

The Senate Committee on Public Safety offers the following substitute to SB 76:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 40-6-20 of the Official Code of Georgia Annotated, relating to  
2 obedience to traffic-control devices, so as to provide for the safe operation of a motorcycle  
3 or other lightweight motor vehicle through an inoperative traffic-control signal; to provide  
4 for a short title; to provide for related matters; to repeal conflicting laws; and for other  
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

8 This Act shall be known and may be cited as the "Motorcycle Mobility Safety Act."

**SECTION 2.**

10 Code Section 40-6-20 of the Official Code of Georgia Annotated, relating to obedience to  
11 traffic-control devices, is amended by revising subsections (a) and (e) as follows:

12 "(a) The driver of any vehicle shall obey the instructions of an official traffic-control  
13 device applicable thereto, placed in accordance with this chapter, unless otherwise directed  
14 by a police officer, subject to the exceptions granted the driver of an authorized emergency  
15 vehicle in this chapter. A violation of this subsection shall be a misdemeanor, except as  
16 otherwise provided by paragraph (2) of subsection (e) and subsection (f) of this Code  
17 section."

18 "(e)(1) Except as provided for in paragraph (2) of this subsection, the ~~The~~ disregard or  
19 disobedience of the instructions of any official traffic-control device or signal placed in  
20 accordance with the provisions of this chapter by the driver of a vehicle shall be deemed  
21 prima-facie evidence of a violation of law, without requiring proof of who and by what  
22 authority such sign or device has been erected.

23 (2) If a driver has stopped pursuant to the instructions of a traffic-control device and has  
24 a reasonable belief that the traffic-control device or signal is inoperative due to the  
25 lightweight design of his or her motorcycle or other motor vehicle, the driver may

26 disregard or disobey the instructions of the traffic-control device or signal and proceed  
27 through the intersection, provided that:

28 (A) There is no other motor vehicle within 500 feet approaching or entering the same  
29 intersection from a different highway, or from the same highway approaching or  
30 entering the intersection from the opposite direction; and

31 (B) The driver cautiously proceeds through the intersection with reasonable care and  
32 consideration for all other applicable rules of the road.

33 Nothing in this paragraph shall restrict the permissibility of a driver to make a right turn  
34 as provided for in paragraph (3) of subsection (a) of Code Section 40-6-21.

35 (3) As used in this subsection, the term 'reasonable belief' means the belief of a  
36 reasonable person in consideration of his or her motor vehicle design and the conditions  
37 of his or her stop, including but not limited to the type and general understanding of a  
38 lightweight nature of his or her motor vehicle and the number of seconds he or she has  
39 been stopped or the number of signal changes he or she has observed of the traffic-control  
40 device or signal which did not include a change of instruction to him or her."

41 **SECTION 3.**

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