

Senate Bill 64

By: Senator Douglas of the 17th

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

1 To amend Code Section 40-1-7 of the Official Code of Georgia Annotated, relating to the
 2 requirement that officers enforcing traffic laws have a blue light on the roof of their vehicles,
 3 so as to provide for an exception to the requirement that officers enforcing traffic laws have
 4 a blue light on the roof of their vehicles; to amend Code Section 40-8-91 of the Official Code
 5 of Georgia Annotated, relating to marking and equipment of law enforcement vehicles, so
 6 as to provide motorists an opportunity to continue to drive until a reasonably safe location
 7 for stopping is reached when being stopped by a law enforcement officer in a marked
 8 vehicle; to provide for specific procedures therefor; to provide an effective date; to repeal
 9 conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Code Section 40-1-7 of the Official Code of Georgia Annotated, relating to the requirement
 13 that officers enforcing traffic laws have a blue light on the roof of their vehicles, is amended
 14 by striking the Code section and inserting in lieu thereof a new Code Section 40-1-7 to read
 15 as follows:

16 "40-1-7.

17 Whenever pursuing a person in violation of a traffic related offense, a uniformed law
 18 enforcement officer who is assigned routinely or primarily to traffic law enforcement or
 19 other traffic safety duties on the roadways or highways of this state must place a visible
 20 blue light on the roof of his or her vehicle if such vehicle is not equipped with permanent
 21 roof mount blue lights; provided, however, that the provisions of this Code section shall
 22 not apply to law enforcement officers operating vehicles manufactured prior to 2001. This
 23 Code section shall not apply to any officer assigned to special operations activities or
 24 responding to an immediate threat to public safety as a result of an accident or other
 25 emergency. This Code section shall not apply to a law enforcement officer operating a
 26 vehicle marked in accordance with Code Section 40-8-91, with flashing or revolving
 27 colored lights visible under normal atmospheric conditions for a distance of 500 feet from

1 the front and rear of such vehicle, and which also has an illuminating agency identifier
2 reasonably visible to a driver of a vehicle subject to a traffic stop. An otherwise lawful
3 arrest shall not be invalidated or in any manner affected by failure to comply with this
4 Code section."

5 **SECTION 2.**

6 Code Section 40-8-91 of the Official Code of Georgia Annotated, relating to marking and
7 equipment of law enforcement vehicles, is amended by adding immediately following
8 subsection (d) new subsections (e) and (f) to read as follows:

9 "(e) Whenever a motorist driving on the roadways of this state is directed to stop by a law
10 enforcement officer in a law enforcement vehicle marked as required under this Code
11 section, the motorist may continue to drive until a reasonably safe location for stopping is
12 reached. Such motorist shall indicate to the officer his or her intent to proceed to a safe
13 location by displaying the vehicle's flashing lights. In proceeding to a safe location, the
14 motorist shall observe the posted maximum speed limit but in no event shall he or she
15 exceed a speed of 50 miles per hour.

16 (f) An otherwise lawful arrest shall not be invalidated or in any manner affected by failure
17 to comply with this Code section."

18 **SECTION 3.**

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

21 **SECTION 4.**

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