

House Bill 328 (AS PASSED HOUSE AND SENATE)

By: Representatives Watson of the 172nd, Rutledge of the 109th, Williams of the 168th, Tanner of the 9th, and Epps of the 144th

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 32 and Chapter 6 of Title 40 of the Official Code of Georgia Annotated,
2 relating to highways and uniform rules of the road, respectively, so as to provide for the
3 maximum length and load of vehicles; to provide for methods for determining load limits for
4 vehicles utilizing idle reduction technology; to revise provisions for FlexAuto lanes; to
5 clarify the meaning of certain flashing signals; to provide for rules of the road when
6 approaching or entering an intersection with a signal in unactivated dark mode; to provide
7 for related matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 SECTION 1.

10 Title 32 of the Official Code of Georgia Annotated, relating to highways, is amended in Code
11 Section 32-6-24, relating to length of vehicles and loads, by revising subparagraph (b)(2)(C)
12 as follows:

13 "(C) All other combinations of truck tractor-semitrailer or truck
14 tractor-semitrailer-trailer operated on roads other than interstate or the NHS shall have
15 an overall length that does not exceed 100 feet, unless signs are posted that indicate
16 length restrictions. This maximum length shall include the federal allowance for
17 automobile and boat transporter loads to overhang up to three feet over the front of the
18 vehicle and overhang up to ~~four~~ six feet over the rear of the vehicle."

19 SECTION 2.

20 Said title is further amended in Code Section 32-6-27, relating to enforcement of load limits,
21 by revising paragraph (3) of subsection (a) as follows:

22 "(3) Any vehicle that utilizes idle reduction technology shall have any penalty for
23 violating Code Section 32-6-26, except for subsections (f) and (h), calculated by reducing
24 from the actual gross weight, single axle weight, tandem axle weight, or the allowed
25 weight on any group of two or more axles the manufacturer's certified weight of the idle

26 reducing technology or ~~400~~ 550 pounds, whichever is less. The operator of the vehicle
 27 shall present written certification from the manufacturer specifying the weight of the idle
 28 reducing technology and demonstrate that the idle reducing technology is fully functional
 29 at all times when so requested by any law enforcement officer or employee of the
 30 Department of Public Safety."

31 **SECTION 3.**

32 Said title is further amended by revising Code Section 32-9-4.1, relating to FlexAuto lanes,
 33 as follows:

34 "32-9-4.1.

35 (a) As used in this Code section, the term 'FlexAuto lane' means an area designated as a
 36 special lane of travel created by converting emergency lane and hard shoulder areas on the
 37 left or right side of an interstate highway or other road into a rush hour traffic lane for use
 38 by automobiles during certain hours.

39 (b) The department, with the approval of the board, is authorized to designate FlexAuto
 40 lanes on the state highway system for the purpose of improving traffic flow in and around
 41 areas with a history of traffic congestion.

42 (c) Any FlexAuto lane shall be appropriately striped and marked and shall have signage
 43 appropriate to indicate its nature, as determined by the department. The department may
 44 incorporate emergency havens, emergency ramps, or emergency parking pads into the
 45 design and creation of FlexAuto lanes, as determined appropriate by the department.

46 (d) The hours of usage of a FlexAuto lane shall be determined by the department, ~~not to~~
 47 ~~exceed eight hours per day.~~

48 (e) It shall be unlawful for any person operating any motor vehicle to use a FlexAuto lane
 49 for purposes of travel other than emergency use outside the permitted hours of travel use,
 50 as determined and posted by the department. It shall be unlawful for any person operating
 51 any motor vehicle other than an automobile, motorcycle, or light truck to use a FlexAuto
 52 lane for purposes of travel other than emergency use at any time.

53 (f) Prior to implementing this Code section, the department shall, if necessary, seek to
 54 secure and implement any federal approvals, waivers, or other actions necessary or
 55 appropriate in order to implement this Code section without any loss or impairment of
 56 federal funding.

57 ~~(g) FlexAuto lanes shall not be implemented at more than 80 separate locations in the state~~
 58 ~~until such time as the department has completed a one-year test use of such lanes."~~

59

SECTION 4.

60 Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to uniform rules
61 of the road, is amended by revising Code Section 40-6-23, relating to flashing red or yellow
62 signals, as follows:

63 "40-6-23.

64 Flashing signal indications shall have the following meanings:

65 (1) **Flashing circular red (stop signal)** — When a red lens is illuminated with rapid
66 intermittent flashes, drivers of vehicles shall stop at a clearly marked stop line or, if there
67 is no stop line, before entering the crosswalk on the near side of the intersection or, if
68 there is no crosswalk, at the point nearest the intersecting roadway where the driver has
69 a view of approaching traffic on the intersecting roadway before entering the intersection,
70 and the right to proceed shall be subject to the rules applicable after making a stop at a
71 stop sign;

72 (2) **Flashing circular yellow (caution signal)** — : When a yellow lens is illuminated
73 with rapid intermittent flashes, drivers of vehicles may proceed through the intersection
74 or past such signal only with caution."

75

SECTION 5.

76 Said chapter is further amended in Code Section 40-6-70, relating to vehicles approaching
77 or entering an intersection, by revising subsection (a) as follows:

78 "(a) When two vehicles approach or enter an intersection from different highways at
79 approximately the same time, the driver of the vehicle on the left shall yield the right of
80 way to the vehicle on the right, provided that when a vehicle approaches or enters an
81 intersection with no stop signs or other traffic-control devices from a highway that
82 terminates at the intersection, the driver of that vehicle shall yield the right of way to the
83 other vehicle, whether the latter vehicle be on such driver's right or left. When two
84 vehicles approach or enter an intersection with ~~an inoperative~~ a traffic light in unactivated
85 dark mode, the driver of each vehicle shall be required to stop in the same manner as if a
86 stop sign were facing in each direction at the intersection. Drivers shall not be required to
87 stop if the traffic signal is properly signed as a pedestrian hybrid beacon or ramp meter and
88 operating in the unactivated dark mode. When a flashing indication is given, the driver
89 shall stop for the flashing red signal and exhibit caution while passing through a flashing
90 yellow indication."

91

SECTION 6.

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