

House Bill 530

By: Representatives Geisinger of the 48th, Benfield of the 85th, Wilkinson of the 52nd, and Chambers of the 81st

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, and
2 Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles, so as to
3 regulate medium-speed vehicles; to provide for definitions; to change certain provisions
4 relating to the requirement of compliance with federal safety standards; to provide special
5 provisions for medium-speed vehicles; to provide equipment requirements for medium-speed
6 vehicles; to provide for related matters; to provide for an effective date; to repeal conflicting
7 laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Title 33 of the Official Code of Georgia Annotated, relating to insurance, is amended by
11 revising paragraph (2) of Code Section 33-34-2, relating to definitions regarding motor
12 vehicle accident reparations, as follows:

13 "(2) 'Motor vehicle' means a vehicle having more than three load-bearing wheels of a
14 kind required to be registered under the laws of this state relating to motor vehicles
15 designed primarily for operation upon the public streets, roads, and highways and driven
16 by power other than muscular power. The term includes a trailer drawn by or attached
17 to such a vehicle and also includes without limitation a low-speed vehicle and a
18 medium-speed vehicle."

19 **SECTION 2.**

20 Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles, is amended
21 by adding a new paragraph to Code Section 40-1-1, relating to definitions regarding motor
22 vehicles, to read as follows:

23 "(26.1) 'Medium-speed vehicle' means any four-wheeled vehicle, equipped with a roll cage
24 or crush-proof body design, with top speed attainable in one mile is greater than 30 miles
25 per hour but not greater than 35 miles per hour on a paved level surface, is fully enclosed

26 and has at least one door for entry, has a wheel base of 40 inches or greater and a wheel
 27 diameter of 10 inches or greater, and, except with respect to maximum speed, otherwise
 28 is manufactured in compliance with those federal motor vehicle safety standards set forth
 29 in 49 C.F.R. Section 571.500 in effect on January 1, 2009, and successor requirements."

30 **SECTION 3.**

31 Said title is further amended by revising paragraph (41) of Code Section 40-1-1, relating to
 32 definitions regarding motor vehicles, as follows:

33 "(41) 'Passenger car' means every motor vehicle, except motorcycles, motor driven
 34 cycles, ~~and low-speed vehicles,~~ and medium-speed vehicles designed for carrying ten
 35 passengers or less and used for the transportation of persons."

36 **SECTION 4.**

37 Said title is further amended by revising subsection (b) of Code Section 40-2-31, relating to
 38 five-year and annual license plates, as follows:

39 "(b) Such license plates shall be of metal at least six inches wide and not less than 12
 40 inches in length, except motorcycle license plates which shall be at least four inches wide
 41 and not less than seven inches in length, and shall show in bold characters the month and
 42 year of expiration, the serial number, and either the full name or the abbreviation of the
 43 name of the state, shall designate the county from which the license plate was issued, and
 44 shall show such other distinctive markings as in the judgment of the commissioner may be
 45 deemed advisable, so as to indicate the class of weight of the vehicle for which the license
 46 plate was issued; and any license plate for a low-speed vehicle or medium-speed vehicle
 47 shall designate the vehicle as such. Such plates may also bear such figures, characters,
 48 letters, or combinations thereof as in the judgment of the commissioner will to the best
 49 advantage advertise, popularize, and otherwise promote Georgia as the 'Peach State.' The
 50 metal shall be of such strength and quality that the plate shall provide a minimum service
 51 period of at least five years. The commissioner shall adopt rules and regulations, pursuant
 52 to the provisions of Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act,' for
 53 the design and issuance of new metal license plates and to implement the other provisions
 54 of this Code section."

55 **SECTION 5.**

56 Said title is further amended by revising paragraph (2) of subsection (a) of Code
 57 Section 40-2-33, relating to issuance of license plates, as follows:

58 "(2) The commissioner may provide for the issuance of a temporary license plate for any
 59 ~~low-speed~~ medium-speed vehicle, to be displayed until such time as a license plate of the

60 design required by Code Section 40-2-31 has been issued to the registrant as a
 61 replacement for such temporary license plate; provided, however, that any such
 62 temporary license plate shall designate the ~~low-speed~~ medium-speed vehicle as such; and
 63 provided, further, that the commissioner shall make available for issuance ~~low-speed~~
 64 medium-speed vehicle license plates of the design required by Code Section 40-2-31 not
 65 later than September 1, ~~2002~~ 2009."

66 **SECTION 6.**

67 Said title is further amended by adding a new part to Article 13 of Chapter 6, relating to
 68 special provisions for certain vehicles, to read as follows:

69 "Part 6

70 40-6-365.

71 Every person operating a medium-speed vehicle shall be granted all the rights and shall be
 72 subject to all the duties applicable to the driver of any other vehicle under this chapter
 73 except as to special regulations in this part and except as to those provisions of this chapter
 74 which by their nature can have no application.

75 40-6-366.

76 (a) All medium-speed vehicles are entitled to full use of a lane, and no motor vehicle shall
 77 be driven in such a manner as to deprive any medium-speed vehicle of the full use of a
 78 lane.

79 (b) The operator of a medium-speed vehicle shall not overtake and pass in the same lane
 80 occupied by the vehicle being overtaken.

81 (c) No person shall operate a medium-speed vehicle between lanes of traffic or between
 82 adjacent lines or rows of vehicles.

83 (d) Medium-speed vehicles shall not be operated two or more abreast in a single lane.

84 40-6-367.

85 Medium-speed vehicles shall be operated only on any highway where the posted speed
 86 limit does not exceed 35 miles per hour. The operator of a medium-speed vehicle shall not
 87 operate such vehicle on any highway where the posted speed limit exceeds 35 miles per
 88 hour."

89 **SECTION 7.**

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

92 **SECTION 8.**

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