

Senate Bill 145

By: Senators Mullis of the 53rd, Davis of the 22nd, Jackson of the 24th, Gooch of the 51st, Miller of the 49th 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 modify the definition of low-speed vehicle and motorized cart; to change the
3 hours of operation of certain motorized carts; to provide for seasonal delivery personnel to
4 operate low-speed vehicles; to provide for related matters; to provide for an effective date;
5 to 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 paragraphs (25.1) and (32) and adding new paragraphs to Code Section
10 40-1-1, relating to definitions, as follows:

11 "(25.1) 'Low-speed vehicle' means any four-wheeled electric vehicle whose top speed
12 attainable in one mile is greater than 20 miles per hour but not greater than 25 miles per
13 hour on a paved level surface and which is manufactured in compliance with those
14 federal motor vehicle safety standards for low-speed vehicles set forth in 49 C.F.R.
15 Section 571.500 and in effect on January 1, 2001. The term 'low speed vehicle' shall not
16 include golf carts and landscape type vehicles. Low-speed vehicles may have cargo
17 platforms or bins to transport parcels or a hitch to tow a trailer and be powered by gas or
18 electric motors. These vehicles shall not be required to have a vehicle identification
19 number."

20 "(32) 'Motorized cart' means every motor vehicle having no less than three wheels and
21 an unladen weight of ~~1,300~~ 2,500 pounds or less and which cannot operate at more than
22 20 miles per hour."

23 "(51.1) 'Residential area' means any area zoned primarily or exclusively for single-family
24 or multi-family residential use."

25 "(55.1) 'Seasonal delivery personnel' means any employee of a licensed commercial
26 delivery service that has at least 10,000 employees in this state."

27 **SECTION 2.**

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

30 "40-6-330.

31 (a) Motorized carts weighing 1,300 pounds or less may be operated on streets only during
32 daylight hours unless they comply with the equipment regulations promulgated by the
33 commissioner of public safety. Motorized carts weighing more than 1,300 pounds but not
34 more than 2,500 pounds may be operated on streets only during the period of one-half hour
35 before sunrise and one-half hour after sunset, unless the local government or the
36 commissioner of public safety, as applicable, has determined that a motorized cart may be
37 operated during the hours between one-half hour after sunset and one-half hour before
38 sunrise and the motorized cart is equipped with:

39 (1) Two headlights;

40 (2) Two tail lamps;

41 (3) Two brake lights;

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

43 (5) A center high mount stop lamp; and

44 (6) A windshield.

45 (b) Seasonal delivery personnel may use low-speed vehicles solely for the purpose of
46 delivering express envelopes and packages that have a maximum size of 130 inches for the
47 combined length and girth and weighing not more than 150 pounds. Such use shall be
48 allowed only during the shipping period from October 1 to December 31 each year.

49 (c) Low-speed vehicles may travel on public roads within a residential area with a posted
50 speed limit of 35 miles per hour or less.

51 (d) Seasonal personnel may pull a trailer from low-speed vehicles provided such vehicles
52 are marked in a conspicuous manner with the name of the delivery service and equipped
53 with safety equipment, including, but not limited to, headlights, tail lamps, and any other
54 safety equipment required for operation after sunset.

55 (e) Operators of low-speed vehicles must possess a valid driver's license."

56 **SECTION 3.**

57 This Act shall become effective on July 1, 2011.

58 **SECTION 4.**

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