



Transportation Advisory Group

Paul Schultz - Chairman, Keith Larson - Vice-Chairman, Alan Reeves,
Brian Bartel, Amanda Toronto, Blake Hayes, Patrick James, Jonathan Miller

Meeting Agenda

August 12, 2025 | 6:00 PM
Community Room, 153 Willowbend Road

1. **Call to Order**
2. **Public Comment**
3. **Minutes**
 - A. July 22, 2025 Minutes
4. **Local and Regional Transportation Project Status Review**
5. **Old Agenda Items**
 - A. City Ordinance Updates
6. **New Agenda Items**
7. **Upcoming TAG Meetings Dates**
 - A. August 26, 2025
 - B. September 9, 2025
8. **Adjourn**

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Transportation Advisory Group of Peachtree City
Meeting Minutes
Tuesday, July 22, 2025
6:00 PM

Call to Order

The Peachtree City Transportation Advisory Group (TAG) met for its regular meeting on Tuesday, July 22, 2025, in the Community Room at City Hall. Chairman Paul Schultz called the meeting to order at 6 p.m. Other members present were Vice Chair Keith Larson, Alan Reeves, Blake Hayes, and ex-officio member Public Works Director Jonathan Miller, with Amanda Toronto attending virtually. Patrick James and Brian Bartal were absent. Public Works Assistant Director DeMarcus Hunter and Public Works Summer Intern Lauren Baxley also attended.

Public Comment

None

Minutes

A. July 8, 2025

Larson moved to approve the July 8, 2025, meeting minutes. Reeves seconded. Motion carried unanimously.

Local and Regional Transportation Project Status Review

Schultz mentioned that the Redwine/Robinson tunnel had opened, although some punch list items remained. Larson said people were already noting that it ended in a blind T-intersection at the Redwine path on the County side and were asking for mirrors to decrease the sightline hazard.

Larson said he would lead a tour of Peachtree City's multi-use paths next Monday for the Atlanta Regional Commission's (ARC) bicycle and pedestrian planners, who had not visited the system before. He wanted them to understand how Peachtree City worked to keep the system safe for all users.

Larson also mentioned a webinar on bike regulations that TAG members might be interested in and also said he had learned that 48 states had now adopted e-bike definitions. He suggested TAG recommend to City Council that they adopt a local ordinance to prevent e-moto use on the paths.

Hayes commented that the City had put the Huddleston Road/SR 54 dual left turn lane project back out to bid. This came about after he pointed out that it was not compliant, and the Georgia Department of Transportation agreed. He also said road work on McIntosh Trail had led some citizens to think they were putting in a roundabout, but that was not the case.

Larson mentioned that the HAWK signal at Crosstown Road had malfunctioned earlier that day, but Schultz pointed out it was not difficult to navigate with just the flashing red light, so there had been no problems.

Miller remarked that RK&K had been awarded the request for proposal (RFP) for the Huddleston redesign, and he planned to bring the preliminary plans to TAG for review when ready. The firm was tasked to look at drainage, sewer placement, and location of the side path.

Old Agenda Items

A. City Ordinance Review of Micromobility Vehicles

Larson had compiled a markup of City ordinance Chapter 70 and Chapter 78 for TAG's review, with the goal of presenting recommended changes to Council in September. He said there had been no updates, except in regard to tag registration, in more than 10 years, and the ordinance had not kept up with new technology. They would add and update definitions and go over what was permitted and what was not.

Hayes then said he agreed that the mismatch between the City and State ordinances was a significant problem, but there was a provision in State law that allowed local jurisdictions to wholesale adopt the definitions in the Georgia Code (Official Code of Georgia Annotated or OCGA). The benefit of that was if State law changed, the local law was automatically repealed and amended; the local government did not have to do anything. This would solve the problem of being years out of date, he pointed out. He thought there was still enough flexibility in that to allow Peachtree City to set its own standards as well.

Larson said he would be fine with that, but thought it was cumbersome for citizens to have to search through Georgia Code to find what they needed. Staff would also benefit by having updated City ordinances to reference.

Reeves asked if the City had started on any updates, but Larson said he did not know of any. He thought they were relying on TAG to make recommendations.

