

Senate Bill 159

By: Senators Gooch of the 51st, Beach of the 21st, Ginn of the 47th, Butler of the 55th and Jones of the 25th

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and  
2 traffic, so as to provide for the operation of motorized mobility devices; to provide for  
3 definitions; to revise the rules of the road to provide for the operation of motorized mobility  
4 devices; to provide for conditions and limitations upon the operation of such vehicles; to  
5 provide for equipment standards for such vehicles; to authorize the Department of Public  
6 Safety to enact rules and regulations relating to the safe operation of such vehicles; to  
7 provide for parking standards for bicycles and motorized mobility devices; to authorize the  
8 regulation of the rental or lease of motorized mobility devices by local authorities under  
9 certain conditions; to authorize the removal of motorized mobility devices when such  
10 vehicles are parked in a manner that poses a threat to public health and safety; to provide for  
11 conditions, procedures, and limitations for such removal; to classify certain actions as  
12 criminal violations; to provide for related matters; to provide for an effective date; to repeal  
13 conflicting laws; and for other purposes.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

15 **SECTION 1.**

16 Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, is  
17 amended in Code Section 40-1-1, relating to definitions, by revising paragraphs (6.1), (6.2),  
18 and (28) through (33) as follows:

19 "(6.1) 'Bicycle lane' means a portion of the roadway that has been designated by striping,  
20 pavement markings, or signage for the exclusive or preferential use of persons operating  
21 bicycles or motorized mobility devices. Bicycle lanes shall at a minimum, unless  
22 impracticable, be required to meet accepted guidelines, recommendations, and criteria  
23 with respect to planning, design, operation, and maintenance as set forth by the American  
24 Association of State Highway and Transportation Officials.

25 (6.2) 'Bicycle path' means a right of way under the jurisdiction and control of this state  
 26 or a local political subdivision thereof designated for use by bicycle and motorized  
 27 mobility device riders."

28 "(28) 'Moped' means a motor ~~driven cycle vehicle~~ having a seat or saddle for the use of  
 29 the rider; equipped with two or three wheels, with or without foot pedals to permit  
 30 muscular propulsion; and equipped with an independent power source providing a  
 31 maximum of two brake horsepower. If a combustion engine is used, the maximum piston  
 32 or rotor displacement shall be 3.05 cubic inches (~~50 cubic centimeters~~) regardless of the  
 33 number of chambers in such power source. The power source shall be capable of  
 34 propelling the vehicle, unassisted, at a speed not to exceed 30 miles per hour (~~48.28~~  
 35 ~~kilometers per hour~~) on level road surface and shall be equipped with a power drive  
 36 system that functions directly or automatically only, not requiring clutching or shifting  
 37 by the operator after the drive system is engaged.

38 (28.1) 'Motor carrier' shall have the same meaning as provided for in Code Section  
 39 40-2-1, and the terms 'carrier' and 'motor carrier' are synonymous.

40 (29) 'Motorcycle' means every motor vehicle having a seat or saddle for the use of the  
 41 rider and designed to travel on not more than three wheels in contact with the ground, but  
 42 excluding a tractor; and all-terrain vehicle; ~~and moped.~~

43 (30) 'Motor driven cycle' means every motorcycle; ~~including every motor scooter, with~~  
 44 having a motor which produces not to exceed capable of providing a maximum five brake  
 45 horsepower; and every bicycle with a motor attached; ~~and every moped.~~

46 (31) 'Motor home' means every motor vehicle designed, used, or maintained primarily  
 47 as a mobile dwelling, office, or commercial space.

48 (32) ~~Reserved~~ 'Motorized mobility device' means a vehicle weighing less than 75  
 49 pounds; equipped with handlebars, a floorboard for standing on while operating, and two  
 50 or three wheels; designed to transport only one individual; and manufactured with a  
 51 power source capable of propelling the vehicle, unassisted on a paved level surface, at a  
 52 speed not to exceed 20 miles per hour.

53 (33) 'Motor vehicle' means every vehicle which is self-propelled other than an electric  
 54 personal assistive mobility device (EPAMD) or a motorized mobility device."

