

House Bill 877

By: Representatives Roberts of the 155<sup>th</sup>, Sims of the 123<sup>rd</sup>, Harbin of the 122<sup>nd</sup>, Prince of the 127<sup>th</sup>, and Smith of the 70<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles, so  
2 as to provide local authorities with the ability to regulate the use of personal transportation  
3 vehicles upon roadways and designated paths and lanes; to revise, delete, and add definitions;  
4 to exempt certain motor vehicles from registration and licensing, certificate of title, part  
5 identification, and inspection requirements; to provide for vehicle identification requirements  
6 for personal transportation vehicles; to exempt operators of certain motor vehicles from  
7 obtaining a driver's license; to limit liability of local authorities with regard to certain motor  
8 vehicles; to provide for the use of certain signage for crossings involving certain motor  
9 vehicles; to provide a legislative intent; to provide for authority and standards for local  
10 authorities to establish personal transportation vehicle transportation plans; to provide for the  
11 acquisition of property by local authorities for personal transportation vehicle lanes or paths;  
12 to provide for the types of streets which may be designated for use by personal transportation  
13 vehicles; to provide for the manner in which personal transportation vehicles may be driven;  
14 to provide for related matters; to repeal conflicting laws; and for other purposes.

15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

17 Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles, is amended  
18 in Code Section 40-1-1, relating to definitions relative to motor vehicles, by revising  
19 paragraphs (3), (26), (41), and (43.1), by deleting paragraph (32) and designating it as  
20 reserved, and by adding new paragraphs (17.1), (33.1), (43.2), and (56.1) to read as follows:

21 "(3) 'All-terrain vehicle' means any motorized vehicle designed for off-road use which  
22 is equipped with ~~three or more nonhighway~~ four low-pressure tires, a seat designed to be  
23 straddled by the operator, and handlebars for steering ~~and which is 50 inches or less in~~  
24 width."

25 "(17.1) 'Golf car' or 'golf cart' means any motorized vehicle designed for the purpose and  
26 exclusive use of conveying one or more persons and equipment to play the game of golf

27 in an area designated as a golf course. For such a vehicle to be considered a golf car or  
 28 golf cart, its average speed shall be less than 15 miles per hour (24 kilometers per hour)  
 29 on a level road surface with a 0.5% grade (0.3 degrees) comprising a straight course  
 30 composed of a concrete or asphalt surface that is dry and free from loose material or  
 31 surface contamination with a minimum coefficient of friction of 0.8 between tire and  
 32 surface."

33 "(26) 'Manufacturer' means a person who is engaged in the manufacture of vehicles and  
 34 who has an established place of does business in this state. A manufacturer includes any  
 35 person who makes modifications to a vehicle that are not approved by the original  
 36 equipment manufacturer and which may adversely affect the safe operation and  
 37 performance of the vehicle."

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

41 "(33.1) 'Multipurpose off-highway vehicle' means any motorized vehicle having features  
 42 specifically intended for utility use and having the following characteristics:

- 43 (A) Has the capability to transport persons or cargo or both;
- 44 (B) Operates between 25 miles per hour (40.2 kilometers per hour) and 50 miles per  
 45 hour (80.4 kilometers per hour);
- 46 (C) Has an overall width of 80 inches (2,030 millimeters) or less, exclusive of  
 47 accessories or attachments;
- 48 (D) Is designed to travel on four or more wheels;
- 49 (E) Uses a steering wheel for steering control;
- 50 (F) Contains a nonstraddle seat;
- 51 (G) Has a gross vehicle weight rating of less than 4,000 pounds (1,814 kilograms); and  
 52 (H) Has a minimum cargo capacity of 350 pounds (159 kilograms)."

53 "(41) 'Passenger car' means every motor vehicle, except all-terrain vehicles, motorcycles,  
 54 motor driven cycles, multipurpose off-highway vehicles, personal transportation vehicles,  
 55 and low-speed vehicles, designed for carrying ten passengers or less and used for the  
 56 transportation of persons."