The Planning Commission was working on updates to zoning and development rules. Reeves said it just seemed hard to believe that, with a 10-year gap, the City Solicitor had not encountered situations where that lag would be a problem. Miller said it might be an issue of how much enforcement had actually been done.

Larson referred to the paths as multi-use paths, but Hayes noted that the State called them personal transportation vehicle paths (PTVs) or shared use paths. Miller said multi-use path was what they were called by Peachtree City. Hayes asked if they wanted to add a sentence mentioning all the names the paths could be called.

Hayes pointed out some typos and numbering errors.

Schultz asked if they wanted to consider adding smoking to the list of hazardous and banned behaviors that Larson proposed adding. Larson said the City had banned smoking only in public buildings and felt they might not want to extend that

to all public spaces right now. Larson asked if there was a concise way to compile all the forbidden behaviors, and Hayes suggested saying “and other misdemeanors under State law as defined in section 50-1.” He said section 50-1 contained all offenses under State law, and Larson asked him to send him the exact language to include.

Toronto pointed out the discrepancy between sometimes saying “multi-use path” and other times just “paths.” She said most people would understand that “paths” meant multi-use paths. Schultz suggested that they write out “multi-use paths” once, then put “paths” in parentheses after it, and use “paths” from then on.

They discussed a proposed change stating that pedestrians and the disabled always had the right-of-way. Larson said they had to move against the direction of travel on the streets, but it was not defined on sidewalks or paths. Hayes said State law said they must stick to the left side of the roadway on two-lane roads without sidewalks but could travel on any side on a road without lanes. Schultz thought it would be good to say this, and they discussed the language to use.

In the sections on reporting accidents and forbidding littering, Hayes thought it would be good to include the OCGA references. Schultz then mentioned that OCGA said carts needed tail lamps, but some older models had reflectors, not lights. Larson said he would look at that.

Regulations regarding vehicles on nature trails was the area with the most gaps, Larson stated. They needed to define what was and was not permitted on a natural-surface trail, including vehicles for the disabled.

The group explored how to best present this information, and Hayes proposed the use of catchlines, which were headings that summarized the content of a particular section, making it easier to find things. Larson said there were some areas where that would make sense.

Also, the listing of nature areas should include a section that allowed for other areas to be added in the future.

Chapter 78 began by saying it was unlawful to ride a bicycle on the street where a paved bicycle path was available, but that was obsolete since all the paths were shared use paths, not exclusive to bicycles. The City could create an ordinance to allow children 12 or younger to ride bicycles on sidewalks. Larson said they could change it to make it permissible for adults, but Hayes said they could not—State law did not allow it. Miller noted that the sidewalks were along State highways, so riding a bike there would be illegal regardless of what the City passed.

Section 78-17 dealt with parking, and Hayes said he could not support the proposal to add bicycles to motorized carts as vehicles that could not be parked anywhere except a paved or all-weather surface. He said that restriction would prohibit a kid

from leaving his bicycle in the yard of his house. He suggested changing the language to say motor vehicles, except electrically powered.

Hayes suggested they make an exception for residential areas, and Larson said he would consider that. Hayes said he had no problem with this provision in commercial areas.

They decided this would be a good stopping point, and they would take the revisions up again at the next meeting. Larson said he had a lot of notes and the other members should send him their ideas. He would distribute a version for review later in the week.

Schultz thanked Larson for his thoughtful work.

B. Public Outreach on Path Safety

None

New Agenda Items

None

Upcoming TAG Meetings Dates and Times

All members agreed they should be able to attend the next two meetings on Aug. 12 and 26.

A. August 12, 2025

B. August 26, 2025

Adjourn

There being no further business, Hayes moved to adjourn at 7:27 p.m. Larson seconded. Motion carried unanimously.

Martha Barksdale, Recording Secretary

Paul Schultz, Chairman

CITY OF PEACHTREE CITY

TRANSPORTATION ADVISORY GROUP

MEETING AGENDA ITEM MEMORANDUM

MEMO TO: Jonathan Miller, Director of Public Works

FROM: Blake Hayes, TAG Member

DATE: August 6, 2025

SUBJECT: Alternative Ordinance Updates

Recommendation:

I recommend one of the following options:

1. The TAG instruct myself and Keith to coordinate on the ordinance language.
2. The TAG proceed with considering the alternative to the proposed ordinance updates.

