

House Bill 207 (COMMITTEE SUBSTITUTE)

By: Representatives Sims of the 169<sup>th</sup>, Williams of the 178<sup>th</sup>, Smith of the 168<sup>th</sup>, Hatfield of the 177<sup>th</sup>, Roberts of the 154<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 7 of Title 40 of the Official Code of Georgia Annotated, relating to  
2 off-road vehicles, so as to redefine the term "off-road vehicle"; to change certain provisions  
3 relating to operating restrictions; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

6 Chapter 7 of Title 40 of the Official Code of Georgia Annotated, relating to off-road  
7 vehicles, is amended by revising Code Section 40-7-3, relating to a definition of "off-road  
8 vehicle," as follows:

9 "40-7-3.

10 As used in this chapter, the term 'off-road vehicle' means any motorized vehicle designed  
11 for or capable of cross-country travel on or immediately over land, water, snow, ice, marsh,  
12 swampland, or other natural terrain and not intended for use predominantly on public roads.  
13 It includes, but is not limited to, four-wheel drive or low-pressure tire vehicles, two-wheel  
14 vehicles, amphibious machines, ground effect or air cushion vehicles, and any other means  
15 of transportation deriving power from any source other than muscle or wind, except that  
16 such term shall exclude any motorboat; any military, fire, ~~or~~ law enforcement ~~vehicle, or~~  
17 other government vehicle being used for official purposes; any vehicles used exclusively  
18 on airports; all farm machinery, farm tractors, and other vehicles used exclusively for  
19 agricultural purposes; any self-propelled equipment for harvesting and transportation of  
20 forest products, for clearing land for planting, for utility services and maintenance, for earth  
21 moving, construction, or mining; and self-propelled lawnmowers, snowblowers, garden or  
22 lawn tractors, or golf carts, while such vehicles are being used exclusively for their  
23 designed purposes."

24 **SECTION 2.**

25 Said chapter is further amended by revising Code Section 40-7-4, relating to operating  
26 restrictions, as follows:

27 "40-7-4.

28 Any person operating an off-road vehicle under any of the following conditions shall be  
29 deemed to be in violation of this chapter and subject to the penalties provided in Code  
30 Section 40-7-6:

31 (1) Without operative brakes or without mufflers or other silencing equipment;

32 (2) On any private property without the express written permission of the owner of the  
33 property or his or her agent; or

34 (3) Within any navigable or nonnavigable stream, except when directly crossing the  
35 stream."

36 **SECTION 3.**

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