

HOUSE SUBSTITUTE TO SENATE BILL 240

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 safety equipment on personal  
4 transportation vehicles; to provide for related matters; to provide for an effective date; to  
5 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 adding a new paragraph to Code Section 40-1-1, relating to definitions regarding  
10 motor vehicles and traffic, as follows:

11 “(43.1) 'Personal transportation vehicle' means any motor vehicle:

12 (A) With a minimum of four wheels;

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

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

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

16 The term does not include mobility aids, including power wheelchairs and scooters, that  
17 can be used indoors and outdoors for the express purpose of enabling mobility for a  
18 person with a disability. The term also does not include any all-terrain vehicle.”

19 **SECTION 2.**

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

"Part 640-6-363.

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

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

(1) A braking system sufficient for the weight and passenger capacity of the vehicle, including a parking brake;

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

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

(4) Head lamps;

(5) Reflex reflectors;

(6) Tail lamps;

(7) A horn;

(8) A rearview mirror;

(9) Safety warning labels; and

(10) Hip restraints and hand holds."

**SECTION 3.**

This Act shall become effective on January 1, 2012.

**SECTION 4.**

All laws and parts of laws in conflict with this Act are repealed.