I further recommend, regardless of the option chosen above (including if neither option is selected by the TAG), that the TAG consider the discussion points listed below in updating the ordinances.

Discussion:

At our first meeting, I did not originally recognize the scope of Keith's proposed work. I was under the impression that we were largely just updating the definitions to capture new types of micromobility vehicles, not necessarily doing a full revamp of Chapters 70 and 78. With that in mind, I had some additional thoughts on the revisions as proposed that come to the extent of providing an alternative version instead of going section-by section.

With that in mind, I want to recognize that even if the TAG chooses to go with this version, a lot of the groundwork was done by Keith. For many sections, all I did was add cross-references and re-organize the content in what I believe is a better logical flow. I will provide a summary of any major changes and similarities below:

Chapter 70

- Section 70-2: minor grammatical changes, organization into 3 subsections, cross-reference to definitions in Chapter 78.

- Section 70-3: this wasn't in Keith's original draft. Only change is to update language to "multi-use paths" and add a cross-reference of the definition of that term in Chapter 78.
- Section 70-36: added cross-referenced definitions and organization.
 - Proposed update: I suggest that we move this section to Chapter 78 so that the hazardous activities list is there, where I believe most people will check the rules. Therefore, this section was updated to reference Chapter 78.
 - This includes the proposed updates of stating the traffic rules of the road, requirements of lights for carts and bicycles at night, rights of pedestrians, and reporting collisions. This information is still in this version, it is just in Chapter 78.
- Article III, Natural Surface Trails.
 - Proposed update: instead of putting everything into one section (the old Section 70-40), I split this into three sections. The first provides the definitions. The second is the access regulations. The third is the signing requirements and enforcement.
 - NEW Section 70-40, Definitions: this section takes subsection (e) of the old wording to setup which nature trail areas the chapter is applicable to; and cross-references the definitions of the classes of vehicles to their definitions in Chapter 78. This includes a couple of terms that weren't defined anywhere.
 - NEW Section 70-41, Access to natural surface trails: this section establishes the access restrictions in (a), (b), and (c) of the old wording. Pedestrians have access to all trails (I believe this was the intent – if incorrect, we can remove it; they weren't mentioned in the old wording). Certain vehicles have access to all trails. Other vehicles have access to the trails when used for disabilities and the city has determined it is safe for them to access the trails. Lastly, there are classes of vehicles that never have access to trails. The last bits of this section are technical wording to setup the posting of signs (coming up next) and permit city personnel to operate vehicles that would otherwise be prohibited.
 - NEW Section 70-42, Posting of signs at natural surface trails. This section permits public works to post signs governing vehicle use and other regulations and requires obedience. It further restricts that no ordinance violation shall be enforced when a sign isn't placed, with one exception when an officer shows the person the ordinance in lieu of the sign AND they refuse to leave.

Chapter 78 – Article I

- Section 78-1: re-adopts state traffic laws, applies them to the multi-use paths (and streets), and states that we are generally explaining the application of state law to the system in the ordinances. This allows us to reference state law, but also say what it means instead of just “OCGA <section>.”
- Section 78-5: change reckless operation to apply to all vehicles, not just motor vehicles. For example, a bicycle and an electric bicycle are vehicles, but not motor vehicles, so the current wording could not apply. Expand to apply to paths.
- Section 78-6: no changes, just added for context that there is an ordinance requiring the reporting of collisions with parked vehicles.
- Section 78-7: minor organization edits and expanded to cover paths.
- Section 78-12: per our discussion at the last meeting, remove this section of the ordinance because there are no bicycle paths, and we can’t regulate sidewalks the way that was desired.

