

House Bill 454 (COMMITTEE SUBSTITUTE)

By: Representatives Tanner of the 9th, Anulewicz of the 42nd, Gaines of the 117th, Frye of the 118th, and Cooper of the 43rd

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 motorized mobility devices by local authorities under certain conditions; to
9 authorize the removal of motorized mobility devices when such vehicles are parked in a
10 manner that poses a threat to public health and safety; to provide for conditions, procedures,
11 and limitations for such removal; to classify certain actions as criminal violations; to provide
12 for related matters; to provide for an effective date; to repeal conflicting laws; and for other
13 purposes.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

15 style="text-align:center">**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) and
18 (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 "(28) 'Moped' means a motor ~~driven cycle~~ vehicle having a seat or saddle for the use of
26 the rider; equipped with two or three wheels, with or without foot pedals to permit

27 muscular propulsion; and equipped with an independent power source providing a
 28 maximum of two brake horsepower. If a combustion engine is used, the maximum piston
 29 or rotor displacement shall be 3.05 cubic inches (~~50 cubic centimeters~~) regardless of the
 30 number of chambers in such power source. The power source shall be capable of
 31 propelling the vehicle, unassisted, at a speed not to exceed 30 miles per hour (~~48.28~~
 32 ~~kilometers per hour~~) on level road surface and shall be equipped with a power drive
 33 system that functions directly or automatically only, not requiring clutching or shifting
 34 by the operator after the drive system is engaged.

35 (28.1) 'Motor carrier' shall have the same meaning as provided for in Code Section
 36 40-2-1, and the terms 'carrier' and 'motor carrier' are synonymous.

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

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

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

45 (32) ~~Reserved~~ 'Motorized mobility device' means a vehicle:

46 (A) With a total weight of less than 75 pounds, equipped with handlebars, a floorboard
 47 for standing upon while riding, and two or three wheels; designed to transport only one
 48 individual; and capable of traveling without human propulsion on a paved level surface,
 49 at a speed not to exceed 20 miles per hour; or

50 (B) With a total weight of no more than 100 pounds, equipped with handlebars, a seat,
 51 two or three wheels, and no rotary pedals; designed to transport only one individual;
 52 and capable of traveling without human propulsion on a paved level surface, at a speed
 53 not to exceed 20 miles per hour.

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

56 SECTION 2.

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

59 "40-6-55.

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

63 **SECTION 3.**

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

66 "40-6-56.

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

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

73 **SECTION 4.**

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

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

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

88 (2) For a second or subsequent offense within a five-year period of time, as measured
89 from the dates of previous arrests for which convictions were obtained or pleas of nolo
90 contendere were accepted to the date of the current arrest for which a conviction is
91 obtained or a plea of nolo contendere is accepted, by a fine of not less than \$500.00 nor
92 more than \$1,000.00 and imprisonment for not less than ten days nor more than 12
93 months. Any fine imposed under this paragraph shall be mandatory and shall not be
94 suspended or waived or conditioned upon the completion of any course or sentence. The
95 court imposing punishment under this subsection shall forward a record of the disposition
96 of the case to the Department of Driver Services."

97 **SECTION 5.**

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

100 "40-6-144.

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

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

120 **SECTION 6.**

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

122 "40-6-209.

123 If a bicycle or motorized mobility device is parked in a manner which impedes the flow of
 124 vehicular or pedestrian traffic or poses a threat to safety, any person shall be authorized to
 125 reposition or move such vehicle in order to remove such impediment or threat, provided
 126 that such action to reposition such vehicle is taken with due care. Any person acting in
 127 accordance with this Code section shall not have committed an offense of criminal trespass
 128 nor be liable for any injury or property damage resulting therefrom."

SECTION 7.

129
130 Said title is further amended in Code Section 40-6-270, relating to hit and run and duty of
131 driver to stop at or return to scene of accident, by revising subsections (a) and (b) and the
132 introductory language of paragraph (1) of subsection (c) as follows:

133 "~~(a)~~ The driver of any vehicle involved in ~~an accident~~ a collision resulting in injury to or
134 the death of any person or in damage to a vehicle which is driven or attended by any person
135 shall immediately stop such vehicle at the scene of the ~~accident~~ collision or shall stop as
136 close thereto as possible and forthwith return to the scene of the ~~accident~~ collision and
137 shall:

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

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

143 ~~(2)~~(3) Upon request and if it is available, exhibit his or her operator's license to the
144 person struck or the driver or occupant of or person attending any vehicle collided with;

145 ~~(3)~~(4) Render to any person injured in such ~~accident~~ collision reasonable assistance,
146 including the transporting, or the making of arrangements for the transporting, of such
147 person to a physician, surgeon, or hospital for medical or surgical treatment if it is
148 apparent that such treatment is necessary or if such transporting is requested by the
149 injured person; and

150 ~~(4)~~(5) Where a person injured in such ~~accident~~ collision is unconscious, appears
151 deceased, or is otherwise unable to communicate, make every reasonable effort to ensure
152 that emergency medical services and local law enforcement are contacted for the purpose
153 of reporting the ~~accident~~ collision and making a request for assistance.

