

House Bill 981 (COMMITTEE SUBSTITUTE)

By: Representatives Chambers of the 81st, Martin of the 47th, and Day of the 163rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 40-8-91 of the Official Code of Georgia Annotated, relating to
2 marking and equipment of law enforcement vehicles and allowing motorist to continue to
3 safe locations before stopping for law enforcement officer vehicles, so as to authorize the
4 Commissioner of the Department of Public Safety to require that patrol vehicles be painted
5 a solid color; to require visibility of lights on Georgia State Patrol vehicles; to amend Part
6 1 of Article 3 of Chapter 5 of Title 50 of the Official Code of Georgia Annotated, relating
7 to the general authority, duties, and procedures for state purchasing, so as to exclude
8 emergency response vehicles from the requirements relating to use of retreaded tires; to
9 provide for related matters; to provide for an effective date and automatic repeal; to repeal
10 conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 **SECTION 1.**

13 Code Section 40-8-91 of the Official Code of Georgia Annotated, relating to marking and
14 equipment of law enforcement vehicles and allowing motorist to continue to safe locations
15 before stopping for law enforcement officer vehicles, is amended by revising subsection (b)
16 as follows:

17 "(b) Any motor vehicle, except as hereinafter provided in this subsection, used by any
18 employee of the Georgia State Patrol for the purpose of enforcing the traffic laws of this
19 state shall be distinctly painted, marked, and equipped in such manner as shall be
20 prescribed by the commissioner of public safety pursuant to this Code section. The
21 commissioner in prescribing the manner in which such vehicles shall be painted, marked,
22 or equipped shall:

23 (1) Require that all such motor vehicles be painted in a two-toned uniform color or a
24 solid color. For vehicles painted in a two-toned color, the ~~The~~ hood, top, and the top area
25 not to exceed 12 inches below the bottom of the window opening thereof shall be a light

H. B. 981 (SUB)

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 which extends a minimum of eight inches above the top outside of the roof of the car and which when lighted shall display a flashing or revolving colored light 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 five 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."~~

SECTION 2.

Part 1 of Article 3 of Chapter 5 of Title 50 of the Official Code of Georgia Annotated, relating to the general authority, duties, and procedures for state purchasing, is amended by revising Code Section 50-5-60.3, relating to the use of retreaded tires, as follows:

"50-5-60.3.

All state agencies, departments, and authorities shall replace original truck tires of over 16 inch rim size used on nonsteering axles with retreaded tires or subscribe to a retread service as replacement is necessary and as stockpiled tires are depleted; provided, however, that nothing in this Code section shall be construed so as to discourage the use of retreaded tires on other size rims or other types of vehicles if an agency, department, or authority deems such use to be economical, feasible, and desirable. Retreaded tires shall not be used on official state vehicles which may be used to respond to public safety emergencies."

SECTION 3.

This Act shall become effective on July 1, 2010, and Section 1 of this Act shall stand repealed on June 30, 2013.

SECTION 4.

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