement of any emission inspection certification
676 requirements under Article 2 of Chapter 9 of Title 12, any emission inspection station
677 holding a valid certificate of authorization from the Department of Natural Resources shall
678 electronically transmit notice of the issuance of an emission inspection certification to the
679 department within seven days of such issuance. Such notice shall include the name and

680 contact information of the emission inspection station, the vehicle identification number
681 to which such certificate has been issued, and the make and model year of such motor
682 vehicle. The department shall prescribe the form and manner of electronic transmission
683 for the purposes of complying with this Code section.

684 (b) The department shall identify when a motor vehicle owner is required to comply with
685 emission inspection certification requirements under Article 2 of Chapter 9 of Title 12, and
686 no motor vehicle registration or renewal thereof shall be issued without notice to the
687 department pursuant to this Code section that an emission inspection certification has been
688 issued for such vehicle.

689 (c)(1) The department shall monitor the reporting by emission inspection stations of the
690 issuance of emission inspection certifications. When a five-year registration has been
691 issued by the department for a vehicle identification number recorded in the department's
692 motor vehicle records that is required to comply with emission certification requirements
693 under Article 2 of Chapter 9 of Title 12, the department shall annually verify that the
694 required emission inspection certification notice has been transmitted. The department
695 shall notify the owner of a motor vehicle with a five-year registration period that lacks
696 the required annual emission inspection certification. The department shall send such
697 notice to the address of the owner of the motor vehicle shown in the records of the
698 department unless such owner has consented to electronic notifications and
699 communications pursuant to Code Section 40-1-9.

700 (2) It shall be the duty of the owner of a motor vehicle receiving notice pursuant to
701 paragraph (1) of this subsection to obtain an emission inspection certification and provide
702 proof of such certification to the department within 30 days of receipt of such notice. If
703 proof of an emission inspection certification is not provided within the time period
704 specified in this Code section, the owner's motor vehicle registration shall be suspended
705 immediately by operation of law by the department. When such proof is provided and
706 the owner pays a \$60.00 restoration fee, the suspension shall terminate. If any restoration

707 fee provided for in this Code section is paid to the county tax commissioner, the county
708 shall retain \$10.00 thereof as a collection fee."

709 **SECTION 30.**

710 This Act shall become effective on January 1, 2027.

711 **SECTION 31.**

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