House Bill 1392 (AS PASSED HOUSE AND SENATE)

By: Representatives Hembree of the 67th, Rice of the 51st, Murphy of the 23rd, and Yates of the 73rd

A BILL TO BE ENTITLED

AN ACT

To amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, so as to change the definition of vehicles that may be operated under noncommercial Class C driver´s license relative to farmers towing vehicles hauling agricultural products, livestock, farm machinery, or farm supplies; to provide for certain penalties for a driver who commits a right of way violation resulting in a collision with a motorcyclist, pedestrian, bicyclist, or farmer transporting vehicles hauling agricultural products, livestock, farm machinery, or farm products; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, is amended in Code Section 40-5-23, relating to classes of licenses, by striking subsection (c) and inserting in lieu thereof the following:

"(c) The noncommercial classes of motor vehicles for which operators may be licensed shall be as follows:

Class A — Any combination of vehicles with a gross vehicle weight rating of 26,001 pounds or more, provided the gross vehicle weight rating of the vehicle or vehicles being towed is in excess of 10,000 pounds, and all vehicles included within Class B and Class C;

Class B — Any single vehicle with a gross vehicle weight rating of 26,001 pounds or more, any such vehicle towing a vehicle with a gross vehicle weight rating not in excess of 10,000 pounds, and all vehicles included within Class C;

Class C — Any single vehicle with a gross vehicle weight rating not in excess of 26,000 pounds, any such vehicle towing a vehicle with a gross vehicle weight rating not in excess of 10,000 pounds, any such vehicle towing a vehicle with a gross vehicle weight rating in excess of 10,000 pounds, provided that the combination of vehicles has a gross combined vehicle weight rating not in excess of 26,000 pounds, and any self-propelled

or towed vehicle that is equipped to serve as temporary living quarters for recreational, camping, or travel purposes and is used solely as a family or personal conveyance; except that any combination of vehicles with a gross vehicle weight rating not in excess of 26,000 pounds may be operated under such class of license if such combination of vehicles are controlled and operated by a farmer, used to transport agricultural products, livestock, farm machinery, or farm supplies to or from a farm, and are not used in the operations of a common or contract carrier;

Class D — Provisional license applicable to noncommercial Class C vehicles for which an applicant desires a driver´s license but is not presently licensed to drive;

Class M — Motorcycles, motor driven cycles, and three-wheeled motorcycles;

Class P — Instructional permit applicable to all types of vehicles for which an applicant desires a driver´s license but is not presently licensed to drive.

Any applicant for a Class A or Class B license must possess a valid Georgia driver´s license for Class C vehicles. A license issued pursuant to this Code section shall not be a commercial driver´s license.″

SECTION 2.

Said title is further amended by adding a new Code Section 40-6-77 to read as follows:

″40-6-77.

Any person who causes a serious injury to another person as a result of a collision with a motorcyclist, bicyclist, pedestrian, or farmer operating any vehicle used to transport agricultural products, livestock, farm machinery, or farm supplies by committing any right of way violation under this chapter when such motorcyclist, bicyclist, pedestrian, or farmer operating any vehicle used to transport agricultural products, livestock, farm machinery, or farm supplies is abiding by the provisions of this title shall be guilty of a misdemeanor and shall be punished by a fine of not less than $250.00 in addition to any other penalties stipulated by law. For purposes of this Code section, serious injury shall include, but shall not be limited to, causing bodily harm to another by depriving him or her of a member of his or her body, by rendering a member of his or her body useless, by seriously disfiguring his or her body or a member thereof, or by causing organic brain damage which renders the body or any member thereof useless.″

SECTION 3.

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