57 "(43.1) 'Personal transportation vehicle' or 'PTV' means:

- 58 (A) Any motor vehicle having no fewer than three wheels and an unladen weight of  
 59 1,300 pounds or less and which cannot operate at more than 20 miles per hour if such  
 60 vehicle was authorized to operate on local roads by a local authority prior to January  
 61 1, 2012. Such vehicles may also be referred to as 'motorized carts' in such local  
 62 ordinances; and
- 63 (B) any Any motor vehicle:



- 99 (4) To any trailer which has no springs, which is pulled from a tongue, and which is used  
 100 primarily to transport fertilizer to a farm;
- 101 (5) To any ~~motorized cart~~ electric powered personal transportation vehicle; or
- 102 (6) To any moped; or
- 103 (7) To any golf car."

104 **SECTION 3.**

105 Said title is further amended by revising Code Section 40-3-4, relating to exclusions for the  
 106 certificate of title requirement for motor vehicles, to read as follows:

107 "40-3-4.

108 No certificate of title shall be obtained for:

- 109 (1) A vehicle owned by the United States unless it is registered in this state;
- 110 (2) A vehicle owned by a manufacturer of or dealer in vehicles and held for sale, even  
 111 though incidentally used on the highway or used for purpose of testing or demonstration;  
 112 a vehicle owned by a dealer in vehicles but used by any Georgia public or private school  
 113 for driver education purposes; or a vehicle used by a manufacturer solely for testing;  
 114 except that all dealers acquiring new vehicles after July 1, 1962, from a manufacturer for  
 115 resale shall obtain such evidence of origin of title from the manufacturer as the  
 116 commissioner shall by rule and regulation prescribe;
- 117 (3) A vehicle owned by a nonresident of this state and not required by law to be  
 118 registered in this state;
- 119 (4) A vehicle regularly engaged in the interstate transportation of persons or property for  
 120 which a currently effective certificate of title has been issued in another state;
- 121 (5) A vehicle moved solely by human or animal power;
- 122 (6) An implement of husbandry;
- 123 (7) Special mobile equipment;
- 124 (8) A self-propelled wheelchair or invalid tricycle;
- 125 (9) A pole trailer;
- 126 (10) Motor buses used for the transportation of persons by a street railroad or other  
 127 company engaged in the operation of an urban transit system over fixed routes;
- 128 (11) A boat trailer;
- 129 (12) A homemade trailer;
- 130 (13) A device used exclusively upon stationary rails or tracks or which obtains motive  
 131 power from fixed overhead electric wires;
- 132 (14)(A) A vehicle, other than a mobile home or crane, the model year of which is prior  
 133 to 1986.

134 (B) The owner of any vehicle which has a valid certificate of title and which becomes  
 135 subject to the exclusion provided in subparagraph (A) of this paragraph may retain the  
 136 certificate of title. Each subsequent transferee of any vehicle covered by  
 137 subparagraph (A) of this paragraph, for which the certificate of title has been retained,  
 138 may obtain a certificate of title by complying with Code Section 40-3-32. However,  
 139 the failure of any subsequent transferee to comply with Code Section 40-3-32 shall  
 140 preclude transferees subsequent to that transferee from obtaining a certificate of title.  
 141 The department shall maintain such records as may be necessary to allow owners to  
 142 obtain a certificate of title under this subparagraph. No certificate of title authorized  
 143 to be issued under this subparagraph shall be issued under Code Section 40-3-28.

144 (C)(i) A security interest in or lien against a vehicle which is subject to the exclusion  
 145 provided for in subparagraph (A) of this paragraph and which arises after such vehicle  
 146 becomes subject to the operation of subparagraph (A) of this paragraph may be  
 147 perfected in the same manner as such security interests and liens are perfected on  
 148 vehicles required by this chapter to have certificates of title.

