

House Bill 76

By: Representatives Levitas of the 82nd, Wilkinson of the 52nd, Lunsford of the 110th, Mitchell of the 88th, Powell of the 29th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 40-6-96 of the Official Code of Georgia Annotated, relating to
2 pedestrians walking on or along a roadway, so as to provide definitions; to clarify legal
3 activities of pedestrians; to provide for related matters; to provide for an effective date; to
4 repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Code Section 40-6-96 of the Official Code of Georgia Annotated, relating to pedestrians
8 walking on or along a roadway, is revised as follows:

9 "40-6-96.

10 (a) As used in this Code section, 'pedestrian' means any person afoot and shall include,
11 without limitation, a person who is standing, striding, walking, jogging, running, or
12 otherwise on foot.

13 ~~(b)~~ Where a sidewalk is provided, ~~it shall be unlawful for any pedestrian to walk along and~~
14 ~~upon an adjacent roadway~~ any pedestrian shall stand or stride only on the sidewalk and
15 shall not stand or stride upon an adjacent roadway.

16 ~~(b)(c)~~ Where a sidewalk is not provided but a shoulder is available, any pedestrian ~~walking~~
17 ~~standing or striding~~ along and upon a highway shall ~~walk~~ stand or stride only on the
18 shoulder, as far as practicable from the edge of the roadway.

19 ~~(c)(d)~~ Where neither a sidewalk nor a shoulder is available, any pedestrian ~~walking~~
20 ~~standing or striding~~ along and upon a highway shall ~~walk~~ stand or stride as near as
21 practicable to an outside edge of the roadway, and, if on a two-lane roadway, shall ~~walk~~
22 stand or stride only on the left side of the roadway.

23 ~~(d)(e)~~ Except as otherwise provided in this chapter, any pedestrian upon a roadway shall
24 yield the right of way to all vehicles upon the roadway.

25 ~~(e)(f)~~ No pedestrian shall enter or remain upon any bridge or approach thereto beyond the
26 bridge signal, gate, or barrier after a bridge operation signal indication has been given.

27 ~~(f)~~(g) No pedestrian shall pass through, around, over, or under any crossing gate or barrier
28 at a railroad grade crossing or bridge while such gate or barrier is closed or is being opened
29 or closed."

30 **SECTION 2.**

31 This Act shall become effective on July 1, 2009.

32 **SECTION 3.**

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