

The House Committee on Transportation offers the following substitute to SB 519:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and  
2 traffic, so as to modify the definition of motorized cart; to change the hours of operation of  
3 certain motorized carts; to provide for operation of a motorcycle at an intersection controlled  
4 by a traffic-control signal; to provide for related matters; to provide for an effective date; to  
5 repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, is  
9 amended by revising paragraph (32) Code Section 40-1-1, relating to definitions, as follows:  
10 "(32) 'Motorized cart' means every motor vehicle having no less than three wheels and  
11 an unladen weight of ~~1,300~~ 2,500 pounds or less and which cannot operate at more than  
12 20 miles per hour."

13 **SECTION 1.1.**

14 Said title is further amended by adding a new Code section to read as follows:

15 "40-6-317.

16 A driver of a motorcycle approaching an intersection controlled by a traffic-control signal  
17 utilizing a vehicle detection device that is inoperative due to the size of the motorcycle  
18 shall come to a full and complete stop at the intersection in response to a red light and, after  
19 waiting for a reasonable period of time, not less than 20 seconds, for such traffic-control  
20 signal to detect such motorcycle, may proceed with due caution when it is safe to do so.  
21 The driver of any vehicle approaching the intersection which lawfully may enter the  
22 intersection shall have right of way over any motorcycle operator proceeding through a red  
23 light. In the event an accident results after the driver of the motorcycle proceeds into an  
24 intersection on a red light, the driver of the vehicle involved in the accident shall not be  
25 charged with any violation of Code Section 40-6-70, relating to failure to yield right of

26 way, Code Section 40-6-49, relating to following too closely, or Code Section 40-6-180,  
27 relating to driving too fast for conditions."

28 **SECTION 2.**

29 Said title is further amended by revising Code Section 40-6-330, relating to hours of  
30 operation of motorized carts, as follows:

31 "40-6-330.

32 Motorized carts weighing 1,300 pounds or less may be operated on streets only during  
33 daylight hours unless they comply with the equipment regulations promulgated by the  
34 commissioner of public safety. Motorized carts weighing between 1,300 pounds and 2,500  
35 pounds may be operated on streets only during the period of one-half hour before sunrise  
36 and one-half hour after sunset, unless the local government or the commissioner of public  
37 safety, as applicable, has determined that a motorized cart may be operated during the  
38 hours between one-half hour after sunset and one-half hour before sunrise and the  
39 motorized cart is equipped with:

40 (1) Two headlights;

41 (2) Two tail lamps;

42 (3) Two brake lights;

43 (4) Four turn signal lamps, two in front and two in the rear;

44 (5) A center high mount stop lamp (CHMSL); and

45 (6) A windshield."

46 **SECTION 3.**

47 This Act shall become effective on July 1, 2010.

48 **SECTION 4.**

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