

The Senate Public Safety and Homeland Security Committee offered the following substitute to SB 64:

MOOT DUE TO RECOMMITTAL

A BILL TO BE ENTITLED

AN ACT

To amend Chapters 1 and 8 of Title 40 of the Official Code of Georgia Annotated, relating to general provisions relative to motor vehicles and traffic, and equipment of motor vehicles, respectively, so as to repeal the requirement that officers enforcing traffic laws have a blue light on the roof of their vehicles; to provide that motor vehicles used by employees of the Department of Public Safety for enforcing the traffic laws shall be equipped with one or more colored lights on the vehicle visible for a specified distance; to repeal conflicting laws; and for other purposes.

1 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

2 **SECTION 1.**

3 Chapter 1 of Title 40 of the Official Code of Georgia Annotated, relating to general
4 provisions relative to motor vehicles and traffic, is amended by striking Code Section 40-1-7,
5 relating to the placement of blue lights on the roof of traffic law enforcement vehicles, in its
6 entirety and inserting in lieu thereof the following:

7 "40-1-7.

8 ~~Whenever pursuing a person in violation of a traffic related offense, a uniformed law~~
9 ~~enforcement officer who is assigned routinely or primarily to traffic law enforcement or~~
10 ~~other traffic safety duties on the roadways or highways of this state must place a visible~~
11 ~~blue light on the roof of his or her vehicle if such vehicle is not equipped with permanent~~
12 ~~roof mount blue lights; provided, however, that the provisions of this Code section shall~~
13 ~~not apply to law enforcement officers operating vehicles manufactured prior to 2001. This~~
14 ~~Code section shall not apply to any officer assigned to special operations activities or~~
15 ~~responding to an immediate threat to public safety as a result of an accident or other~~
16 ~~emergency. An otherwise lawful arrest shall not be invalidated or in any manner affected~~
17 ~~by failure to comply with this Code section Reserved."~~

SECTION 2.

Chapter 8 of Title 40 of the Official Code of Georgia Annotated, relating to equipment of motor vehicles, is amended by striking Code Section 40-8-91, relating to the marking and equipment of law enforcement vehicles, in its entirety and by replacing the same as follows:

"40-8-91.

(a) Except as provided in subsection (b) of this Code section, any motor vehicle ~~which is~~ used on official business by any person authorized to make arrests for traffic violations in this state, or any municipality or county thereof, shall be distinctly marked on each side and the back with the name of the agency responsible therefor, in letters not less than four inches in height.

(b) Any motor vehicle, except as hereinafter provided in this subsection, used by any employee of the Department of Public Safety for the purpose of enforcing the traffic laws of this state shall be distinctly painted, marked, and equipped in such manner as shall be prescribed by the commissioner of public safety pursuant to this Code section. The commissioner in prescribing the manner in which such vehicles shall be painted, marked, or equipped shall:

(1) Require that all such motor vehicles be painted in a two-toned uniform color. The hood, top, and the top area not to exceed 12 inches below the bottom of the window opening thereof shall be a light gray color and the remaining portion of said motor vehicle shall be painted a dark blue color;

(2) Require that any such motor vehicle be equipped with ~~at least one lamp~~ one or more lamps which when lighted shall display a flashing or revolving colored light or lights visible under normal atmospheric conditions for a distance of 500 feet from the front and rear of such vehicle; and

(3) Require that any such motor vehicle shall be distinctly marked on each side and the back thereof with the wording 'State Patrol' in letters not less than six inches in height of a contrasting color from the background color of the motor vehicle.

Notwithstanding the above provisions, it shall be permissible for the commissioner to allow not more than two motor vehicles per State Patrol post to be employed in traffic law enforcement which are painted any solid color designated by the commissioner and marked with 'State Patrol' in six inch high letters of a contrasting color.

(c) It shall be unlawful for any person, except persons lawfully entitled to own vehicles for law enforcement purposes, to paint, mark, or equip any motor vehicle in the same manner prescribed by this Code section or by the commissioner for law enforcement vehicles.

(d) When a law enforcement vehicle is disposed of, or is not in use for law enforcement, the lettering and colored lights must be removed. Any person using such vehicle for

1 personal use prior to removing colored lights and lettering shall be guilty of a
2 misdemeanor."

3 **SECTION 3.**

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

6 **SECTION 4.**

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