Chapter 78 – Article III

- Section 78-91: organizational changes; added state law references for terms where possible, added a couple of definitions that weren’t elsewhere; move the list of prohibited streets here so that it is constant for all vehicles that it applies to (carts, EPAMDs, LSVs, etc.) instead of repeated 3 times.
 - Proposed update: I added wording in the definition of “electric bicycle” that if a dealer or person does not have the correct label or update the label as required, that it would NOT be an “electric bicycle” for purposes of access to the path.
 - Proposed update: I added specific wording that vehicles >20 mph cannot be PTVs and vehicles >25 mph cannot be LSVs. I also added wording that “golf carts” that are operated on the paths become another class of vehicle (usually PTV or LSV).
 - Proposed update: I recommend that we adopt the state law definitions of “highway” and “intersection.” Further, I added wording to declare the paths “highways” and to apply the rules governing how intersections are treated (as 1 or 2 based on the distance).
- Section 78-92: mostly minor edits. EPAMDs may not be able to have registration required under state law. I did add specific wording that LSVs are registered with the county tag office instead of the city.
 - Proposed update: I think we should add wording that gasoline golf carts are required to be registered with the county tag office and insured. The city

doesn't necessarily need to check this, but we should provide the information.

- Section 78-93.
 - BIG proposed change here: re-organized this section to 3 parts. First, cross-references to proposed new sections for each class of vehicle. Instead of putting everything for all vehicles in one section, let's write a section for carts, a section for LSVs, and so on. Second, a cross-reference to a proposed new section for regulations that apply to ALL vehicles. Third, state traffic law is applied to the path, and explained.
 - Key idea: instead of people needing to check the entire ordinance for things applicable to their vehicle, they need to check 2: the regulations applicable to ALL vehicles, and the regulations applicable to THEIR vehicle.
- Section 78-94: minor organization update, define the term "authorized micromobility vehicles" (this is just the permitted users, except for pedestrians who are permitted but aren't vehicles). Added the wording on daylight hours for skating, cycling, and carts (unless headlights/taillights for the last 2).
- Section 78-95: minor updates.
- Section 78-96: this was a list of special rules for the path. That was moved to proposed new section 78-100. This section now contains the "purpose of path" and "hazardous activities" that we went through last time and was previously in Chapter 70.
- Section 78-97: this was previously section 78-96.1. If we are revising, might as well update it to the next number instead of ".1." Also cleaned up a bit of the wording ("multi-use path") and deleted an unused reserved section.
- Section 78-98: this was previously section 78-97. Updated to have the liability wording that Keith preferred. Small changes to grammar.
- Section 78-99: this was previously section 78-98. Minor consolidation of wording. Moved the "parent responsibility" section here, since this section refers to penalties.
- Proposed new section 78-100: this was primarily portions of sections 78-93 and 78-96 that were applicable to all vehicles/users of the path. This includes restrictions on littering, audible signals when passing a pedestrian, the new language for vehicles to yield to pedestrians regardless of what side they are on. There are a couple of new changes that I would suggest:
 - Proposed update: change the requirement to stop when leaving the path system to yielding when leaving the path system. The only difference is that

- rolling is not an offense any more. In addition, add exceptions for HAWK crossings, signalized intersections, and when an officer directs traffic.
- Proposed update: require all path users to obey pedestrian controls. This removes the current situation of having a STOP and HAWK crossing at the same time (although with the above, it would change to a YIELD).
 - Proposed update: for the “preferential use” requirement, I added 2 exceptions. The first technically already existed where state law overrides the ordinance. For example, bicycles cannot be compelled to use the paths. The second would be new, but it would authorize direct access to the path system in certain cases (NOT any of the prohibited streets, so it still wouldn’t allow crossing Peachtree Parkway).
 - Proposed update: I added wording to formalize what already exists where carts use the bicycle lane on Dividend Drive. This is technically unlawful otherwise, since carts aren’t bicycles.
 - Proposed NEW sections 78-101 through 78-105. These new sections just collect the regulations for each class of vehicle that already existed. For example, 78-101 provides the regulations for carts.
 - Section 78-101, motorized carts. I cleaned up the wording on who is permitted to operate carts in a way that is hopefully easier to understand. Also, I added again that any vehicle exceeding 20 mph is not a cart.
 - Section 78-102, LSVs. I added again that any vehicle exceeding 25 mph is not an LSV. I also added some state law references that apply to how LSVs are operated (they get the full use of a lane, so no trying to split it with them when passing in an automobile; you also can’t pass them in a no-passing zone like you can bicycles).
 - Section 78-103, EPAMDs. No real changes here other than organizing the information.
 - Section 78-104, electric play vehicles. No real changes here other than organizing the information.
 - Section 78-105, bicycles and electric bicycles. The helmet restriction and operation restriction of electric bicycles were modified to comply with state law.

