

House Bill 809

By: Representatives Carson of the 46th, Hitchens of the 161st, Powell of the 33rd, Thomas of the 21st, Crowe of the 118th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 9 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated,
2 relating to speed restrictions, so as to provide for a minimum speed limit of 50 miles per hour
3 on certain highways; to provide for related matters; to repeal conflicting laws; and for other
4 purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Article 9 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to
8 speed restrictions, is amended by revising Code Section 40-6-184, relating to impeding
9 traffic flow, minimum speed limits, and slower driving in a passing lane, as follows:
10 "40-6-184.

11 (a) No person shall drive a motor vehicle at such a slow speed as to impede the normal and
12 reasonable movement of traffic, except when reduced speed is necessary for safe operation.

13 (b) Whenever the commissioner of public safety or the commissioner of transportation or
14 local authorities determine on the basis of any engineering and traffic investigation that
15 slow speeds on any part of a road under their respective jurisdictions impede the normal
16 and reasonable movement of traffic, such commissioners jointly, or such local authorities,

17 may determine and declare a minimum speed limit below which no person shall drive a
18 vehicle except when necessary for safe operation, and such limit shall be effective when
19 posted upon fixed or variable signs.

20 (c) On any part of a highway in this state with a speed limit of 65 miles per hour or greater,
21 the minimum speed limit for such highway shall be 50 miles per hour.

22 ~~(c)~~(d) Upon roads, streets, or highways with two or more lanes allowing for movement in
23 the same direction, no person shall continue to operate a motor vehicle in the passing lane
24 once such person knows or should reasonably know that he or she is being overtaken in
25 such lane from the rear by a motor vehicle traveling at a higher rate of speed. As used in
26 ~~For purposes of~~ this Code section, 'passing lane' means the most left-hand lane other than
27 a high occupancy vehicle lane.

28 ~~(d)~~(e) Subsection ~~(c)~~ (d) of this Code section shall not apply:

- 29 (1) When traffic conditions or congestion make it necessary to drive in the passing lane;
30 (2) When inclement weather, obstructions, or hazards make it necessary to drive in the
31 passing lane;
32 (3) When compliance with a law of this state or with an official traffic control device
33 makes it necessary to drive in the passing lane;
34 (4) When a vehicle must be driven in the passing lane to exit or turn left;
35 (5) On toll highways, when necessary to pay a toll or use a pass;
36 (6) To authorized emergency vehicles engaged in official duties; or
37 (7) To vehicles engaged in highway maintenance and construction operations."

38 **SECTION 2.**

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