

Senate Bill 569

By: Senators Strickland of the 42nd, Robertson of the 29th, Jones of the 10th, Summers of the 13th, Mallow of the 2nd and others

**AS PASSED SENATE**

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 issuance of emergency vehicle light permits for towing service  
 3 companies in certain instances; to revise a definition; to provide for related matters; to repeal  
 4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, is  
 8 amended in Code Section 40-1-1, relating to definitions, by revising paragraph (5) as  
 9 follows:

10 "(5) 'Authorized emergency vehicle' means a motor vehicle belonging to a public utility  
 11 corporation, belonging to a towing service company, or operated by the Department of  
 12 Transportation and designated as an emergency vehicle by the Department of Public  
 13 Safety; a motor vehicle belonging to a fire department or a certified private vehicle  
 14 belonging to a volunteer firefighter or a fire-fighting association, partnership, or  
 15 corporation; an emergency organ transplant vehicle as such term is defined in Code  
 16 Section 31-11-2; an ambulance; or a motor vehicle belonging to a federal, state, or local

S. B. 569

- 1 -

17 law enforcement agency, provided such vehicle is in use as an emergency vehicle by one  
 18 authorized to use it for that purpose."

19 **SECTION 2.**

20 Said title is further amended by revising Code Section 40-8-92, relating to designation of  
 21 emergency vehicles, flashing or revolving lights, permits, fee, and use of flashing or  
 22 revolving green lights on public property, as follows:

23 "40-8-92.

24 (a) The commissioner of public safety shall be authorized to designate certain motor  
 25 vehicles as emergency vehicles. The commissioner of public safety shall so designate each  
 26 vehicle by issuing to such vehicle a permit to operate flashing or revolving emergency  
 27 lights of the appropriate color. Such permit shall be valid for five years from the date of  
 28 issuance. Any and all officially marked law enforcement vehicles as specified in Code  
 29 Section 40-8-91 shall not be required to have a permit for the use of a blue light. Any and  
 30 all fire department vehicles which are distinctly marked on each side shall not be required  
 31 to have a permit for the use of a red light. Any and all motor vehicles which are operated  
 32 for ambulance services, as defined in Code Section 31-11-2, under a valid license from the  
 33 Emergency Health Section of the Department of Public Health shall not be required to have  
 34 a permit for the use of a red light.

35 (b)(1) The commissioner shall authorize the use of red flashing or revolving lights only  
 36 when the person or governmental agency shall demonstrate to the commissioner a proven  
 37 need for equipping a vehicle with emergency lights.

38 (2) When an application for emergency lights has been submitted by a towing service  
 39 company, such need shall be deemed proven when the towing service company:

40 (A) Is a participant in a towing and recovery program with the Department of  
 41 Transportation pursuant to Code Section 32-6-2 or is otherwise authorized by contract  
 42 with a local government to perform towing services or clear roadways; and

43 (B) Has completed the minimum safety course requirements adopted by the  
44 commissioner of public safety for such purpose through adoption of rules and  
45 regulations.

46 (3) The fee for such lights a permit issued pursuant to this Code section shall be \$2.00,  
47 provided that no federal, state, county, or municipal governmental agency or an  
48 ambulance provider, as defined in Code Section 31-11-2, shall be required to pay such  
49 fee.

50 (c) Nothing contained in this Code section shall prohibit the commissioner of public safety  
51 from issuing a single special use permit to cover more than one vehicle, provided each  
52 vehicle covered under such special use permit shall pay the fee specified in subsection (b)  
53 of this Code section.

54 (d) Except as provided in this subsection, it shall be unlawful for any person, firm, or  
55 corporation to operate any motor vehicle or to park any motor vehicle on public property  
56 with flashing or revolving green lights. This subsection shall not apply to any motor  
57 vehicle being used by any law enforcement agency, fire department, emergency  
58 management agency, or other governmental entity to designate the location of the  
59 command post for such agency, department, or entity at the site of an emergency."

60 **SECTION 3.**

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