154 The driver shall in every event remain at the scene of the ~~accident~~ collision until fulfilling
155 the requirements of this subsection. Every such stop shall be made without obstructing
156 traffic more than is necessary.

157 (b) If such ~~accident~~ collision is the proximate cause of death or a serious injury, any person
158 knowingly failing to stop and comply with the requirements of subsection (a) of this Code
159 section shall be guilty of a felony and, upon conviction thereof, shall be punished by
160 imprisonment for not less than one nor more than five years.

161 (c)(1) If such ~~accident~~ collision is the proximate cause of an injury other than a serious
162 injury or if such ~~accident~~ collision resulted in damage to a vehicle which is driven or
163 attended by any person, any person knowingly failing to stop or comply with the
164 requirements of this Code section shall be guilty of a misdemeanor and:"

165 **SECTION 8.**

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

168 "40-6-271.

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

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

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

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

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

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

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

189 **SECTION 9.**

190 Said title is further amended by revising Code Section 40-6-278, relating to uniform motor
191 vehicle accident reports and reporting procedures, as follows:

192 "40-6-278.

193 The commissioner of transportation shall prescribe, by rule, uniform motor vehicle accident
194 reports and reporting procedures which shall be used by all police officers, whether state,
195 county, or municipal. The rules shall be adopted in accordance with Chapter 13 of Title 50,
196 the 'Georgia Administrative Procedure Act.' The rules may require one type of report and
197 reporting procedure for motor vehicle accidents in which property damage alone is
198 involved and another type of report and reporting procedure for motor vehicle accidents
199 involving personal injury or death. The commissioner may, by rule, require additional
200 investigation or reports in case of serious bodily injury or death. When reporting accidents

201 involving vehicles that are not motor vehicles, all police officers, whether state, county, or
 202 municipal, shall include in their reports the unique identification numbers of any vehicles
 203 involved if such numbers are available, the name and contact information of the drivers of
 204 the vehicles involved, the name and contact information of the owners of any rented
 205 vehicles involved, the date and time of the accident, and the nature of any personal injury
 206 or property damage involved."

207 **SECTION 10.**

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

210 "40-6-290.

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

215 **SECTION 11.**

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

219 "40-6-291.

220 (a) The provisions of this chapter that apply to vehicles, but not exclusively to motor
 221 vehicles, shall apply to bicycles and motorized mobility devices, except as provided in this
 222 Code section and except that the penalties prescribed in subsection (b) of Code Section
 223 40-6-390, subsection (c) of Code Section 40-6-391, and subsection (a) of Code Section
 224 40-6-393 shall not apply to persons riding bicycles.

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

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

231 **SECTION 12.**

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

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

236 **SECTION 13.**

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

238 "40-6-292.1.

239 Notwithstanding any provision of Code Section 40-6-203 to the contrary, except when
240 necessary to avoid conflict with other traffic or to comply with the law or the directions of
241 law enforcement or official traffic-control devices, no individual shall stop, stand, or park
242 a motorized mobility device:

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

244 (2) Within an intersection;

245 (3) On a crosswalk;

246 (4) Alongside or opposite any parked motor vehicle or street excavation or obstruction
247 where such stopping, standing, or parking would obstruct vehicular or pedestrian traffic;

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

249 (6) On any controlled-access highway;

250 (7) Within five feet of any public transit bus stop;

251 (8) At any place where official signs prohibit stopping, standing, or parking;

252 (9) On any drain grate or utility or sewer covering;

253 (10) In any designated loading zone;

254 (11) In any driveway, vehicle travel lane, bike lane, or shared use path;

255 (12) In a manner that obstructs pedestrian or wheelchair access to:

256 (A) Public or private buildings and establishments;

257 (B) Street features that require pedestrian access, including but not limited to benches,
258 parking meters, parking pay stations, and crosswalk signal buttons; and

259 (C) Accessibility and safety features, including but not limited to curb ramps,
260 wheelchair ramps, ramp landings, and handrails;

261 (13) In a manner that obscures any traffic-control devices or directional and other
262 official signs and notices, as such term is defined in Code Section 32-6-71; or

263 (14) In a manner that obstructs access to emergency service infrastructure."

