

House Bill 398

By: Representatives Smith of the 41st, Barr of the 103rd, Collins of the 68th, Wilkerson of the 38th, Allen of the 40th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to
2 uniform rules of the road, so as to allow local authorities to regulate the operation of bicycles
3 upon sidewalks by persons under the age of 16 or with disabilities; to provide for related
4 matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

7 Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to uniform rules
8 of the road, is amended by revising Code Section 40-6-144, relating to emerging from alley,
9 driveway, or building and driving upon sidewalk prohibited, as follows:

10 "40-6-144.

11 (a) The driver of a vehicle emerging from an alley, building, private road, or driveway
12 within a business or residential district shall stop such vehicle immediately prior to driving
13 onto a sidewalk or onto the sidewalk area extending across such alley, building entrance,
14 road, or driveway or, in the event there is no sidewalk area, shall stop at the point nearest
15 the street to be entered where the driver has a view of approaching traffic thereon. The
16 driver of a vehicle shall yield the right of way to any pedestrian on a sidewalk.

17 (b) Except as provided by resolution or ordinance of a local government ~~for sidewalks~~
18 ~~within the jurisdiction of such local government~~ authorizing the operation of bicycles on
19 sidewalks by persons 12 years of age or younger pursuant to paragraph (18.3) of subsection
20 (a) of Code Section 40-6-371, no person shall drive any vehicle upon a sidewalk or
21 sidewalk area except upon a permanent or duly authorized driveway."

22 style="text-align:center">**SECTION 2.**

23 Said chapter is further amended in Code Section 40-6-371, relating to powers of local
24 authorities with respect to highways under their jurisdiction, by a revising subsection (a) to
25 add a new paragraph to read as follows:

26 "(18.3) Regulating the operation of bicycles upon sidewalks by persons under the age of
27 16 or with disabilities, provided that such regulations comply with this chapter;"

28 **SECTION 3.**

29 All laws and parts of laws in conflict with this Act are repealed.