## 55 SECTION 2.

56 Said title is further amended by revising Code Section 40-6-55, relating to obligation of  
 57 drivers to yield to bicyclist in a bicycle lane, as follows:

58 "40-6-55.

59 Notwithstanding other provisions of this chapter relating to operating a vehicle on a  
60 roadway, where a bicycle lane is provided on the roadway, the operator of a motor vehicle  
61 shall yield to a person operating a bicycle or motorized mobility device in a bicycle lane."

62 **SECTION 3.**

63 Said title is further amended by revising Code Section 40-6-56, relating to safe passing  
64 distance when overtaking a bicyclist, as follows:

65 "40-6-56.

66 (a) As used in this Code section, the term 'safe distance' means not less than three feet.

67 (b) Notwithstanding any provision of this article to the contrary, when feasible, the  
68 operator of a motor vehicle, when overtaking and passing a bicycle or motorized mobility  
69 device that is proceeding in the same direction on the roadway, shall leave a safe distance  
70 between such motor vehicle and the bicycle or motorized mobility device and shall  
71 maintain such clearance until safely past the overtaken ~~bicycle~~ vehicle."

72 **SECTION 4.**

73 Said title is further amended in Code Section 40-6-77, relating to penalties for collision  
74 which causes serious injury to motorcyclist, pedestrian, bicyclist, or farmer transporting  
75 certain items, by revising subsection (b) as follows:

76 "(b) Any person who causes a serious injury to another person as a result of a collision  
77 with a motorcyclist, bicyclist, operator of a motorized mobility device, pedestrian, or  
78 farmer operating any vehicle used to transport agricultural products, livestock, farm  
79 machinery, or farm supplies by committing any right of way violation under this chapter  
80 when such motorcyclist, bicyclist, operator of a motorized mobility device, pedestrian, or  
81 farmer operating any vehicle used to transport agricultural products, livestock, farm  
82 machinery, or farm supplies is abiding by the provisions of this title shall be guilty of a  
83 misdemeanor and shall be punished:

84 (1) For a first offense, by a fine of not less than \$250.00 in addition to any other penalties  
85 stipulated by law and the court shall report such conviction to the Department of Driver  
86 Services; and

87 (2) For a second or subsequent offense within a five-year period of time, as measured  
88 from the dates of previous arrests for which convictions were obtained or pleas of nolo  
89 contendere were accepted to the date of the current arrest for which a conviction is  
90 obtained or a plea of nolo contendere is accepted, by a fine of not less than \$500.00 nor  
91 more than \$1,000.00 and imprisonment for not less than ten days nor more than 12  
92 months. Any fine imposed under this paragraph shall be mandatory and shall not be

93 suspended or waived or conditioned upon the completion of any course or sentence. The  
 94 court imposing punishment under this subsection shall forward a record of the disposition  
 95 of the case to the Department of Driver Services."

96 **SECTION 5.**

97 Said title is further amended by revising Code Section 40-6-144, relating to emerging from  
 98 alley, driveway, or building and prohibition on driving upon a sidewalk, as follows:

99 "40-6-144.

100 (a) The driver of a vehicle emerging from an alley, building, private road, or driveway  
 101 within a business or residential district shall stop such vehicle immediately prior to driving  
 102 onto a sidewalk or onto the sidewalk area extending across such alley, building entrance,  
 103 road, or driveway or, in the event there is no sidewalk area, shall stop at the point nearest  
 104 the street to be entered where the driver has a view of approaching traffic thereon. The  
 105 driver of a vehicle shall yield the right of way to any pedestrian on a sidewalk.