149 (ii) The transferee of any vehicle which is subject to the exclusion provided for in  
 150 subparagraph (A) of this paragraph, regardless of whether that vehicle has a certificate  
 151 of title issued pursuant to subparagraph (B) of this paragraph, shall take such vehicle  
 152 subject to any security interest or lien perfected under this paragraph;

153 (15)(A) Except as provided in subparagraph (B) of this paragraph, a trailer with an  
 154 unladen gross weight of 2,000 pounds or less.

155 (B) The exclusion provided in subparagraph (A) of this paragraph shall not apply to  
 156 a travel trailer or camper, regardless of its unladen gross weight;

157 (16) A vehicle which is not sold for the purpose of lawful highway use;

158 (17) A vehicle with a model year prior to 1963; ~~or~~

159 (18) A moped; or

160 (19) A personal transportation vehicle."

#### 161 SECTION 4.

162 Said title is further amended by revising paragraph (2) of subsection (a) of Code  
 163 Section 40-3-30.1, relating to inspections and definitions relative to certificates of title, to  
 164 read as follows:

165 "(2) 'Unconventional motor vehicle or motorcycle' means any motor vehicle or  
 166 motorcycle that is manufactured, including, but not limited to, all-terrain vehicles,  
 167 off-road vehicles, ~~motorized carts,~~ motor driven cycles, ~~and~~ mopeds, and personal  
 168 transportation vehicles, and that is not in compliance with the following:

169 (A) Chapter 8 of Title 40, relating to equipment and inspection of motor vehicles;

170 (B) Applicable federal motor vehicle safety standards issued pursuant to 49 U.S.C.A.  
 171 Section 30101, et seq., unless and until the United States Customs ~~Service~~ and Border  
 172 Protection Agency or the United States Department of Transportation has certified that  
 173 the motor vehicle complies with such applicable federal standards; or  
 174 (C) Applicable federal emission standards issued pursuant to 42 U.S.C.A. Section 7401  
 175 through Section 7642, the 'Clean Air Act,' as amended."

176 **SECTION 5.**

177 Said title is further amended by revising subsection (b) of Code Section 40-4-2, relating to  
 178 the applicability of the article requiring identification of passenger cars, truck chassis, and  
 179 components, to read as follows:

180 "(b) This article shall not apply to motorcycles, personal transportation vehicles, motor  
 181 driven cycles, school buses, farm tractors, buses, truck tractors, road tractors, trucks,  
 182 trailers, semitrailers, pole trailers, streetcars, or go-carts or to any vehicle whether  
 183 self-propelled or not which is not required to be issued a license plate under the laws of this  
 184 state."

185 **SECTION 6.**

186 Said title is further amended by adding a new Code section to read as follows:

187 "40-4-5.1.

188 (a) On or after July 1, 2014, on every newly manufactured personal transportation vehicle,  
 189 the manufacturer shall inscribe a permanent, durable, corrosion-resistant name plate or  
 190 marking which contains a unique serial number, name of manufacturer, model name or  
 191 code, date code, contact information, nominal system voltage, fuel type, and load capacity.

192 (b) The name plate or marking shall be of a height and width easily readable by the naked  
 193 eye. The unique serial number may consist of letters, digits, or any combination of letters  
 194 and digits.

195 (c) The name plate shall be easily accessible for inspection."

196 **SECTION 7.**

197 Said title is further amended by revising subsection (a) of Code Section 40-5-20, relating to  
 198 activity requiring a driver's license, to read as follows:

199 "(a) No person, except those expressly exempted in this chapter or in Chapter 6 of this title,  
 200 shall drive any motor vehicle upon a highway in this state unless such person has a valid  
 201 driver's license under this chapter for the type or class of vehicle being driven. Any person  
 202 who is a resident of this state for 30 days shall obtain a Georgia driver's license before  
 203 operating a motor vehicle in this state. Any violation of this subsection shall be punished

204 as provided in Code Section 40-5-121, except the violation of driving with an expired  
 205 license, or a violation of Code Section 40-5-29 or if such person produces in court a valid  
 206 driver's license issued by this state to such person, he or she shall not be guilty of such  
 207 offenses. Any court having jurisdiction over traffic offenses in this state shall report to the  
 208 department the name and other identifying information of any individual convicted of  
 209 driving without a license."

