

Senate Bill 400

By: Senators Tolleson of the 20th, Hill of the 4th, Adelman of the 42nd, Kemp of the 46th,
Bulloch of the 11th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 5 of Article 1 of Chapter 8 of Title 40 of the Official Code of Georgia
2 Annotated, relating to equipment of law enforcement and emergency vehicles, so as to allow
3 the use of properly equipped all-terrain vehicles by law enforcement agencies; to provide for
4 related matters; to provide for an effective date; to repeal conflicting laws; and for other
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Part 5 of Article 1 of Chapter 8 of Title 40 of the Official Code of Georgia Annotated,
9 relating to equipment of law enforcement and emergency vehicles, is amended by adding a
10 new Code Section 40-8-91.1 immediately following Code Section 40-8-91, relating to
11 marking and equipment of law enforcement vehicles, to read as follows:

12 "40-8-91.1.

13 (a) As used in this Code section, the term 'all-terrain vehicle' means any motorized vehicle
14 designed for off-road use which is equipped with three or more low pressure tires and with
15 a seat to be straddled by the operator and with handlebars for steering control.

16 (b) Any all-terrain vehicle which is equipped sufficiently to comply with the specifications
17 contained in this chapter may be used by law enforcement agencies and officers upon the
18 public roads of this state in the pursuit of their normal duties. All provisions of law relating
19 to safe operation of law enforcement or emergency vehicles shall be applied to the
20 operation of such all-terrain vehicles."

21 **SECTION 2.**

22 This Act shall become effective on July 1, 2006.

23 **SECTION 3.**

24 All laws and parts of laws in conflict with this Act are repealed.