264 **SECTION 14.**

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

267 "40-6-293.

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

270 **SECTION 15.**

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

273 "40-6-294.

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

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

281 (1) Turning left;

282 (2) Avoiding hazards to safe cycling operation;

283 (3) The lane is too narrow to share safely with a motor vehicle;

284 (4) Traveling at the same speed as traffic;

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

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

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

292 (c) Subject to more restrictive rules that may be established by a local authority in order
293 to protect the public health, safety, and welfare within its jurisdiction, any person operating
294 a motorized mobility device shall be authorized to ride such vehicle:

295 (1) In any bicycle path, bicycle lane, or part of a roadway marked for use by bicycles;

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

299 (3) Upon a sidewalk, provided that operation of such vehicle upon sidewalks has been
300 authorized by the local authorities with jurisdiction over such sidewalk by resolution or
301 ordinance.

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

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

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

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

321 ~~(g)~~(h) Electric assisted bicycles may be operated on bicycle paths.

322 (i) If a local authority adopts an ordinance or resolution authorizing bicycles or motorized
 323 mobility devices, or both, to stop, stand, or park on sidewalks within its jurisdiction, then
 324 operators shall be authorized to stop, stand, or park such vehicles upon sidewalks in
 325 accordance with such ordinance or resolution; provided, however, that no bicycle or
 326 motorized mobility device shall be parked on any sidewalk that is less than four feet in
 327 width or in a manner that would leave a path of unobstructed space of less than four feet
 328 in width along the sidewalk."

329 **SECTION 16.**

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

332 "40-6-295.

333 (a) No person operating a bicycle shall carry any package, bundle, or other article which
 334 prevents him or her from keeping at least one hand upon the handlebars.

335 (b) No person operating a motorized mobility device shall carry any package, bundle, or
 336 other article which prevents him or her from keeping both hands on the handlebars or
 337 otherwise properly and safely operating the device.

338 (c) The provisions of Code Section 40-6-241 shall apply to the operation of motorized
 339 mobility devices."

340 **SECTION 17.**

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

343 "40-6-296.

344 (a) Every bicycle and motorized mobility device when in use at nighttime shall be
 345 equipped with a light on the front which shall emit a white light visible from a distance of
 346 300 feet to the front and with a light on the back which shall emit a red light visible from
 347 a distance of 300 feet to the rear. Any bicycle or motorized mobility device equipped with
 348 a red reflector on the rear that is approved by the Department of Public Safety shall not be
 349 required to have a light on the rear of ~~the bicycle~~ such vehicle.

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

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

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

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

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

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

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

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

373 (e) The owner of any bicycle or motorized mobility device which is rented or leased shall
 374 have affixed upon such vehicle the name and contact information of such owner and an
 375 identification number assigned by such owner and unique to that vehicle. The unique
 376 identification number assigned pursuant to this subsection shall be used for identification
 377 purposes by local authorities or law enforcement."

378 **SECTION 18.**

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

381 "40-6-297.

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

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

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

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

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

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

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

397 **SECTION 19.**

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

400 "40-6-298.

401 (a) Local authorities shall be authorized to regulate the operation of and require
 402 registration of motorized mobility devices within the jurisdiction of such local authority
 403 through the passage of an ordinance or resolution.

404 (b) A local authority, its employees, and its agents shall be relieved of any and all liability
 405 for, and shall not be considered a proximate or contributing cause of, injuries or property
 406 damage arising from the operation of motorized mobility devices in violation of Code
 407 Section 40-6-294 or the placement of motorized mobility devices by operators or others.

408 (c) Local authorities shall be authorized to enforce state and local parking laws, rules, and
 409 regulations applicable to motorized mobility devices. A local authority and its employees
 410 responsible for enforcing parking laws, rules, and regulations or an agent authorized to
 411 remove such vehicle at the request of a local authority shall be authorized to cause a
 412 motorized mobility device to be removed to a secure place when the placement of such
 413 device poses a threat to public health and safety or impedes the flow of pedestrian or
 414 vehicular traffic. No later than 48 hours from the removal of a motorized mobility device
 415 by a local authority, its employees, or an authorized agent, the person removing such
 416 vehicle shall contact the owner of the motorized mobility device if such vehicle has affixed
 417 upon it the name and contact information of the owner. Such notification shall be made
 418 by electronic message and shall provide the location to which such vehicle was removed
 419 and any costs associated with retrieval of the vehicle. No fees or costs for removal or
 420 retrieval may be collected by any person removing a motorized mobility device pursuant
 421 to this subsection who fails to provide the required notice within 48 hours of the removal.
 422 A local authority, its employees, or any agent authorized to remove such vehicle at the
 423 request of a local authority shall be liable only for damages resulting from such removal
 424 based upon gross negligence.

