

House Bill 764 (COMMITTEE SUBSTITUTE)

By: Representatives Powell of the 32<sup>nd</sup>, Frye of the 118<sup>th</sup>, Quick of the 117<sup>th</sup>, Williams of the 119<sup>th</sup>, Hitchens of the 161<sup>st</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles, so  
2 as to require drivers of motor vehicles to stop at crosswalks with user-activated rectangular  
3 rapid flash beacons; to make it unlawful to activate such devices when there is no intent to  
4 cross a roadway; to require drivers of motor vehicles to stop at crosswalks for bicycle riders;  
5 to provide for definitions; to provide for related matters; to repeal conflicting laws; and for  
6 other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles, is amended  
10 in Code Section 40-1-1, relating to definitions, by adding a new paragraph to read as follows:

11 "(50.02) 'Rectangular rapid flash beacon' means a user-activated device with amber light  
12 emitting diodes (LEDs) that supplement warning signals at unsignalized intersections or  
13 mid-block crosswalks. Such devices emit an irregular flash pattern and may be activated  
14 by pedestrians or bicycle riders manually by a push button or passively by a detection  
15 system. The term shall be interchangeable with LED rapid-flash system, stutter flash, or  
16 LED beacons."

17 **SECTION 2.**

18 Said title is further amended by revising Code Section 40-6-91, relating to right of way in  
19 crosswalks, as follows:

20 "40-6-91.

21 (a) The driver of a vehicle shall stop and remain stopped to allow a pedestrian or bicycle  
22 rider to cross the roadway within a crosswalk when the pedestrian or bicycle rider is upon  
23 the half of the roadway upon which the vehicle is traveling, or when the pedestrian or  
24 bicycle rider is approaching and is within one lane of the half of the roadway on which the

25 vehicle is traveling or onto which it is turning. For the purposes of this subsection, 'half  
26 of the roadway' means all traffic lanes carrying traffic in one direction of travel.

27 (b) The driver of a vehicle shall stop and remain stopped to allow a pedestrian or bicycle  
28 rider to cross the roadway within a crosswalk when an approved rectangular rapid flash  
29 beacon or similar device has been activated.

30 (c) No pedestrian or bicycle rider shall suddenly leave a curb or other place of safety and  
31 ~~walk or run~~ walk, run, or ride into the path of a vehicle which is so close that it is  
32 impractical for the driver to yield. No pedestrian or bicycle rider shall manually activate  
33 or intentionally cause to be activated a rapid flash beacon or similar device at a crosswalk  
34 unless such pedestrian or bicycle rider intends to cross a roadway.

35 (e) (d) Subsection (a) of this Code section shall not apply under the conditions stated in  
36 subsection (b) of Code Section 40-6-92.

37 (d) (e) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked  
38 crosswalk at an intersection to permit a pedestrian or bicycle rider to cross the roadway, the  
39 driver of any other vehicle approaching from the rear shall not overtake and pass such  
40 stopped vehicle."

41 **SECTION 3.**

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