

Senate Bill 76

By: Senators Jackson of the 24th, Wilkinson of the 50th, Jones of the 25th, Bethel of the 54th, Miller of the 49th and others

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Code Section 40-6-20 of the Official Code of Georgia Annotated, relating to
2 obedience to traffic-control devices, so as to provide for the safe operation of a motorcycle
3 or bicycle through an inoperative traffic-control signal; to provide for a definition; to provide
4 for a short title; to provide for related matters; to repeal conflicting laws; and for other
5 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 Code Section 40-6-20 of the Official Code of Georgia Annotated, relating to obedience to
11 traffic-control devices, is amended by revising subsections (a) and (e) as follows:

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

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

23 (2) If a driver has stopped pursuant to the instructions of a traffic-control device and has
24 a reasonable belief that the traffic-control device or signal is inoperative due to the

25 lightweight design of his or her motorcycle or bicycle, the driver may disregard or
26 disobey the instructions of the traffic-control device or signal and proceed through the
27 intersection, provided that:

28 (A) There is no other motor vehicle within 500 feet approaching or entering the same
29 intersection from a different highway, or from the same highway approaching or
30 entering the intersection from the opposite direction; and

31 (B) The driver cautiously proceeds through the intersection with reasonable care and
32 consideration for all other applicable rules of the road.

33 Nothing in this paragraph shall restrict the permissibility of a driver to make a right turn
34 as provided for in paragraph (3) of subsection (a) of Code Section 40-6-21.

35 (3) As used in this subsection, the term 'reasonable belief' means the belief of a
36 reasonable person in consideration of the conditions of his or her stop, including but not
37 limited to the number of seconds he or she has been stopped or the number of signal
38 changes he or she has observed of the traffic-control device or signal which did not
39 include a change of instruction to him or her."

40 **SECTION 3.**

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