

Senate Bill 322

By: Senators James of the 35th, Rhett of the 33rd, Henson of the 41st and Harbison of the 15th

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 2A of Article 13 of Chapter 6 of Title 40 of the Official Code of Georgia
2 Annotated, relating to personal assistive mobility devices, so as to require certain reflectors
3 on nonelectric personal assistive mobility devices when operated on highways and sidewalks,
4 to require electric and nonelectric personal assistive mobility devices sold in this state after
5 a certain date to be sold equipped with certain reflectors; to provide for related matters; to
6 repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Part 2A of Article 13 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated,
10 relating to personal assistive mobility devices, is amended by revising Code Section
11 40-6-325, relating to required equipment, minimum age for operation, and exception to age
12 requirement, as follows:

13 "40-6-325.

14 (a) Any electric personal assistive mobility device, when operated on any highway or
15 sidewalk, shall be equipped with front, rear, and side reflectors which shall be visible from
16 a distance of 300 feet when directly in front of lawful upper beams of headlights on a motor
17 vehicle; a system that when employed will enable the operator to bring the device to a
18 controlled stop; and, if the device is operated between one-half hour after sunset and
19 one-half hour before sunrise, a lamp emitting a white light which, while the device is in
20 motion, illuminates the area in front of the operator for a distance of 300 feet.

21 (b) No person under the age of 16 years shall operate an electric assistive personal
22 mobility device on any highway; provided, however, that a person under the age of 16
23 years may operate an electric assistive personal mobility device on any sidewalk if such
24 person is wearing protective headgear which meets or exceeds the impact standards for
25 bicycle helmets required by Code Section 40-6-296.

26 (c) Any nonelectric personal assistive mobility device, when operated on any highway or
27 sidewalk, shall be equipped with front and rear reflectors which shall be visible from a
28 distance of 300 feet when directly in front of lawful upper beams of headlights on a motor
29 vehicle."

30 **SECTION 2.**

31 Said part is further amended by adding a new Code section to read as follows:

32 "40-6-325.1.

33 Every electric and nonelectric personal assistive mobility device sold in this state after
34 December 31, 2018, shall be sold equipped with reflectors which comply with the
35 provisions of Code Section 40-6-325."

36 **SECTION 3.**

37 Said part is further amended by revising Code Section 40-6-327, relating to penalty for
38 violations, as follows:

39 "40-6-327.

40 Any person who violates any provision of this part other than Code Section 40-6-325.1 or
41 40-6-326 shall not be guilty of a criminal offense or a moving traffic violation for purposes
42 of Code Section 40-5-57 but shall be subject to a civil penalty not to exceed \$500.00.

43 **SECTION 4.**

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