State law points:

The last part of this memorandum would just be some scenarios that result from the application of state law and/or the current ordinance that I think we should consider when making decisions on what to change. For some of these, I have provided my take in the proposed amendment, but I would be open to discussion on any of them.

1. Interaction of path crossing at a roadway intersection. This was the reason I added the rules for treating as 1 intersection or 2 intersections based on distance. At an all-way stop with paths, are users of the paths included in the traffic rotation? What about at signalized intersection and HAWK crossings?
2. As previously discussed when we mentioned the HAWK crossings, should we just have all path users obey the pedestrian crossing? Should we mandate the use (no crossing without pushing the button)?
3. Should we authorize passing on the multi-use paths under the rules applicable to other roadways? People do pass, this would just formalize it. It would add a requirement from state law that if someone attempts to pass you, you must give way to allow them to complete their pass.
4. Should we explicitly prohibit or allow U-turns?
5. Should we mention railroad crossings? State law covers it, but we could repeat (I did when I mentioned all state laws).
6. How does the path system interact with school buses where there is a grass strip? Should we allow the path to continue while the bus is stopped or not? What if there's a crossing near the bus? Should they be allowed to cross perpendicular to the bus or not while the bus is stopped?

CITY OF PEACHTREE CITY

TRANSPORTATION ADVISORY GROUP

MEETING AGENDA ITEM MEMORANDUM

MEMO TO: Jonathan Miller, Director of Public Works

FROM: Keith Larson, TAG Vice-Chair

DATE: August 10, 2025

SUBJECT: City Ordinance Review of Micromobility Vehicles

Recommendation:

The Transportation Advisory Group reviews City ordinance Chapter 70 and Chapter 78 governing micromobility vehicles and use on shared-use paths, natural surface trails, sidewalks and streets during July and August scheduled meetings to develop recommended changes for a summary presentation to the City Council by September.

This review is an *iterative process*, to include feedback and recommended edits through meetings and transmitted by email until the desired outcome is reached.

Discussion:

City ordinances have not been updated to be consistent with changes to the Georgia Code governing all motorized and micromobility vehicles with safe operations.

City ordinances do not define or correctly describe the wide range of micromobility vehicles now offered to consumers and used by residents on neighborhood streets, shared-use paths, natural surface trails and sidewalks.

City residents frequently complain about unsafe threatening behaviors by drivers of motorized devices including electric motorcycles and low-speed vehicles that should be expressly restricted or prohibited from operation in public spaces.

Public communications about path safety and operations should be updated to match Georgia Code and any changes to modernize the ordinances after approval by the City Council.

This draft dated August 10, 2025 is of proposed changes to Peachtree City Municipal Ordinances.

This draft does not represent an official adopted position of the City or any advisory group.

~~RED text~~ – proposed deletions

BLUE text – proposed additions or changes V1

BLUE highlight – proposed additions or changes V2 & V3

YELLOW highlight – Georgia Code and special notes

Chapter 70 STREETS, SIDEWALKS AND OTHER PUBLIC WAYS

ARTICLE I. IN GENERAL

Sec. 70-2. Minimum design standards for streets, *sidewalks and shared-use paths*.

All streets, *sidewalks and shared-use paths* constructed in the city shall be done so in accordance with the minimum design standards established in the subdivision regulations of the city, *to include published city design standards and the latest specifications of the American Association of State Highway and Transportation Officials (AASHTO), the Manual on Uniform Traffic Control Devices (MUTCD), Georgia Department of Transportation Design Policy Manual including DPM Chapter 9 (Complete Streets), and Public Right-of-Way Accessibility Guidelines (PROWAG).* (see appendix B). Such streets, *sidewalks and paths* must meet such minimum design standards regardless of whether they are in a platted subdivision, ~~or in unplatted areas and in industrial and commercial areas must meet such minimum design standards.~~

ARTICLE II. *SHARED-USE PATH SYSTEM*

Shared use path means a pathway physically separated from motorized vehicular traffic by an open space or barrier and either within the highway right of way or within an independent right of way and used by bicycles, pedestrians, manual and motorized wheelchairs, and other authorized motorized and nonmotorized users. Shared-use paths shall hereafter be referred to as paths.