106 (b) Except as provided by resolution or ordinance of a local government for sidewalks  
 107 within the jurisdiction of such local government authorizing the operation of bicycles on  
 108 sidewalks by persons 12 years of age or younger or authorizing the operation of motorized  
 109 mobility devices on sidewalks, no person shall drive any vehicle upon a sidewalk or  
 110 sidewalk area except upon a permanent or duly authorized driveway. Any individual  
 111 operating a bicycle or motorized mobility device upon a sidewalk as authorized by such  
 112 resolution or ordinance shall yield to pedestrians at all times. When passing a pedestrian,  
 113 such operator shall give warning through an audible sound, travel at a speed no faster than  
 114 7 miles per hour, and maintain a distance of 2 feet between the vehicle and the pedestrian;  
 115 provided, however, that, if maintaining a passing distance of 2 feet would require the  
 116 operator to drive upon a highway or expose the operator to hazards to safe operation as  
 117 such term is described in Code Section 40-6-294, the operator shall dismount such vehicle."

118 **SECTION 6.**

119 Said title is further amended by revising Code Section 40-6-204, relating to exception to  
 120 stopping, standing, and parking requirements, as follows:

121 "40-6-204.

122 Code Sections 40-6-200, 40-6-202, and 40-6-203 shall not apply to the driver of any  
 123 motorized mobility device or any vehicle which is disabled while on the roadway in such  
 124 a manner and to such extent that it is impossible to avoid stopping and temporarily leaving  
 125 such disabled vehicle in such position."

126 **SECTION 7.**

127 Said title is further amended by adding a new Code section to read as follows:

128 "40-6-209.

129 If a bicycle or motorized mobility device is parked in a manner which impedes the flow of  
 130 vehicular or pedestrian traffic or poses a threat to safety, any person shall be authorized to  
 131 reposition or move such vehicle in order to remove such impediment or threat, provided  
 132 that such action performed is not more than necessary to reposition such vehicle to a place  
 133 that no longer impedes traffic or poses a threat to safety nor is performed recklessly or  
 134 negligently. Any person acting in accordance with this Code section shall not have  
 135 committed an offense of criminal trespass nor be liable for any injury or property damage  
 136 resulting therefrom."

137

138 **SECTION 8.**

139 Said title is further amended in Code Section 40-6-270, relating to hit and run and duty of  
 140 driver to stop at or return to scene of accident, by revising subsection (a) as follows:

141 "(a) The driver of any vehicle involved in an accident resulting in injury to or the death of  
 142 any person or in damage to a vehicle which is driven or attended by any person shall  
 143 immediately stop such vehicle at the scene of the accident or shall stop as close thereto as  
 144 possible and forthwith return to the scene of the accident and shall:

145 (1) Give his or her name and address and, if the vehicle has been rented or leased, the  
 146 name and contact information for the owner of the vehicle;

147 (2) Give the registration number of the vehicle he or she is driving or, if such vehicle is  
 148 not required to be registered, give the unique identification number of the vehicle, if one  
 149 exists;

150 ~~(2)~~(3) Upon request and if it is available, exhibit his or her operator's license to the  
 151 person struck or the driver or occupant of or person attending any vehicle collided with;

152 ~~(3)~~(4) Render to any person injured in such accident reasonable assistance, including the  
 153 transporting, or the making of arrangements for the transporting, of such person to a  
 154 physician, surgeon, or hospital for medical or surgical treatment if it is apparent that such  
 155 treatment is necessary or if such transporting is requested by the injured person; and

156 ~~(4)~~(5) Where a person injured in such accident is unconscious, appears deceased, or is  
 157 otherwise unable to communicate, make every reasonable effort to ensure that emergency  
 158 medical services and local law enforcement are contacted for the purpose of reporting the  
 159 accident and making a request for assistance.

160 The driver shall in every event remain at the scene of the accident until fulfilling the  
 161 requirements of this subsection. Every such stop shall be made without obstructing traffic  
 162 more than is necessary."

163 **SECTION 9.**

164 Said title is further amended by revising Code Section 40-6-271, relating to duty upon  
165 striking unattended vehicle, as follows:

166 "40-6-271.