210 **SECTION 8.**

211 Said title is further amended by revising paragraph (12) of subsection (a) of Code Section  
 212 40-5-21, relating to exemptions to the driver's license requirement, to read as follows:

213 "(12) Any person while operating a ~~motorized cart~~ personal transportation vehicle:

214 (A) On any way publicly maintained for the use of ~~motorized carts~~ personal  
 215 transportation vehicles by the public and no other types of motor vehicles in accordance  
 216 with a local ordinance adopted pursuant to ~~subsection (a) of Code Section 40-6-331~~ Part  
 217 3 or 6 of Article 13 of Chapter 6 of this title; or

218 (B) When crossing a street or highway used by other types of motor vehicles at a  
 219 location designated for such crossing pursuant to subsection (d) of Code  
 220 Section 40-6-331 or pursuant to a PTV plan authorized by a local authority as described  
 221 in Part 6 of Article 13 of Chapter 6 of this title."

222 **SECTION 9.**

223 Said title is further amended by revising Code Section 40-6-51, relating to restrictions on the  
 224 use of controlled-access roadways, to read as follows:

225 "40-6-51.

226 (a) The Department of Transportation by order and local authorities by ordinance may  
 227 regulate or prohibit the use of any controlled-access roadway within their respective  
 228 jurisdictions by any class of vehicle or kind of traffic which is found to be incompatible  
 229 with the normal and safe movement of traffic.

230 (b) The Department of Transportation or the local authority adopting any such prohibition  
 231 shall erect and maintain official traffic-control devices on the controlled-access highway  
 232 on which such prohibitions are applicable, and when such devices are in place no person  
 233 shall disobey the restrictions stated thereon.

234 (c) For purposes of this Code section, roadways within the jurisdiction of the Department  
 235 of Transportation and roadways within the jurisdiction of local authorities shall be as set  
 236 forth in Code Section 32-4-1."

237 **SECTION 10.**

238 Said title is further amended by revising Part 3 of Article 13 of Chapter 6, relating to  
 239 motorized carts, to read as follows:

240 "Part 3  
 241 **Motorized Carts**  
 242 Personal Transportation Vehicles

243 40-6-330.

244 Any local authority desiring to establish operating standards for personal transportation  
 245 vehicles shall comply with Part 6 of this article.

246 40-6-330.1.

247 ~~Motorized carts may be operated on streets only during daylight hours unless they comply~~  
 248 ~~with the equipment regulations promulgated by the commissioner of public safety.~~

249 (a) All personal transportation vehicles shall be equipped with:

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

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

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

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

257 (4) Head lamps;

258 (5) Reflex reflectors;

259 (6) Tail lamps;

260 (7) A horn;

261 (8) A rearview mirror;

262 (9) Safety warning labels; and

263 (10) Hip restraints and hand holds or a combination thereof.

264 (b) The requirements of subsection (a) of this Code section shall not apply to any personal  
 265 transportation vehicles operated during daylight hours authorized by local ordinances  
 266 enacted prior to January 1, 2012.

267 40-6-331.

268 (a) A local ~~governing~~ authority may, by ordinance, designate certain public streets or  
 269 portions thereof or PTV paths that are under its regulation and control for the combined use

270 of ~~motorized carts~~ PTVs and regular vehicular traffic or the use of ~~motorized carts~~ PTVs  
 271 and no other types of motor vehicles and establish the conditions under which ~~motorized~~  
 272 ~~carts~~ PTVs may be operated upon such streets or portions thereof or PTV paths, including  
 273 without limitation the conditions under which a person may operate ~~motorized carts~~ PTVs  
 274 on such designated streets or portions thereof or PTV paths ~~without a driver's license~~. All  
 275 operators of PTVs shall be required to possess a valid driver's license except when  
 276 operating a PTV within a locality whose local authority has enacted an ordinance  
 277 permitting the use of PTVs or motorized carts on streets without possession of a driver's  
 278 license prior to January 1, 2012.