NOTE:

All the national level highway design standards use either "shared use path" or "shared path" so we should follow suit.

GA Code § 40-1-1 MOTOR VEHICLES AND TRAFFIC GENERAL PROVISIONS

(43.5) "Personal transportation vehicle path" or "PTV path" means a right of way under the jurisdiction and control of this state or a local political subdivision thereof designated for use by personal transportation vehicle drivers

(56.1) "Shared use path" means a pathway physically separated from motorized vehicular traffic by an open space or barrier and either within the highway right of way or within an independent right of way and used by bicycles, pedestrians, manual and motorized wheelchairs, and other authorized motorized and nonmotorized users.

Sec. 70-36. Use.

All persons using the path system in the city shall abide by the following rules and regulations:

PART II - CODE OF ORDINANCES
Chapter 70 STREETS, SIDEWALKS AND OTHER PUBLIC WAYS

- (1) *Users of ~~recreation~~ paths*: As permitted under section 78-94.
- (2) *Prohibited users of ~~recreation~~ paths*: As prohibited under section 78-95.
- (3) *Special rules*. Paths are for *pedestrians and authorized micromobility means of* transportation and public recreation. No individual or group shall engage in hazardous activities on the paths. Such hazardous activities shall include but are not limited to the following:
 - a. Racing of any form, except for special events approved by the city.
 - b. Blocking of public access, except for special events approved by the city.
 - c. None of the prohibited users (subsection (2)) shall use the path system bridges or *path* underpasses *and tunnels* for any purpose.
 - d. Pedestrians and *authorized micromobility* vehicles shall not *engage in solicitation under section 58-7* or loiter *as to block passage of other users* on *the path, ~~pedestrian~~ path* bridges or in *~~pedestrian~~ path* underpasses, *tunnels and adjacent right-of-way under section 50-3*.
 - e. *Use of a handheld cellular telephone, a portable telephone, a text-messaging device, a personal digital assistant, a stand-alone computer, a global positioning system receiver, or similar device while driving.*
 - e. *Unlawful assembly under section 40-14.*
 - f. *Excessive noise as prohibited under section 42-304.*
 - f. *Harassment, threat of battery, simple assault and battery, aggravated assault.*

NOTE:

Path users complain of continued incidents of distracted cart drivers, bicyclists and all forms of harassment, assault and battery by teens.

GA Code 40-6-241 - Distracted driving; restrictions on operation of wireless telecommunications devices and stand-alone electronic devices; penalty; exceptions

GA Code § 40-1-1 MOTOR VEHICLES AND TRAFFIC GENERAL PROVISIONS

(43.5) "Personal transportation vehicle path" or "PTV path" means a right of way under the jurisdiction and control of this state or a local political subdivision thereof designated for use by personal transportation vehicle drivers.

- (4) *Path Rules ~~of the road~~*.
 - a. Normal *traffic* rules of the road *and for sidewalks* apply to the paths. For instance, when approaching oncoming path users, each user shall move to his right side of the path. Passing shall be on the left side. *Pedestrians may elect to travel on the left side or right side of the path considering path conditions and safety. Pedestrians and the disabled always have the right-of-way regardless of direction of travel.*
 - b. Any vehicle *including motorized carts and LSV* using paths during darkness must use headlights and *taillights. Bicycles must use a front white light and rear red light after dark or* must have *appropriate* approved rear red reflectors. *All pedestrians and other authorized modes are strongly encouraged to use head lamps or flashlights during darkness.*

NOTES: GA CODE § 40-6-296: (a) Every bicycle when in use at nighttime shall be equipped with a light on the front which shall emit a white light visible from a distance of 300 feet to the front and with a light on the back which shall emit a red light visible from a distance of 300 feet to the rear. Any bicycle equipped with a red reflector on the rear that is approved by the Department of Public Safety shall not be required to have a light on the rear of the bicycle.