167 (a) The driver of any vehicle which collides with any vehicle which is unattended shall  
168 ~~immediately stop and shall then and there either locate and notify the operator or owner of~~  
169 ~~such vehicle of the name and address of the driver and owner of the vehicle striking the~~  
170 ~~unattended vehicle or shall leave in a conspicuous place on the vehicle struck a written~~  
171 ~~notice giving the name and address of the driver and the owner of the vehicle doing the~~  
172 ~~striking attempt to locate the operator or owner of such vehicle, and:~~

173 (1) If such person is located, the driver shall provide:

174 (A) His or her name and address; and

175 (B) The name and address or contact information of the vehicle owner if the driver  
176 does not own the vehicle;

177 (2) If such person cannot be located but the vehicle is marked with contact information  
178 for the owner, the driver shall contact the owner to advise him or her of the collision and  
179 provide his or her name, address, and vehicle registration or identification number, if  
180 applicable; or

181 (3) If such person cannot be located and the vehicle is not marked with contact  
182 information for the owner, the driver shall leave a note in a conspicuous place on the  
183 unattended vehicle which shall include the driver's name and address and the owner's  
184 name and address, if the driver is not the owner of the vehicle causing the collision.

185 (b) Any person who fails to comply with the requirements of subsection (a) of this Code  
186 section shall be guilty of a misdemeanor."

187 **SECTION 10.**

188 Said title is further amended by revising Code Section 40-6-290, relating to application of  
189 part regarding bicycles, as follows:

190 "40-6-290.

191 The provisions of this part applicable to bicycles and motorized mobility devices shall  
192 apply whenever a bicycle or motorized mobility device is operated upon a highway, upon  
193 a bicycle lane, or upon any bicycle path ~~set aside for the exclusive use of bicycles~~, subject  
194 to those exceptions stated in this part."

195 **SECTION 11.**

196 Said title is further amended by revising Code Section 40-6-291, relating to traffic laws  
197 applicable to bicycles, operation upon paved shoulder, and signaling of right hand turns, as  
198 follows:

199 "40-6-291.

200 (a) The provisions of this chapter that apply to vehicles, but not exclusively to motor  
201 vehicles, shall apply to bicycles and motorized mobility devices, except as provided in this  
202 Code section and except that the penalties prescribed in subsection (b) of Code Section  
203 40-6-390; and subsection (c) of Code Section 40-6-391, ~~and subsection (a) of Code Section~~  
204 ~~40-6-393~~ shall not apply to persons riding bicycles or motorized mobility devices.

205 (b) Notwithstanding the provisions of Code Section 40-6-50, any person operating a  
206 bicycle or motorized mobility device may ride upon a paved shoulder; provided, however,  
207 that such person shall not be required to ride upon a paved shoulder.

208 (c) Any person operating a bicycle or motorized mobility device may signal a right turn  
209 with his or her right arm and hand extended horizontally or with his or her left hand and  
210 arm extended upward."

211 **SECTION 12.**

212 Said title is further amended in Code Section 40-6-292, relating to manner of riding bicycles  
213 and transporting of passengers, by revising subsection (b) as follows:

214 "(b) No bicycle or motorized mobility device shall be used to carry more persons at one  
215 time than the number for which it is designed and equipped."

216 **SECTION 13.**

217 Said title is further amended by adding a new Code section to read as follows:

218 "40-6-292.1.

219 Except when necessary to avoid conflict with other traffic or to comply with the law or the  
220 directions of law enforcement or official traffic-control devices, no individual shall stop,  
221 stand, or park a motorized mobility device:

222 (1) Upon any sidewalk, except as provided for in Code Section 40-6-294;

223 (2) Within an intersection;

224 (3) On a crosswalk;

225 (4) Alongside or opposite any street excavation or obstruction where such stopping,  
226 standing, or parking would obstruct traffic;

227 (5) On any railroad tracks or streetcar tracks;

228 (6) On any controlled-access highway;

229 (7) In a manner that obstructs access to any public transit bus stop;

- 230 (8) At any place where official signs prohibit stopping, standing, or parking motorized  
 231 mobility devices;
- 232 (9) On any drain grate or utility or sewer covering;
- 233 (10) In any designated loading zone;
- 234 (11) In any driveway, vehicle travel lane, bike lane, or shared use path;
- 235 (12) In a manner that obstructs pedestrian or wheelchair access to:
- 236 (A) Public or private buildings and establishments;
- 237 (B) Street features that require pedestrian access, including but not limited to benches,  
 238 parking meters, parking pay stations, and crosswalk signal buttons; and
- 239 (C) Accessibility and safety features, including but not limited to curb ramps,  
 240 wheelchair ramps, ramp landings, and handrails;
- 241 (13) In a manner that obscures any traffic-control devices or directional and other  
 242 official signs and notices, as such term is defined in Code Section 32-6-71; or
- 243 (14) In a manner that obstructs access to emergency service infrastructure."

