

Senate Bill 397

By: Senator Thompson of the 33rd

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and  
2 traffic, so as to regulate the use of electric personal assistive mobility devices; to define  
3 certain terms; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 **SECTION 1.**

6 Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, is  
7 amended in Code section 40-1-1, relating to definitions, by inserting a new paragraph (15.6)  
8 to read as follows:

9 "(15.6) 'Electric personal assistive mobility device' or 'EPAMD' means a self-balancing,  
10 two nontandem wheeled device designed to transport only one person and having an  
11 electric propulsion system with average power of 750 watts (1 horsepower) and a  
12 maximum speed of less than 20 miles per hour on a paved level surface when powered  
13 solely by such propulsion system and ridden by an operator who weighs 170 pounds."

14 **SECTION 2.**

15 Said title is further amended in said Code Section 40-1-1 by striking paragraph (33) and  
16 inserting in lieu thereof the following:

17 "(33) 'Motor vehicle' means every vehicle which is self-propelled, other than an electric  
18 personal assistive mobility device (EPAMD)."

19 **SECTION 3.**

20 Said title is further amended in Article 13 of Chapter 6, relating to special provisions for  
21 certain vehicles, by adding a new Part 5 to read as follows:

## "Part 5

40-6-360.

(a) Electric personal assistive mobility devices may be operated on sidewalks, bikepaths, and highways, provided that any person operating such a device shall have the same rights and duties as prescribed for pedestrians in Article 5 of this chapter and except as otherwise provided in this part.

(b) No person shall operate any electric personal assistive mobility device on the roadway of any highway except where the maximum speed limit is 15 mph or less.

40-6-361.

Any person operating an electric personal assistive mobility device on a sidewalk or roadway shall exercise due care to avoid colliding with, and shall yield the right of way to, persons traveling on foot.

40-6-362.

No person shall operate an electric personal assistive mobility device at a speed greater than 15 miles per hour.

40-6-363.

(a) An electric personal assistive mobility device may be parked on a sidewalk unless otherwise prohibited or restricted by an official traffic control device.

(b) An electric personal assistive mobility device shall not be parked on any roadway in such a manner as to prevent the movement of a legally parked motor vehicle.

(c) Except as otherwise provided in this Code section, any person operating an electric personal assistive mobility device shall be subject to the same parking restrictions as provided for motor vehicles under Part 1 of Article 10 of this chapter. All violations of parking restrictions shall be deemed the responsibility of the owner of such device; and, for purposes of parking restrictions, the owner shall be deemed to be in control of the device at the time of a parking violation involving such device, and no evidence of actual control by such owner need be proven as an element of the offense.

40-6-364.

No person shall carry or transport any hazardous materials on an electric personal assistive mobility device.

1 40-6-365.

2 Any electric personal assistive mobility device, when operated on any highway, sidewalk,  
3 or bikepath, shall be equipped with front, rear, and side reflectors which shall be visible  
4 from a distance of 300 feet when directly in front of lawful upper beams of headlights on  
5 a motor vehicle; a system that when employed will enable the operator to bring the device  
6 to a controlled stop; and, if the device is operated between one-half hour after sunset and  
7 one-half hour before sunrise, a lamp emitting a white light which, while the device is in  
8 motion, illuminates the area in front of the operator for a distance of 300 feet."

9 **SECTION 4.**

10 This Act shall become effective upon its approval by the Governor or upon its becoming law  
11 without such approval.

12 **SECTION 5.**

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