- c. Each user shall be considerate of the welfare and safety of other users. Dangerous conduct will not be tolerated.
- d. Littering on the paths shall be subject to twice the fines and penalties as littering on the streets. All litter shall be deposited in the receptacles provided.
- e. *All motorized cart and LSV crashes with other path and street users causing personal injury or property damage including impacts with trees must be reported.*

~~(5) —Liability. Each person using the paths is liable for his own actions.~~

NOTE: This liability section is redundant and deficient to Sec. 78-97 Liability.

ARTICLE III. *NATURAL SURFACE* ~~NATURE~~ TRAILS

Sec. 70-40. Generally.

Natural Surface Trails means a path with a natural surface tread made by clearing and grading the native soil. The City has authority to regulate the type of devices which may be used upon such trails. Natural Surface Trails shall hereafter be referred to as trails.

NOTE:

Georgia Code 40-6-303 is the only definition of natural surface trails with local authority to regulate such trail use.

(3) This subsection shall not apply to a bicycle path or shared use path designated for nonmotorized vehicles if such path has a natural surface tread made by clearing and grading the native soil with no added surface materials. The types of devices which may be used upon such trails may be regulated by the local authority or state agency having jurisdiction over such path.

Boardwalk means a structure, usually made of wood and without a paved or poured surface, whose primary purpose is to provide access to a recreation or nature area. Boardwalks may be connected to both paths and natural surface trails.

NOTE:

Georgia Code 12-5-232 is a conservation and natural resources code specified for coastal waters and shore protection. Use of boardwalks in Georgia communities for traversing wetlands in greenspace is widespread. In Peachtree City, the most significant uses are in the Flat Creek Nature Area to include the 1800 ft boardwalk near McIntosh Recreation Center and the bridge over the Flat Creek at Gardner Park.

(6) "Boardwalk" or "crosswalk" means a nonhabitable structure, usually made of wood and without a paved or poured surface of any kind, whose primary purpose is to provide access to or use of the beach, while maintaining the stability of any sand dunes it traverses.

(1) *It shall be lawful to operate, ride, or in any manner to locate on the trails and boardwalks in designated recreation and greenspace areas which are marked with signs an adaptive bicycle, bicycle or a rated Class I electric bicycle.*

(2) *It shall be lawful to operate, drive, or in any manner to locate on the trails and boardwalks in designated recreation, greenspace and nature areas which are marked with signs the following mobility aids for people with disabilities on those trails where it is determined safe by the City to operate:*

- (a) *Manually-powered mobility aids to include wheelchairs, adaptive bicycles, walkers, crutches and canes;*
- (b) *Other Power-Driven Mobility Devices registered for disabled use to include powered wheelchairs, adaptive Class-I electric bicycles, EPAMD and motorized carts.*

(a) (3) It shall be unlawful to operate, drive, or in any manner cause to locate on the ~~dirt~~ trails ~~and other nature trails~~ which are marked with signs ~~required in this section the following vehicles:~~ any other vehicle not identified above and defined in section 78-91.

(1) ~~An electric or gasoline powered golf cart;~~

(2) ~~An electric or traditional bicycle;~~

(3) ~~Automobile;~~

(4) ~~Minibike;~~

(5) ~~Moped;~~

(6) ~~Go cart; and~~

(7) ~~Electric or gasoline powered scooter.~~

(b) (4) All trails and boardwalks which are governed by this section shall be marked with a sign indicating authorized micromobility devices at all points of entrance to the trail from parks and other recreational area parking spaces, streets, and ~~recreation~~ paths.

(c) (5) The nature area trails which are governed by this section are Flat Creek Nature Area, ~~Trail and~~ Line Creek Nature ~~Trail.~~ Area, and the Somerby Woods Nature Area.

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Chapter 70 STREETS, SIDEWALKS AND OTHER PUBLIC WAYS

ARTICLE I. IN GENERAL

Sec. 70-2. Minimum design standards for streets, *sidewalks and shared-use paths*.

