

Senate Bill 240

By: Senators Mullis of the 53rd, Stoner of the 6th and Jackson of the 24th

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 an exception; to provide for rights and duties
4 of drivers of personal transportation vehicles; to provide for rules of the road; to provide for
5 local ordinances regulating personal transportation vehicles; to provide for operation of such
6 vehicles on the public highways; to provide for related matters; to provide for an effective
7 date; 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:

"Part 6

21
22 40-6-363.

23 (a) This part shall have no application to any county or municipality that has enacted prior
24 to January 1, 2012, an ordinance authorizing the operation of motorized carts pursuant to
25 Code Section 40-6-331.

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

28 (1) A parking brake;

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

31 (3) A main power switch. When the switch is in the 'off' position, or the key or other
32 device that activates the switch is removed, the motive power circuit shall be inoperative.
33 If the switch uses a key, it shall be removable only in the 'off' position;

34 (4) Head lamps;

35 (5) Reflex reflectors;

36 (6) Tail lamps;

37 (7) A horn;

38 (8) A rearview mirror;

39 (9) Safety warning labels; and

40 (10) Hip restraints and hand holds.

41 (c) Counties and municipalities may:

42 (1) Require that personal transportation vehicles include equipment in addition to the
43 equipment listed in subsection (b) of this Code section;

44 (2) Establish conditions under which personal transportation vehicles may be operated
45 upon its streets or portions thereof, including without limitation the conditions under
46 which a person may operate a personal transportation vehicle on such designated streets
47 or parts thereof without a driver's license;

48 (3) Require local registration and licensing of personal transportation vehicles operated
49 within its boundaries, including without limitation proof of financial responsibility for
50 any accident or damage involving the personal transportation vehicle; and

51 (4) Allow any vehicle that meets the requirements of paragraph (43.1) of Code Section
52 40-1-1 and was manufactured before January 1, 2012, to qualify as a personal
53 transportation vehicle.

54 40-6-364.

55 Every person operating a personal transportation vehicle shall be granted all the rights and
56 shall be subject to all the duties applicable to the driver of any other vehicle under this

57 chapter unless such rights are expressly prohibited or qualified by a local ordinance and
58 except those provisions of this chapter which by their nature can apply only to motor
59 vehicles other than personal transportation vehicles.

60 40-6-365.

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

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

66 (c) A person operating a personal transportation vehicle shall do so only inside the lines
67 of a designated traffic lane.

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

70 40-6-366.

71 A local governing authority may adopt by ordinance traffic regulations regulating the use
72 of personal transportation vehicles on roads and streets under its jurisdiction as provided
73 in Code Section 40-6-331; provided, however, an ordinance adopted pursuant to this Code
74 section shall not conflict with or duplicate state law.

75 40-6-367.

76 (a) As used in this Code section, the term 'highway' means a state controlled highway.

77 (b) Personal transportation vehicles shall be operated only on any highway, road, or street
78 where the posted speed limit does not exceed 25 miles per hour."

79 **SECTION 3.**

80 This Act shall become effective on January 1, 2012.

81 **SECTION 4.**

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