

10 SB 519/AP
Senate Bill 519

By: Senators Mullis of the 53rd, Jackson of the 24th, Murphy of the 27th, Davis of the 22nd, Staton of the 18th and others

VETOED

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 modify certain definitions; to provide for a minimum fine for impeding traffic flow; to change the hours of operation of certain motorized carts; to allow golf carts to make seasonal deliveries in residential areas; to provide for related matters; to provide for an effective date; 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 by revising paragraphs (25.1) and (32) and adding new paragraphs to Code Section 40-1-1, relating to definitions, as follows:

"(25.1) 'Low-speed vehicle' means any four-wheeled electric vehicle whose top speed attainable in one mile is greater than 20 miles per hour but not greater than 25 miles per hour on a paved level surface and which is manufactured in compliance with those federal motor vehicle safety standards for low-speed vehicles set forth in 49 C.F.R. Section 571.500 and in effect on January 1, 2001. Low-speed vehicle shall include golf carts and landscape type vehicles. Either of these types of vehicles could have cargo platforms or bins to transport parcels or a hitch to tow a trailer and be powered by gas or electric motors. These vehicles shall not be required to have a vehicle identification number.

(32) 'Motorized cart' means every motor vehicle having no less than three wheels and an unladen weight of ~~1,300~~ 2,500 pounds or less and which cannot operate at more than 20 miles per hour.

(51.1) 'Residential area' means areas zoned primarily or exclusively for single-family or multifamily residential use.

(55.1) 'Seasonal delivery personnel' means an employee of a licensed commercial delivery service that has at least 10,000 employees in this state who is delivering packages during the shipping period from October 1 to December 31 each year."

SECTION 1.1.

Said title is further amended by revising subsection (a) Code Section 40-6-184, relating to impeding the flow of traffic, as follows:

"(a)(1) No person shall drive a motor vehicle at such a slow speed as to impede the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation.

(2) On roads, streets, or highways with two or more lanes allowing for movement in the

same direction, no person shall continue to operate a motor vehicle in the most left-hand lane at less than the maximum lawful speed limit once such person knows or should reasonably know that he or she is being overtaken in such lane from the rear by a motor vehicle traveling at a higher rate of speed, except when such motor vehicle is preparing for a left turn. This subsection shall not apply to managed lanes.

(3) Any conviction for a violation of the provisions of this subsection shall be punishable by a minimum fine of \$75.00 in addition to any other punishment authorized by law."

SECTION 2.

Said title is further amended by revising Code Section 40-6-330, relating to hours of operation of motorized carts, as follows:

"40-6-330.

(a) Motorized carts may be operated on streets only during daylight hours unless they comply with the equipment regulations promulgated by the commissioner of public safety. Motorized carts may be operated on streets only during daylight hours unless the applicable local government determines that a motorized cart may be operated at night if it complies with the equipment regulations promulgated by that local government. At a minimum, the equipment for motorized carts that may be operated at night shall include operable headlights and tail lamps. Motorized carts that may be operated at night which are manufactured after January 1, 2011, shall also be equipped with a horn and side reflectors.

(b) Seasonal delivery personnel may use golf carts and landscape type vehicles solely for the purpose of delivering express envelopes and packages that have a maximum size of 130 inches for the combined length and girth and weighing not more than 150 pounds.

(c) Golf carts and landscape type vehicles may travel on public roads within residential areas with a posted speed limit of 35 miles per hour or less. Operators of golf carts and landscape type vehicles must possess a valid driver's license.

(d) Seasonal delivery personnel may pull a trailer from a golf cart or landscape type vehicle provided such vehicles are marked in a conspicuous manner with the name of the delivery service and equipped with the minimum equipment required under this Code section, including, but not limited to, headlights, tail lamps, and any other safety equipment required for operation after sunset."

SECTION 3.

This Act shall become effective on July 1, 2010.

SECTION 4.

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