279 (b) ~~Such~~ Local authority ordinances may establish operating standards but shall not require  
 280 ~~motorized carts~~ PTVs to meet any requirements of general law as to registration,  
 281 inspection, certificate of title, or licensing; provided, however, that a local governing  
 282 authority may, by ordinance, require the local registration and licensing of ~~such carts~~ PTVs  
 283 operated within its boundaries at least once every five years for a fee not to exceed \$15.00;  
 284 ~~the license to remain permanently with such cart unless such cart is sold or the license is~~  
 285 ~~destroyed.~~ No local authority shall be liable for losses that result from exercising or not  
 286 exercising inspection powers or functions, including failure to make an inspection or  
 287 making an inadequate or negligent inspection of a PTV. The provisions of this subsection  
 288 and the authority granted by this subsection shall not apply to ~~motorized carts~~ PTVs owned  
 289 by golf courses, country clubs, or other such organized entities which own such ~~carts~~ PTVs  
 290 and make them available to or for use by members or the public on a rental or licensed  
 291 basis, provided that such ~~motorized carts~~ PTVs are used only on the premises of such golf  
 292 courses, country clubs, or other such organized entities.

293 (c) Each local governing authority permitting the use of ~~motorized carts~~ PTVs upon the  
 294 public streets within its jurisdiction shall erect signs on every highway which comprises  
 295 a part of the state highway system at that point on the highway which intersects the  
 296 corporate limits of the municipality or boundaries of the county. Such signs shall be at  
 297 least 24 by 30 inches in area and shall warn approaching motorists that ~~motorized carts~~  
 298 PTVs are authorized for use on public streets. All costs associated with such signs shall  
 299 be funded entirely by the local governing authority. Ordinances establishing operating  
 300 standards for ~~motorized carts~~ PTVs shall not be effective unless appropriate signs giving  
 301 notice are posted as required by this subsection.

302 (d)(1) ~~Motorized carts~~ In jurisdictions where PTVs are permitted or otherwise allowed  
 303 by state law, PTVs may cross streets and highways that are part of the state highway  
 304 system only at crossings or intersections designated for that purpose ~~by the Department~~  
 305 ~~of Transportation~~ and which are constructed as an active grade crossing in accordance  
 306 with the Manual on Uniform Traffic Control Devices. PTV crossings shall be indicated

307 by warning sign W11-11 of the Standard Highway Signs and be clearly visible in both  
 308 directions by vehicles traversing the highway which is being crossed or intersected by  
 309 PTVs.

310 (2) ~~Motorized carts~~ PTVs may cross streets and highways that are part of a municipal  
 311 street system or county road system and used by other types of motor vehicles only at  
 312 crossings or intersections designated for that purpose by the local governing authority  
 313 having jurisdiction over such system."

314 **SECTION 11.**

315 Said title is further amended by revising Part 6 of Article 13 of Chapter 6, relating to personal  
 316 transportation vehicles, to read as follows:

317 "Part 6

318 Personal Transportation ~~Vehicles~~ Vehicle Transportation Plan

319 40-6-363.

320 The purpose of this part shall be to authorize any local authority to establish a personal  
 321 transportation vehicle transportation plan for roadways and streets within the local  
 322 authority's jurisdiction. It is the intent of the General Assembly that these plans be  
 323 designed and developed to best serve the functional travel needs of the jurisdiction and to  
 324 have the physical safety of the personal transportation vehicle occupants and their property  
 325 as a major planning component. No local authority shall be liable for losses resulting from  
 326 exercising or not exercising its authority to adopt a personal transportation vehicle  
 327 transportation plan, failing to adopt such plan, making an inadequate plan, or negligently  
 328 adopting such plan.

