

House Bill 166

By: Representatives Yates of the 73<sup>rd</sup>, Powell of the 32<sup>nd</sup>, Harbin of the 122<sup>nd</sup>, and Smith of the 125<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to the  
2 uniform rules of the road, so as to provide for the safe operation of a lightweight motorcycle  
3 or motor vehicle through an inoperative traffic-control signal; to repeal certain provisions  
4 relating to handlebars; to provide for a short title; to provide for related matters; to repeal  
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 This Act shall be known and may be cited as the "Motorcycle Mobility Safety Act."

9 **SECTION 2.**

10 Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to the uniform rules  
11 of the road, is amended by revising subsections (a) and (e) of Code Section 40-6-20, relating  
12 to obedience to traffic-control devices, as follows:

13 "(a) The driver of any vehicle shall obey the instructions of an official traffic-control  
14 device applicable thereto, placed in accordance with this chapter, unless otherwise directed  
15 by a police officer, subject to the exceptions granted the driver of an authorized emergency  
16 vehicle in this chapter. A violation of this subsection shall be a misdemeanor, except as  
17 otherwise provided by paragraph (2) of subsection (e) and subsection (f) of this Code  
18 section."

19 "(e)(1) Except as provided for in paragraph (2) of this subsection, the ~~The~~ disregard or  
20 disobedience of the instructions of any official traffic-control device or signal placed in  
21 accordance with the provisions of this chapter by the driver of a vehicle shall be deemed  
22 prima-facie evidence of a violation of law, without requiring proof of who and by what  
23 authority such sign or device has been erected.

24 (2) If a traffic-control device or signal is inoperative due to the lightweight design of a  
25 motorcycle or other motor vehicle and the driver has remained stopped for not less than

26 60 seconds, then the driver may treat such traffic-control device or signal as a stop sign,  
27 and his or her right to proceed shall be subject to the rules applicable after making a stop  
28 at a stop sign as provided for in Code Section 40-6-72. Nothing in this paragraph shall  
29 restrict the permissibility of a driver to make a right turn as provided for in paragraph (3)  
30 of subsection (a) of Code Section 40-6-21."

31 **SECTION 3.**

32 Said chapter is further amended by revising Code Section 40-6-314, relating to footrests and  
33 handlebars, as follows:

34 "40-6-314.

35 (a) Any motorcycle carrying a passenger, other than in a sidecar or enclosed cab, shall be  
36 equipped with footrests for such passenger.

37 ~~(b) No person shall operate any motorcycle with handlebars more than 15 inches in height~~  
38 ~~above that portion of the seat occupied by the operator or with a backrest more commonly~~  
39 ~~known as a sissy bar that is designed in such a way as to create a sharp point at its apex."~~

40 **SECTION 4.**

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