

House Bill 328

By: Representatives Sims of the 119<sup>th</sup>, Anderson of the 117<sup>th</sup>, Roberts of the 154<sup>th</sup>, Smyre of the 132<sup>nd</sup>, McCall of the 30<sup>th</sup>, and others

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 create a new class of motor vehicles to be known as personal transportation  
3 vehicles; to provide for a definition; to provide for rights and duties of drivers of personal  
4 transportation vehicles; to provide for rules of the road; to provide for local ordinances  
5 regulating personal transportation vehicles; to provide for operation of such vehicles on the  
6 public highways; to provide for permits in certain situations; to provide for related matters;  
7 to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, is  
11 amended by adding a new paragraph to Code Section 40-1-1, relating to definitions regarding  
12 motor vehicles and traffic, as follows:

13 "(43.1) 'Personal transportation vehicle' means any motor vehicle:

14 (A) With a minimum of four wheels;

15 (B) Capable of a maximum level ground speed of less than 20 miles per hour;

16 (C) With a maximum gross vehicle unladen or empty weight of 1,375 pounds; and

17 (D) Capable of transporting not more than eight persons."

18 **SECTION 2.**

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

21 "Part 6

22 40-6-363.

23 (a) In addition to the requirements contained in paragraph (43.1) of Code Section 40-1-1,  
24 all personal transportation vehicles shall have the following equipment:

25 (1) A parking brake;

26 (2) A reverse warning device functional at all times when the directional control is in the  
27 reverse position;

28 (3) A main power switch. When the switch is in the 'off' position, or the key or other  
29 device that activates the switch is removed, the motive power circuit shall be inoperative.

30 If the switch uses a key, it shall be removable only in the 'off' position;

31 (4) Head lamps;

32 (5) Reflex reflectors;

33 (6) Tail lamps;

34 (7) A horn;

35 (8) Safety warning labels; and

36 (9) Hip restraints and hand holds.

37 (b) A local governing authority may allow vehicles manufactured before January 1, 2012,  
38 that are currently or have previously been registered with the local governing authority and  
39 are not equipped with head lamps, reflex reflectors, or a horn to qualify as a personal  
40 transport vehicle.

41 40-6-364.

42 Every person operating a personal transportation vehicle shall be granted all the rights and  
43 shall be subject to all the duties applicable to the driver of any other vehicle under this  
44 chapter unless such rights are expressly prohibited or qualified by a local ordinance, except  
45 as to special regulations in this part, and except as to those provisions of this chapter which  
46 by their nature can have no application.

47 40-6-365.

48 (a) All personal transportation vehicles are entitled to full use of a lane, and no motor  
49 vehicle shall be driven in such a manner as to deprive any personal transportation vehicle  
50 of the full use of a lane.

51 (b) The operator of a personal transportation vehicle shall not overtake and pass in the  
52 same lane occupied by the vehicle being overtaken.

53 (c) No person shall operate a personal transportation vehicle between lanes of traffic or  
54 between adjacent lines or rows of vehicles.

55 (d) Personal transportation vehicles shall not be operated two or more abreast in a single  
56 lane.

57 40-6-366.

58 A local governing authority may adopt by ordinance traffic regulations regulating the use  
59 of personal transportation vehicles on roads and streets under its jurisdiction as provided

60 in Code Section 40-6-331. However, an ordinance adopted pursuant to this Code section  
61 shall not conflict with or duplicate state law.

62 40-6-367.

63 (a) As used in this Code section, the term 'highway,' as defined in paragraph (19) of Code  
64 Section 40-1-1, means a state controlled highway.

65 (b) Personal transportation vehicles shall be operated only on any highway where the  
66 posted speed limit does not exceed 25 miles per hour. The operator of a personal  
67 transportation vehicle shall not operate such vehicle on any highway where the posted  
68 speed limit exceeds 25 miles per hour.

69 40-6-368.

70 The owner of a personal transportation vehicle may be required to obtain a permit from the  
71 Department of Driver Services or a local governing authority which allows the owner, or  
72 an operator authorized by the owner, to:

73 (1) Operate the personal transportation vehicle on a roadway or street; and

74 (2) Cross a state controlled highway while traveling along a street or roadway only at  
75 crossings or intersections designated for that purpose by the Department of  
76 Transportation.

77 Such permits shall be issued only upon payment of a fee and upon proof of financial  
78 responsibility of the owner of the personal transportation vehicle. An appropriate  
79 identification label shall be issued to the owner of the personal transportation vehicle."

80 **SECTION 3.**

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