

The House Committee on Public Safety and Homeland Security offers the following substitute to HB 394:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 23 of Chapter 2 of Title 20, Chapter 1 of Title 35, and Article 1 of  
2 Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to traffic safety,  
3 general provisions for law enforcement officers and agencies, and general provisions  
4 regarding the uniform rules of the road, respectively, so as to authorize certain personnel  
5 employed by or volunteering for law enforcement agencies or fire departments to assist in  
6 directing and regulating the flow of traffic and to clarify provisions relating thereto; to  
7 provide for training requirements; to provide for related matters; to repeal conflicting laws;  
8 and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Article 23 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to  
12 traffic safety, is amended by revising Code Section 20-2-1131, relating to direction of traffic  
13 by school-crossing guards, as follows:

14 "20-2-1131.

15 Any person who is a ~~school-crossing guard~~ designated by a local law enforcement agency  
16 as set forth in Code Section 35-1-11 shall be authorized to direct and regulate the flow of  
17 traffic at school crossings or within a reduced speed school zone during the time when ~~such~~  
18 ~~school-crossing guard~~ he or she is on duty."

19 **SECTION 2.**

20 Chapter 1 of Title 35 of the Official Code of Georgia Annotated, relating to general  
21 provisions for law enforcement officers and agencies, is amended by revising Code Section  
22 35-1-11, relating to police volunteers for traffic control, as follows:

23 "35-1-11.

24 ~~A police chief~~ An elected sheriff or police chief of a local law enforcement agency or fire  
25 chief of a local fire department, with the approval of the local governing authority, shall

26 be authorized to designate, ~~and equip police, and train nonsworn law enforcement~~  
 27 ~~employees and firefighters and volunteers and to provide training to such police volunteers~~  
 28 ~~in the area and manner of~~ to assist in traffic control, provided that such individuals have  
 29 successfully completed at least one hour of a traffic control training program approved by  
 30 the Georgia Peace Officer Standards and Training Council. With the approval of the  
 31 sheriff or police chief of a local law enforcement agency or fire chief of a local fire  
 32 department, a police volunteer such individuals shall be authorized to direct and regulate  
 33 the flow of traffic, ~~in the event of a fire, explosion, hurricane, tornado, or other emergency~~  
 34 ~~situation. A police volunteer~~ Any such individual who is not certified pursuant to the  
 35 requirements of Chapter 8 of this title shall not have the power of arrest provided to peace  
 36 officers."

37 **SECTION 3.**

38 Article 1 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to  
 39 general provisions regarding the uniform rules of the road, is amended by revising Code  
 40 Section 40-6-2, relating to obedience to authorized persons directing traffic, as follows:

41 "40-6-2.

42 No person shall fail or refuse to comply with any lawful order or direction of any ~~police~~  
 43 ~~officer, law enforcement officer or firefighter, police nonsworn employee or~~ volunteer  
 44 authorized under Code Section 35-1-11, or ~~school-crossing guard individual~~ individual designated by  
 45 ~~a local law enforcement agency invested by law~~ under Code Section 20-2-1131 with the  
 46 authority to direct, control, or regulate traffic."

47 **SECTION 4.**

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