

House Bill 908

By: Representatives Powell of the 32<sup>nd</sup>, Kaiser of the 59<sup>th</sup>, and Gardner of the 57<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 13 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated,  
2 relating to special provisions for certain vehicles, so as to clarify that certain all-terrain  
3 vehicles, class-I all-terrain vehicles, class-II all-terrain vehicles, and class-III all-terrain  
4 vehicles are subject to the uniform rules of the road; to provide for certain provisions  
5 regarding the operation of all-terrain vehicles, class-I all-terrain vehicles, class-II all-terrain  
6 vehicles, and class-III all-terrain vehicles upon the roads, streets, and highways of this state;  
7 to allow counties, municipalities, and consolidated governments to prohibit the use of  
8 all-terrain vehicles, class-I all-terrain vehicles, class-II all-terrain vehicles, and class-III  
9 all-terrain vehicles upon, in, or on certain roads, streets, highways, and property within such  
10 jurisdiction; to provide for criminal penalties; to provide for related matters; to repeal  
11 conflicting laws; and for other purposes.

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

14 Article 13 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to  
15 special provisions for certain vehicles, is amended by adding a new part to read as follows:

16 style="text-align:center">"Part 7

17 40-6-369.10.

18 All all-terrain vehicles, class-I all-terrain vehicles, class-II all-terrain vehicles, and class-III  
19 all-terrain vehicles which are operated on the roads, streets, and highways of this state are  
20 subject to the uniform rules of the road.

21 40-6-369.11.

22 (a) All all-terrain vehicles, class-I all-terrain vehicles, class-II all-terrain vehicles, and  
23 class-III all-terrain vehicles which are operated on the roads, streets, and highways of this

24 state are entitled to the full use of a lane and no motor vehicle shall be driven in such a  
25 manner as to deprive any such all-terrain vehicle, class-I all-terrain vehicle, class-II  
26 all-terrain vehicle, or class-III all-terrain vehicle of the full use of a lane.

27 (b) The operator of all-terrain vehicles, class-I all-terrain vehicles, class-II all-terrain  
28 vehicles, or class-III all-terrain vehicles shall not overtake and pass in the same lane  
29 occupied by the vehicle being overtaken.

30 (c) No person shall operate an all-terrain vehicle, class-I all-terrain vehicle, class-II  
31 all-terrain vehicle, or class-III all-terrain vehicle between lanes of traffic or between  
32 adjacent lines or rows of vehicles.

33 (d) All-terrain vehicles, class-I all-terrain vehicles, class-II all-terrain vehicles, and  
34 class-III all-terrain vehicles shall not be operated two or more abreast in a single lane.

35 (e) Any violation of this Code section shall be a misdemeanor.

36 40-6-369.12.

37 (a) A county, municipality, or consolidated government, by ordinance, may prohibit the  
38 use of all-terrain vehicles, class-I all-terrain vehicles, class-II all-terrain vehicles, and  
39 class-III all-terrain vehicles upon the highways, roads, roadways, rights of way, streets,  
40 sidewalks, shared-use paths, or in or on public parks or government property, within such  
41 jurisdiction.

42 (b) Any person violating a local ordinance prohibiting the use of all-terrain vehicles,  
43 class-I all-terrain vehicles, class-II all-terrain vehicles, and class-III all-terrain vehicles  
44 upon the highways, roads, roadways, rights of way, streets, sidewalks, or shared-use paths,  
45 or in or on public parks or government property, within such jurisdiction shall be guilty of  
46 a misdemeanor."

47 **SECTION 2.**

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