

House Bill 490

By: Representatives Gurtler of the 8<sup>th</sup>, Pezold of the 133<sup>rd</sup>, Clark of the 98<sup>th</sup>, Mathiak of the 73<sup>rd</sup>, and Powell of the 32<sup>nd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Part 2 of Article 13 of Chapter 6 of Title 40 of the Official Code of Georgia  
2 Annotated, relating to special provisions for motorcycles relative to uniform rules of the  
3 road, so as to provide that motorcycles may overtake and pass in the same lane occupied by  
4 the vehicle being overtaken under certain conditions; 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 Part 2 of Article 13 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated,  
9 relating to special provisions for motorcycles relative to uniform rules of the road, is  
10 amended by revising Code Section 40-6-312, relating to operating a motorcycle on roadway  
11 laned for traffic, as follows:

12 "40-6-312.

13 (a) All motorcycles are entitled to full use of a lane, and no motor vehicle shall be driven  
14 in such a manner as to deprive any motorcycle of the full use of a lane. This subsection  
15 shall not apply to motorcycles operated two abreast in a single lane.

16 (b) The operator of a motorcycle ~~shall not~~ may overtake and pass in the same lane  
17 occupied by the vehicle being overtaken only if:

18 (1) The vehicle being overtaken is stationary in traffic awaiting the change of a  
19 traffic-control signal;

20 (2) The motorcycle is not traveling more than ten miles per hour; and

21 (3) The motorcycle is being maneuvered to be placed in front of stationary traffic or to  
22 gain access to an adjacent turning lane.

23 ~~(c) No person shall operate a motorcycle between lanes of traffic or between adjacent lines~~  
24 ~~or rows of vehicles.~~

25 ~~(d)~~(c) Motorcycles shall not be operated more than two abreast in a single lane.

26 ~~(e)~~(d) A person operating a motorcycle shall at all times keep his or her headlights and  
27 taillights illuminated.

28 ~~(f)~~(e) ~~Subsections~~ The restrictions in subsection (b) and (c) of this Code section shall not  
29 apply to police officers in the performance of their official duties."

30 **SECTION 2.**

31 All laws and parts of laws in conflict with this Act are repealed.