

_____ offers the following
 substitute to HB 194:

A BILL TO BE ENTITLED
 AN ACT

1 To amend Chapter 7 of Title 40 of the Official Code of Georgia Annotated, relating to
 2 off-road vehicles, so as to change certain provisions relating to the definition of off-road
 3 vehicle; to change certain provisions relating to operating restrictions; to repeal conflicting
 4 laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

6 Chapter 7 of Title 40 of the Official Code of Georgia Annotated, relating to off-road
 7 vehicles, is amended by striking Code Section 40-7-3, relating to the definition of off-road
 8 vehicle, and inserting in lieu thereof the following:

9 "40-7-3.

10 As used in this chapter, the term 'off-road vehicle' means any motorized vehicle designed
 11 for or capable of cross-country travel on or immediately over land, water, snow, ice, marsh,
 12 swampland, or other natural terrain and not intended for use predominantly on public roads.
 13 It includes, but is not limited to, four-wheel drive or low-pressure tire vehicles, two-wheel
 14 vehicles, amphibious machines, ground effect or air cushion vehicles, and any other means
 15 of transportation deriving power from any source other than muscle or wind; except that
 16 such term shall exclude any motorboat; any military, fire, or law enforcement vehicle; any
 17 vehicles used exclusively on airports; all farm machinery, farm tractors, and other
 18 self-propelled equipment for harvesting and transportation of forest products, for clearing
 19 land for planting, for utility services and maintenance, for earth moving, construction, or
 20 mining; and self-propelled lawnmowers, snowblowers, garden or lawn tractors, or golf
 21 carts, while such vehicles are being used exclusively for their designed purposes; and golf
 22 carts used for personal transportation where such use is authorized by ordinance, rule, or
 23 regulation pursuant to Code Section 40-7-5."
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SECTION 2.

Said chapter is further amended by striking Code Section 40-7-4, relating to operating restrictions, and inserting in lieu thereof the following:

"40-7-4.

Any person operating an off-road vehicle under any of the following conditions shall be deemed to be in violation of this chapter and subject to the penalties provided in Code Section 40-7-6:

(1) Without operative brakes or without mufflers or other silencing equipment;

(2) On any private property without the express written permission of the owner of the property or his or her agent; or

(3) On any public highway, whether part of the state highway system, a county road system, or a municipal street system, except when used for agricultural purposes."

SECTION 3.

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