

House Bill 764

By: Representatives Powell of the 32<sup>nd</sup>, Frye of the 118<sup>th</sup>, Quick of the 117<sup>th</sup>, Williams of the 119<sup>th</sup>, Hitchens of the 161<sup>st</sup>, and others

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 require drivers of motor vehicles to stop at crosswalks with pedestrian-activated  
3 rectangular rapid flash beacons; to make it unlawful to activate such devices when there is  
4 no intent to cross a roadway; to provide for definitions; to provide for related matters; 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, is amended  
9 in Code Section 40-1-1, relating to definitions, by adding a new paragraph to read as follows:  
10 "(50.02) 'Rectangular rapid flash beacon' means a user-activated device with amber light  
11 emitting diodes (LEDs) that supplement warning signals at unsignalized intersections or  
12 mid-block crosswalks. Such devices emit an irregular flash pattern and may be activated  
13 by pedestrians manually by a push button or passively by a pedestrian detection system.  
14 The term shall be interchangeable with LED rapid-flash system, stutter flash, or LED  
15 beacons."

16 **SECTION 2.**

17 Said title is further amended by revising Code Section 40-6-91, relating to right of way in  
18 crosswalks, as follows:

19 "40-6-91.

20 (a) The driver of a vehicle shall stop and remain stopped to allow a pedestrian to cross the  
21 roadway within a crosswalk when the pedestrian is upon the half of the roadway upon  
22 which the vehicle is traveling, or when the pedestrian is approaching and is within one lane  
23 of the half of the roadway on which the vehicle is traveling or onto which it is turning. For  
24 the purposes of this subsection, 'half of the roadway' means all traffic lanes carrying traffic  
25 in one direction of travel.

26 (b) The driver of a vehicle shall stop and remain stopped to allow a pedestrian to cross the  
27 roadway within a crosswalk when an approved rectangular rapid flash beacon or similar  
28 device has been activated.

29 (c) No pedestrian shall suddenly leave a curb or other place of safety and walk or run into  
30 the path of a vehicle which is so close that it is impractical for the driver to yield. No  
31 pedestrian shall manually activate or intentionally cause to be activated a rapid flash  
32 beacon or similar device at a crosswalk unless such pedestrian intends to cross a roadway.

33 (e) (d) Subsection (a) of this Code section shall not apply under the conditions stated in  
34 subsection (b) of Code Section 40-6-92.

35 (f) (e) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked  
36 crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any  
37 other vehicle approaching from the rear shall not overtake and pass such stopped vehicle."

38 **SECTION 3.**

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