

Senate Bill 113

By: Senator James of the 35<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 40-6-91 of the Official Code of Georgia Annotated, relating to the  
2 right of way in crosswalks, so as to require the driver of a vehicle to stop and remain stopped  
3 to allow a pedestrian to cross the roadway within a painted crosswalk when the pedestrian  
4 has stepped at least three feet from the curb and onto the roadway on either side of the  
5 roadway; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 40-6-91 of the Official Code of Georgia Annotated, relating to the right of way  
9 in crosswalks, is amended by striking said Code section in its entirety and inserting in lieu  
10 thereof the following:

11 "40-6-91.

12 (a) The driver of a vehicle shall stop and remain stopped to allow a pedestrian to cross the  
13 roadway within a painted crosswalk when the pedestrian is ~~upon the half of the roadway~~  
14 ~~upon which the vehicle is traveling, or when the pedestrian is approaching and is within~~  
15 ~~one lane of the half of the roadway on which the vehicle is traveling or onto which it is~~  
16 ~~turning. For the purposes of this subsection, 'half of the roadway' means all traffic lanes~~  
17 ~~carrying traffic in one direction of travel~~ has stepped at least three feet from the curb and  
18 onto the roadway on either side of the roadway unless the roadway is divided by a median  
19 and the pedestrian is not upon the half of the roadway upon which the vehicle is traveling.  
20 A violation of this subsection may be punished by a fine of not less than \$25.00 and not  
21 more than \$250.00.

22 (b) No pedestrian shall suddenly leave a curb or other place of safety and walk or run into  
23 the path of a vehicle which is so close that it is impractical for the driver to yield.

24 (c) Subsection (a) of this Code section shall not apply under the conditions stated in  
25 subsection (b) of Code Section 40-6-92.

1 (d) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk  
2 at an intersection to permit a pedestrian to cross the roadway, the driver of any other  
3 vehicle approaching from the rear shall not overtake and pass such stopped vehicle."

4 **SECTION 2.**

5 All laws and parts of laws in conflict with this Act are repealed.