244 **SECTION 14.**

245 Said title is further amended by revising Code Section 40-6-293, relating to clinging to  
 246 vehicles, as follows:

247 "40-6-293.

248 No person riding upon any bicycle, motorized mobility device, coaster, roller skates, sled,  
 249 or toy vehicle shall attach the same or himself or herself to any vehicle upon a roadway."

250 **SECTION 15.**

251 Said title is further amended by revising Code Section 40-6-294, relating to riding on  
 252 roadways and bicycle paths, as follows:

253 "40-6-294.

254 (a) As used in this Code section, the term 'hazards to safe cycling operation' includes, but  
 255 shall not be limited to, surface debris, rough pavement, drain grates which are parallel to  
 256 the side of the roadway, parked or stopped vehicles, potentially opening car doors, or any  
 257 other objects which threaten the safety of a person operating a bicycle or motorized  
 258 mobility device.

259 (b) Every person operating a bicycle upon a roadway shall ride as near to the right side of  
 260 the roadway as practicable, except when:

- 261 (1) Turning left;
- 262 (2) Avoiding hazards to safe cycling operation;
- 263 (3) The lane is too narrow to share safely with a motor vehicle;
- 264 (4) Traveling at the same speed as traffic;



265 (5) Exercising due care when passing a standing vehicle or one proceeding in the same  
266 direction; or

267 (6) There is a right turn only lane and the person operating the bicycle is not turning  
268 right;

269 provided, however, that every person operating a bicycle away from the right side of the  
270 roadway shall exercise reasonable care and shall give due consideration to the other  
271 applicable rules of the road.

272 (c) Every person operating a motorized mobility device shall be authorized to ride:

273 (1) In any bicycle path, bicycle lane, or part of roadways set aside for the exclusive use  
274 of bicycles;

275 (2) Upon any highway with a designated speed limit of 35 miles per hour or less when  
276 no bicycle lane or bicycle path is available; provided that such operation is as near to the  
277 right side of the roadway as practicable;

278 (3) In any place where the operation of a bicycle is permitted; and

279 (4) Upon a sidewalk, provided that operation of such vehicle upon sidewalks has been  
280 authorized by the local authorities with jurisdiction over such sidewalk by resolution or  
281 ordinance.

282 (d) Persons riding bicycles or motorized mobility devices upon a roadway shall not ride  
283 more than two abreast except on bicycle paths, bicycle lanes, parts of roadways set aside  
284 for the exclusive use of bicycles, or when a special event permit issued by a local  
285 governing authority permits riding more than two abreast.

286 ~~(d)~~(e) Whenever a ~~usable~~ bicycle path has been provided adjacent to a roadway, ~~and~~  
287 ~~designated for the exclusive use of bicycle riders, then the appropriate governing authority~~  
288 the local authorities with jurisdiction over such bicycle path may require that bicycle riders  
289 use such bicycle path and not use ~~those sections of the~~ adjacent portion of the roadway so  
290 ~~specified by such local governing authority. The governing authority~~ Such local authorities  
291 may be petitioned to remove such restrictions upon demonstration that the bicycle path has  
292 become inadequate due to capacity, maintenance, or other causes.

293 ~~(e)~~(f) Bicycle paths ~~subject to the provisions of subsection (d) of this Code section~~  
294 adjacent to a roadway shall at a minimum be required to meet accepted guidelines,  
295 recommendations, and criteria with respect to planning, design, operation, and maintenance  
296 as set forth by the American Association of State Highway and Transportation Officials,  
297 and such bicycle paths shall provide accessibility to destinations equivalent to the use of  
298 the roadway.