329 40-6-364.

330 As used in this part, the term:

331 (1) 'Personal transportation vehicle lane' or 'PTV lane' means a portion of the roadway  
 332 that has been designated by striping, pavement markings, or signage for the exclusive or  
 333 preferential use of persons operating personal transportation vehicles. Such PTV lanes  
 334 shall at a minimum meet accepted guidelines, recommendations, and criteria with respect  
 335 to planning, design, operation, and maintenance as set forth in the American Association  
 336 of State Highway and Transportation Officials Safety Manual.

337 (2) 'Personal transportation vehicle transportation plan' or 'PTV plan' means a detailed  
 338 guide for the operation of personal transportation vehicles upon local streets and road  
 339 segments passed by a local authority through ordinance or resolution.

340 (3) 'Plan area' means the territory designated by a local authority in a personal  
341 transportation vehicle transportation plan that provides for use of personal transportation  
342 vehicles and may include privately owned land upon the consent of the landowner.

343 40-6-365.

344 (a) A local authority may, by ordinance or resolution, adopt a PTV plan.

345 (b) Prior to the enactment of a PTV plan, a local authority shall submit the plan to any  
346 agency having traffic law enforcement responsibilities in the plan area and allow for input  
347 and comment upon the PTV plan.

348 (c) A PTV plan shall:

349 (1) Establish minimum general design criteria for the development, planning, and  
350 construction of separated PTV lanes, including, but not limited to, the design speed of the  
351 facility, the space requirements of the personal transportation vehicle, and roadway  
352 design criteria. This paragraph shall not apply if a local authority's governing body and  
353 the law enforcement agency with primary traffic jurisdiction over the street in question  
354 concludes that the street or roadway segment is suitable to safely accommodate both  
355 regular vehicular traffic and personal transportation vehicles but shall be governed by the  
356 requirements listed in Code Section 40-6-368;

357 (2) Establish uniform specifications and symbols for signs, markers, and traffic control  
358 devices consistent with the most current version of the Manual on Uniform Traffic  
359 Control Devices to control personal transportation vehicle traffic; to warn of dangerous  
360 conditions, obstacles, or hazards; to designate the right of way between personal  
361 transportation vehicles, other motor vehicles, and bicycles; to state the nature and  
362 destination of the PTV lane; and to warn pedestrians, bicyclists, and motorists of the  
363 presence of personal transportation vehicle traffic;

364 (3) Include a permitting process for personal transportation vehicles operating within the  
365 plan area. Such permitting process may include, but is not limited to, requirements  
366 regarding permit posting, permit renewal, operator education, and liability insurance.  
367 Local authorities may require a personal transportation vehicle to be permitted at least  
368 once every five years for a fee not to exceed \$15.00;

369 (4) Establish minimum safety criteria for personal transportation vehicle operators,  
370 including, but not limited to, requirements relating to personal transportation vehicle  
371 maintenance and personal transportation vehicle safety. Unless otherwise allowed by law  
372 under local ordinance established prior to January 1, 2012, as authorized by Part 3 of this  
373 article, operators shall be required to possess a valid driver's license and comply with the  
374 financial responsibility requirements for passenger vehicle operators;

375 (5) Establish restrictions limiting the operation of personal transportation vehicles to  
 376 PTV lanes, paths, or other approved streets or road segments in the plan area; and  
 377 (6) Provide that any person operating a personal transportation vehicle in the plan area  
 378 in violation of the PTV plan is guilty of an infraction punishable by a fine as established  
 379 by law.

