

House Bill 763

By: Representatives Floyd of the 69th, Post 2, and Marin of the 66th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 5 of Chapter 6 of Title 32 of the Official Code of Georgia Annotated,
2 relating to commercial property and subdivisions, so as to change certain provisions relating
3 to promulgation of regulations and charges for permits for commercial driveways; to require
4 certain premises to provide designated loading areas for school buses which are entirely off
5 public roadways; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 5 of Chapter 6 of Title 32 of the Official Code of Georgia Annotated, relating to
9 commercial property and subdivisions, is amended by striking subsection (a) of Code Section
10 32-6-133, relating to promulgation of regulations and charges for permits for commercial
11 driveways, and inserting in lieu thereof the following:

12 "(a)(1) The department is granted the authority to promulgate uniform and reasonable
13 regulations to carry out the provisions of this part. In making such regulations the
14 department shall specify among other things the circumstances under which commercial
15 driveway permits may be issued or revoked, provided that such regulations shall not
16 deprive the landowner of reasonable access to the public road on the state highway
17 system.

18 (2) Department regulations shall provide that no permit shall be issued for construction
19 of a new commercial driveway for any multifamily dwelling units which collectively
20 exceed a 25 family capacity unless the premises for such dwelling units contain a
21 designated school bus loading area designed so as to allow a school bus to be entirely off
22 the public roadway when receiving or discharging school children at such premises."

SECTION 2.

Said article is further amended by inserting a new Part 1A to read as follows:

"Part 1A

32-6-140.

(a) It shall be unlawful for any person to construct a new private driveway, entrance, exit, ramp, or other vehicular passageway for any property used for multifamily dwelling units which collectively exceed a 25 family capacity and leading to or from any public road on a county road system or municipal street system unless the premises for such dwelling units contain a designated school bus loading area designed so as to allow a school bus to be entirely off the public roadway when receiving or discharging school children at such premises. A violation of this Code section, in addition to being unlawful, shall entitle the county or municipality to barricade, displace, or otherwise close such vehicular passageway and to collect the costs therefor from the violator as provided in subsection (b) of this Code section.

(b) Upon discovery of a violation of subsection (a) of this Code section, the county or municipality shall give written notice by certified mail or statutory overnight delivery to the offender to commence rectifying any offending condition within ten days of receipt of such notice. Upon failure to comply with such notice or to complete such work within a reasonable time after such notice, the county or municipality may remove, prevent, or rectify any offending condition by barricading or closing the vehicular passageway or by other methods and certify the expenses thereof for collection to the attorney for the governing authority of such county or municipality."

SECTION 3.

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