299 ~~(f)~~(g) Any person operating a bicycle or motorized mobility device in a bicycle lane shall  
300 ride in the same direction as traffic on the roadway.

301 ~~(g)~~(h) Electric assisted bicycles may be operated on bicycle paths, bicycle lanes, and parts  
 302 of roadways set aside for the exclusive use of bicycles.

303 (i) Any person operating a bicycle or motorized mobility device shall be authorized to park  
 304 such vehicle upon a sidewalk in a manner which does not impede the normal and  
 305 reasonable movement of pedestrian or vehicular traffic."

306 **SECTION 16.**

307 Said title is further amended by revising Code Section 40-6-295, relating to carrying articles  
 308 when operating a bicycle, as follows:

309 "40-6-295.

310 No person operating a bicycle or motorized mobility device shall carry any package,  
 311 bundle, or other article which prevents him or her from keeping at least one hand upon the  
 312 handlebars. The provisions of Code Section 40-6-241 shall apply to the operation of  
 313 bicycles and motorized mobility devices."

314 **SECTION 17.**

315 Said title is further amended by revising Code Section 40-6-296, relating to lights and other  
 316 equipment on bicycles, as follows:

317 "40-6-296.

318 (a) Every bicycle and motorized mobility device when in use at nighttime shall be  
 319 equipped with a light on the front which shall emit a white light visible from a distance of  
 320 300 feet to the front and with a light on the back which shall emit a red light visible from  
 321 a distance of 300 feet to the rear. Any bicycle or motorized mobility device equipped with  
 322 a red reflector on the rear that is approved by the Department of Public Safety shall not be  
 323 required to have a light on the rear of ~~the bicycle~~ such vehicle.

324 (b) Every bicycle and motorized mobility device sold, rented or leased, or operated shall  
 325 be equipped with a brake which will enable the operator to make the braked wheels skid  
 326 on dry, level pavement.

327 (c) No bicycle or motorized mobility device shall be equipped or operated while equipped  
 328 with a set of handlebars so raised that the operator must elevate his or her hands above the  
 329 operator's shoulders in order to grasp the normal steering grip area.

330 (d)(1) No person under the age of 16 years shall operate or be a passenger on a bicycle  
 331 or motorized mobility device on a highway, bicycle path, bicycle lane, or sidewalk ~~under~~  
 332 ~~the jurisdiction or control of this state or any local political subdivision thereof~~ without  
 333 wearing a bicycle helmet.

334 (2) For the purposes of this subsection, the term 'bicycle helmet' means a piece of  
 335 protective headgear which meets or exceeds the impact standards for bicycle helmets set  
 336 by the American National Standards Institute (ANSI) or the Snell Memorial Foundation.

337 (3) For the purposes of this subsection, a person shall be deemed to wear a bicycle  
 338 helmet only if a bicycle helmet of good fit is fastened securely upon such person's head  
 339 with the straps of such bicycle helmet.

340 (4) No bicycle or motorized mobility device without an accompanying protective bicycle  
 341 helmet shall be rented or leased to or for the use of any person under the age of 16 years  
 342 unless that person is in possession of a bicycle helmet at the time of the rental or lease.

343 (5) Violation of any provision of this subsection shall not constitute negligence per se  
 344 nor contributory negligence per se or be considered evidence of negligence or liability.

345 (6) No person under the age of 16 years failing to comply with any provision of this  
 346 subsection shall be fined or imprisoned.

347 (e) The owner of any bicycle or motorized mobility device which is rented or leased shall  
 348 have affixed upon such vehicle the name and contact information of such owner and a  
 349 vehicle identification number assigned by such owner and unique to that vehicle. The  
 350 vehicle identification number assigned pursuant to this subsection shall be used for  
 351 identification purposes by local authorities or law enforcement."

## 352 SECTION 18.

353 Said title is further amended by revising Code Section 40-6-297, relating to violation of part  
 354 a misdemeanor and duty of parents and guardians, as follows:

355 "40-6-297.

356 (a) It Except as provided to the contrary in subsection (c) of this Code section, it shall be  
 357 a misdemeanor for any person to do any act forbidden or fail to perform any act required  
 358 in this part.