380 (d) A PTV plan may include, but is not limited to, the following elements:

381 (1) Route selection, which includes a finding that the route will accommodate personal  
 382 transportation vehicles without an adverse impact upon traffic safety, and will consider,  
 383 among other things, the travel needs of commuters and other users;

384 (2) Transportation interfacing, which shall include, but not be limited to, coordination  
 385 with other modes of transportation;

386 (3) Community involvement in planning;

387 (4) Flexibility and coordination with long-range transportation planning;

388 (5) Provision for personal transportation vehicle related facilities including, but not  
 389 limited to, special access points, charging stations, and personal transportation vehicle  
 390 crossings;

391 (6) Provisions for parking facilities, including, but not limited to, community commercial  
 392 centers, golf courses, public areas, parks, and other destination locations; and

393 (7) Provisions for special paving, road markings, signage and striping for PTV lanes,  
 394 road crossings, parking, and circulation.

395 (e) A PTV plan shall not include the use of any state highway, or any portion thereof, or  
 396 the operation of personal transportation vehicles except that a crossing of, or a PTV lane  
 397 along, a state highway may be included in the plan if consistent with accepted guidelines,  
 398 recommendations, and criteria with respect to planning, design, signage, operation, and  
 399 maintenance of shared use paths or PTV lanes as set forth in the Manual on Uniform  
 400 Traffic Control Devices and the American Association of State Highway and  
 401 Transportation Officials Safety Manual.

402 40-6-366.

403 A local authority that adopts a PTV plan may establish PTV lanes through the acquisition  
 404 of property, including easements or rights of way, by dedication, purchase, or  
 405 condemnation.

406 40-6-367.

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

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

- 412 ~~(1) A braking system sufficient for the weight and passenger capacity of the vehicle,~~  
 413 ~~including a parking brake;~~  
 414 ~~(2) A reverse warning device functional at all times when the directional control is in the~~  
 415 ~~reverse position;~~  
 416 ~~(3) A main power switch. When the switch is in the 'off' position, or the key or other~~  
 417 ~~device that activates the switch is removed, the motive power circuit shall be inoperative.~~  
 418 ~~If the switch uses a key, it shall be removable only in the 'off' position;~~  
 419 ~~(4) Head lamps;~~  
 420 ~~(5) Reflex reflectors;~~  
 421 ~~(6) Tail lamps;~~  
 422 ~~(7) A horn;~~  
 423 ~~(8) A rearview mirror;~~  
 424 ~~(9) Safety warning labels; and~~  
 425 ~~(10) Hip restraints and hand holds.~~

426 40-6-368.

427 Any street or highway segment upon which the joint use by regular vehicle traffic and  
 428 personal transportation vehicles is permitted shall:

- 429 (1) Have speed limits of 25 miles per hour or less, as established by an engineering and  
 430 traffic survey; and  
 431 (2) Have been determined by a qualified traffic engineer to accommodate personal  
 432 transportation vehicles without adversely impacting traffic safety or the travel needs of  
 433 commuters and other users.

434 40-6-369.

435 (a) All personal transportation vehicles authorized by a PTV plan to operate on a street,  
 436 road segment, or PTV lane are entitled to full use of a lane, and no motor vehicle shall be  
 437 driven in such manner as to deprive a personal transportation vehicle of the full use of a  
 438 lane.

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

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

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

445 40-6-369.1.  
 446 Personal transportation vehicles shall only be operated on highways where the posted speed  
 447 limit does not exceed 25 miles per hour. The operator of a personal transportation vehicle  
 448 shall not operate such vehicle on any highway where the posted speed limit exceeds 25  
 449 miles per hour."

450 **SECTION 12.**

451 Said title is further amended by revising Code Section 40-6-371, relating to powers of local  
 452 authorities relative to rules of the road, to read as follows:

453 "40-6-371.