425 40-6-299.

426 The Board of Public Safety is authorized to promulgate rules and regulations to carry this
 427 part into effect and is authorized to establish regulations for any additional safety
 428 equipment or standards it shall require for bicycles."

429 **SECTION 20.**

430 Said title is further amended by revising Code Section 40-6-370, relating to uniform
 431 state-wide application of chapter, as follows:

432 "40-6-370.

433 The provisions of this chapter and the definitions contained in Code Section 40-1-1 shall
 434 be applicable and uniform throughout this state and in all counties and municipalities
 435 therein, and no local authority shall enact or enforce any ordinance on a matter covered by
 436 the provisions of this chapter except as expressly authorized in Code Sections 40-6-370.1,
 437 40-6-371, and 40-6-372."

438 **SECTION 21.**

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

440 "40-6-370.1.
 441 The lease or rental of any vehicle for operation upon highways or sidewalks which is not
 442 otherwise provided for in this chapter or identified in the definitions contained in Code
 443 Section 40-1-1 shall be prohibited unless the person providing such vehicle for lease or
 444 rental obtains prior approval for such operation from a local authority."

445 **SECTION 22.**

446 Said title is further amended in Code Section 40-6-371, relating to powers of local authorities
 447 with respect to highways under their jurisdiction, by revising subsection (a) as follows:

448 "(a) This chapter shall not be deemed to prevent local authorities with respect to streets and
 449 highways under their jurisdiction and within the reasonable exercise of the police power
 450 from:

- 451 (1) Regulating or prohibiting stopping, standing, or parking;
- 452 (2) Regulating traffic by means of police officers or official traffic-control devices;
- 453 (3) Regulating or prohibiting processions or assemblages on the highways;
- 454 (4) Designating particular highways or roadways for use by traffic moving in one
 455 direction as authorized in Code Section 40-6-47;
- 456 (5) Establishing speed limits for vehicles in public parks, notwithstanding any provisions
 457 of law establishing a minimum speed limit for an area outside an urban or residential
 458 district;
- 459 (6) Designating any highway as a through highway or designating any intersection or
 460 junction of roadway as a stop or yield intersection or junction;
- 461 (7) Requiring the registration and inspection of bicycles and the registration of motorized
 462 mobility devices, including the requirement of a registration fee;
- 463 (8) Designating any highway intersection as a 'yield right of way' intersection and
 464 requiring vehicles facing a 'yield right of way' sign to yield the right of way to other
 465 vehicles;
- 466 (9) Regulating or prohibiting the turning of vehicles or specified types of vehicles;
- 467 (10) Altering or establishing speed limits as authorized by law;
- 468 (11) Designating no-passing zones as authorized in Code Section 40-6-46;
- 469 (12) Prohibiting or regulating the use of controlled-access roadways by any class of
 470 vehicle or kind of traffic as authorized in Code Section 40-6-51;
- 471 (13) Prohibiting or regulating the use of heavily traveled streets by any class of vehicle
 472 or kind of traffic found to be incompatible with the normal and safe movement of traffic;
- 473 (14) Establishing minimum speed limits as authorized by law;
- 474 (15) Designating hazardous railroad grade crossings as authorized in Code Section
 475 40-6-141;

- 476 (16) Designating and regulating traffic on play streets;
 477 (17) Regulating persons propelling push carts;
 478 (18) Regulating persons upon skates, coasters, sleds, and other toy vehicles;
 479 (18.1) Regulating the operation of electric personal assistive mobility devices, provided
 480 that such regulations are no less restrictive than those imposed by Part 2A of Article 13
 481 of this chapter;
 482 (18.2) Regulating the operation of personal transportation vehicles, provided that such
 483 regulations comply with Parts 3 and 6 of Article 13 of this chapter;
 484 (18.3) Regulating the operation of motorized mobility devices, provided that such
 485 regulations are no less restrictive than those imposed by this chapter;
 486 (19) Adopting and enforcing such temporary or experimental regulations as may be
 487 necessary to cover emergencies or special conditions; or
 488 (20) Adopting such other traffic regulations as are specifically authorized by this
 489 chapter."

490 **SECTION 23.**

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

493 **SECTION 24.**

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