359 (b) The parent of any child and the guardian of any ward shall not authorize or knowingly  
 360 permit such child or ward to violate any of the provisions of this part.

361 (c)(1) A person commits the offense of criminal trespass when he or she intentionally  
 362 damages or knocks over a bicycle or motorized mobility device of another.

363 (2) A person commits the offense of criminal damage to property in the second degree  
 364 when he or she:

365 (A) Intentionally damages a bicycle or motorized mobility device of another and the  
 366 damage thereto is \$500.00 or more; or

367 (B) Recklessly or intentionally damages a bicycle or motorized mobility device of  
 368 another by means of fire or explosive.

369 (3) The punishment for violations described in this Code section shall be as set forth in  
370 Article 2 of Chapter 7 of Title 16."

371 **SECTION 19.**

372 Said title is further amended by revising Code Section 40-6-298, relating to rules and  
373 regulations, as follows:

374 "40-6-298.

375 (a) A local authority shall be authorized to require that any persons offering motorized  
376 mobility devices for rent or lease within the jurisdiction of such local authority indemnify  
377 and hold harmless the local authority against any and all damages or any claim, suit, or  
378 demand resulting from negligent acts or omissions to act on the part of any officer, agent,  
379 or employee of the person offering such devices for rent or lease. Such indemnity shall not  
380 extend to damages arising out of a negligent act on behalf of the local authority.

381 (b) Local authorities shall be authorized to enforce state and local parking laws, rules, and  
382 regulations applicable to motorized mobility devices. A local authority and its employees  
383 responsible for enforcing parking laws, rules, and regulations or an authorized agent of a  
384 local authority upon request from law enforcement shall be authorized to cause a motorized  
385 mobility device to be removed to a secure place when the placement of such device poses  
386 a threat to public health and safety and such threat cannot be reasonably remedied pursuant  
387 to actions authorized by Code Section 40-6-209. No later than 24 hours from the removal  
388 of a motorized mobility device by a local authority, its employees, or an agent authorized  
389 to remove such vehicle at the request of law enforcement, the person removing such  
390 vehicle shall contact the owner of the motorized mobility device if such vehicle has affixed  
391 upon it the name and contact information of the owner. Such notification shall be made  
392 by email and in writing by registered or certified mail or statutory overnight delivery and  
393 shall provide the location to which such vehicle was removed, any costs associated with  
394 retrieval of the vehicle which shall be no more than \$20.00, and the process available for  
395 disputing the vehicle's removal. No fees or costs for removal or retrieval may be collected  
396 by any person removing a motorized mobility device pursuant to this subsection who fails  
397 to provide the required notice within 24 hours of the removal.

398 (c) Any penalty assessed by a local authority for violations related to motorized mobility  
399 devices authorized by ordinance or resolution shall be assessed to the person responsible  
400 for such violation and shall be no greater than those assessed for similar violations related  
401 to bicycles.

402 (d) A local authority shall be authorized to collect fees from persons offering motorized  
403 mobility devices for rent or lease, provided that such fees do not exceed the reasonable and  
404 necessary costs incurred by the local authority for regulation of such vehicles.

405 (e) No ordinance or resolution by a local authority shall prohibit the rental or lease of  
406 motorized mobility devices upon property of the University System of Georgia located  
407 within the jurisdiction of such local authority.

408 40-6-299.

409 The Board of Public Safety is authorized to promulgate rules and regulations to carry this  
410 part into effect and is authorized to establish regulations for any additional safety  
411 equipment or standards it shall require for bicycles and motorized mobility devices."

412 **SECTION 20.**

413 Said title is further amended in subsection (a) of Code Section 40-6-371, relating to powers  
414 of local authorities with respect to highways under their jurisdiction, by adding a new  
415 paragraph to read as follows:

416 "(18.3) Regulating the operation of bicycles and motorized mobility devices, provided  
417 that such regulations comply with this chapter;"

418 **SECTION 21.**

419 This Act shall become effective upon its approval by the Governor or upon its becoming law  
420 without such approval.

421 **SECTION 22.**

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