454 (a) This chapter shall not be deemed to prevent local authorities with respect to streets and  
 455 highways under their jurisdiction and within the reasonable exercise of the police power  
 456 from:

- 457 (1) Regulating or prohibiting stopping, standing, or parking;
- 458 (2) Regulating traffic by means of police officers or official traffic-control devices;
- 459 (3) Regulating or prohibiting processions or assemblages on the highways;
- 460 (4) Designating particular highways or roadways for use by traffic moving in one  
 461 direction as authorized in Code Section 40-6-47;
- 462 (5) Establishing speed limits for vehicles in public parks, notwithstanding any provisions  
 463 of law establishing a minimum speed limit for an area outside an urban or residential  
 464 district;
- 465 (6) Designating any highway as a through highway or designating any intersection or  
 466 junction of roadway as a stop or yield intersection or junction;
- 467 (7) Requiring the registration and inspection of bicycles, including the requirement of  
 468 a registration fee;
- 469 (8) Designating any highway intersection as a 'yield right of way' intersection and  
 470 requiring vehicles facing a 'yield right of way' sign to yield the right of way to other  
 471 vehicles;
- 472 (9) Regulating or prohibiting the turning of vehicles or specified types of vehicles;
- 473 (10) Altering or establishing speed limits as authorized by law;
- 474 (11) Designating no-passing zones as authorized in Code Section 40-6-46;
- 475 (12) Prohibiting or regulating the use of controlled-access roadways by any class of  
 476 vehicle or kind of traffic as authorized in Code Section 40-6-51;
- 477 (13) Prohibiting or regulating the use of heavily traveled streets by any class of vehicle  
 478 or kind of traffic found to be incompatible with the normal and safe movement of traffic;
- 479 (14) Establishing minimum speed limits as authorized by law;

- 480 (15) Designating hazardous railroad grade crossings as authorized in Code Section  
 481 40-6-141;
- 482 (16) Designating and regulating traffic on play streets;
- 483 (17) Regulating persons propelling push carts;
- 484 (18) Regulating persons upon skates, coasters, sleds, and other toy vehicles;
- 485 (18.1) Regulating the operation of electric personal assistive mobility devices, provided  
 486 that such regulations are no less restrictive than those imposed by Part 2A of Article 13  
 487 of this chapter;
- 488 (18.2) Regulating the operation of personal transportation vehicles, provided that such  
 489 regulations comply with Parts 3 and 6 of Article 13 of this chapter;
- 490 (19) Adopting and enforcing such temporary or experimental regulations as may be  
 491 necessary to cover emergencies or special conditions; or
- 492 (20) Adopting such other traffic regulations as are specifically authorized by this chapter.
- 493 (a.1) No fine imposed by a local authority for violation of an ordinance or regulation for  
 494 conduct which constitutes a violation of a provision of this chapter shall exceed any  
 495 maximum fine specified by this chapter for such violation.
- 496 (b) No local authority shall erect or maintain any official traffic-control device at any  
 497 location so as to require the traffic on any state highway to stop before entering or crossing  
 498 any intersecting highway unless approval in writing has first been obtained from the  
 499 Department of Transportation of the State of Georgia. If this issue is on trial in a civil or  
 500 criminal action, the proper authority shall be presumed.
- 501 (c) No ordinance or regulation enacted under paragraph (4), (5), (6), (8), (9), (10), (11),  
 502 (12), (13), (14), (15), (16), (17), ~~or (18)~~, or (18.2) of subsection (a) of this Code section  
 503 shall be effective until official traffic-control devices giving notice of such local traffic  
 504 regulations are erected upon or at the entrances to the highway or the part thereof affected  
 505 as may be most appropriate."

506 **SECTION 13.**

507 Said title is further amended by revising Code Section 40-8-1, relating to the applicability  
 508 of the article relative to equipment and inspection of motor vehicles, to read as follows:

509 "40-8-1.

- 510 (a) This article shall not apply to implements of husbandry, road machinery, road rollers,  
 511 farm tractors, or three-wheeled motorcycles used only for agricultural purposes, except  
 512 when expressly made applicable. This article shall not apply to ~~motorized carts~~ personal  
 513 transportation vehicles.
- 514 (b) Nothing in this article shall be construed to prohibit the use of additional parts and  
 515 accessories on any vehicle, which use is not inconsistent with the provisions of this article."

516

**SECTION 14.**

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