

Senate Bill 256

By: Senators Williams of the 19th, Adelman of the 42nd and Levetan of the 40th

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Code Section 40-6-50 of the Official Code of Georgia Annotated, relating to
2 driving on divided highways, controlled-access roadways, and emergency lanes, so as to
3 change certain provisions of law to allow the commissioner of transportation the authority
4 to designate the location and manner when a transit bus may operate on the emergency lanes
5 of certain controlled-access facilities; to provide for an effective date; to repeal conflicting
6 laws; and for other purposes.

7 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

8 **SECTION 1.**

9 Code Section 40-6-50 of the Official Code of Georgia Annotated, relating to driving on
10 divided highways, controlled-access roadways, and emergency lanes, is amended by striking
11 that Code section in its entirety and inserting in lieu thereof the following:

12 "40-6-50.

13 (a) As used in this Code section, the term 'gore' means the area of convergence between
14 two lanes of traffic.

15 (b) Every vehicle driven on a divided highway shall be driven only upon the right-hand
16 roadway unless directed or permitted to use another roadway by official traffic-control
17 devices or police officers. No vehicle shall be driven over, across, or within any dividing
18 space, barrier, gore, paved shoulder, or section separating the roadways of a divided
19 highway; except that a vehicle may be driven through an opening in such physical barrier
20 or dividing space or at an established crossover or intersection unless specifically
21 prohibited by an official sign, signal, or control device. No person shall drive a vehicle onto
22 or from any controlled-access roadway except at such entrances and exits as are established
23 by public authority. Except as provided for in subsection (c) of this Code section, no No
24 vehicle shall be driven in an emergency lane except in the event of an actual emergency.

25 (c) For purposes of this subsection, 'transit bus' means a bus used for the transportation of
26 passengers within a system which is operated by or under contract to the state, a public

1 agency or authority, or a county or municipality of this state. If the commissioner of
2 transportation permits the use of emergency lanes of a controlled-access roadway by transit
3 buses in the metropolitan Atlanta nonattainment area, the commissioner shall designate on
4 which controlled-access roadways the use of emergency lanes by transit buses may be
5 allowed and upon such designation the commissioner shall only permit the use on that
6 emergency lane of a transit bus with a seating capacity of 33 passengers or more. Transit
7 buses authorized to use the emergency lanes under this subsection may be operated on the
8 emergency lane only when main lane traffic speeds are less than 35 miles per hour. Drivers
9 of transit buses being operated on the emergency lanes may not exceed the speed of the
10 main lane traffic by more than 15 miles per hour and may never exceed 35 miles per hour.
11 Drivers of transit buses being operated on the emergency lanes must yield to merging,
12 entering, and exiting traffic and must yield to other vehicles on the emergency lanes.
13 Transit buses operating on the emergency lanes must be registered with the Department of
14 Transportation."

15 **SECTION 2.**

16 This Act shall become effective on July 1, 2003.

17 **SECTION 3.**

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