All streets, *sidewalks and shared-use paths* constructed in the city shall be done so in accordance with the minimum design standards established in the subdivision regulations of the city, *to include published city design standards and the latest specifications of the American Association of State Highway and Transportation Officials (AASHTO), the Manual on Uniform Traffic Control Devices (MUTCD), Georgia Department of Transportation Design Policy Manual including DPM Chapter 9 (Complete Streets), and Public Right-of-Way Accessibility Guidelines (PROWAG).* (see appendix B). Such streets, *sidewalks and paths* must meet such minimum design standards regardless of whether they are in a platted subdivision, ~~or in unplatted areas and in industrial and commercial areas must meet such minimum design standards.~~

ARTICLE II. *SHARED-USE PATH SYSTEM*

Shared use path means a pathway physically separated from motorized vehicular traffic by an open space or barrier and either within the highway right of way or within an independent right of way and used by bicycles, pedestrians, manual and motorized wheelchairs, and other authorized motorized and nonmotorized users. Shared-use paths shall hereafter be referred to as paths.

NOTE:

All the national level highway design standards use either "shared use path" or "shared path" so we should follow suit.

GA Code § 40-1-1 MOTOR VEHICLES AND TRAFFIC GENERAL PROVISIONS

(43.5) "Personal transportation vehicle path" or "PTV path" means a right of way under the jurisdiction and control of this state or a local political subdivision thereof designated for use by personal transportation vehicle drivers

(56.1) "Shared use path" means a pathway physically separated from motorized vehicular traffic by an open space or barrier and either within the highway right of way or within an independent right of way and used by bicycles, pedestrians, manual and motorized wheelchairs, and other authorized motorized and nonmotorized users.

Sec. 70-36. Use.

All persons using the path system in the city shall abide by the following rules and regulations:

PART II - CODE OF ORDINANCES
Chapter 70 STREETS, SIDEWALKS AND OTHER PUBLIC WAYS

- (1) *Users of ~~recreation~~ paths*: As permitted under section 78-94.
- (2) *Prohibited users of ~~recreation~~ paths*: As prohibited under section 78-95.
- (3) *Special rules*. Paths are for *pedestrians and authorized micromobility means of* transportation and public recreation. No individual or group shall engage in hazardous activities on the paths. Such hazardous activities shall include but are not limited to the following:
 - a. Racing of any form, except for special events approved by the city.
 - b. Blocking of public access, except for special events approved by the city.
 - c. None of the prohibited users (subsection (2)) shall use the path system bridges or *path* underpasses *and tunnels* for any purpose.
 - d. Pedestrians and *authorized micromobility* vehicles shall not *engage in solicitation under section 58-7* or loiter *as to block passage of other users* on *the path, ~~pedestrian~~ path* bridges or in *~~pedestrian~~ path* underpasses, *tunnels and adjacent right-of-way under section 50-3*.
 - e. *Use of a handheld cellular telephone, a portable telephone, a text-messaging device, a personal digital assistant, a stand-alone computer, a global positioning system receiver, or similar device while driving.*
 - e. *Unlawful assembly under section 40-14.*
 - f. *Excessive noise as prohibited under section 42-304.*
 - f. *Harassment, threat of battery, simple assault and battery, aggravated assault.*

NOTE:

Path users complain of continued incidents of distracted cart drivers, bicyclists and all forms of harassment, assault and battery by teens.

GA Code 40-6-241 - Distracted driving; restrictions on operation of wireless telecommunications devices and stand-alone electronic devices; penalty; exceptions

GA Code § 40-1-1 MOTOR VEHICLES AND TRAFFIC GENERAL PROVISIONS

(43.5) "Personal transportation vehicle path" or "PTV path" means a right of way under the jurisdiction and control of this state or a local political subdivision thereof designated for use by personal transportation vehicle drivers.

- (4) *Path Rules ~~of the road~~*.
 - a. Normal *traffic* rules of the road *and for sidewalks* apply to the paths. For instance, when approaching oncoming path users, each user shall move to his right side of the path. Passing shall be on the left side. *Pedestrians may elect to travel on the left side or right side of the path considering path conditions and safety. Pedestrians and the disabled always have the right-of-way regardless of direction of travel.*
 - b. Any vehicle *including motorized carts and LSV* using paths during darkness must use headlights and *taillights. Bicycles must use a front white light and rear red light after dark or* must have *appropriate approved rear red* reflectors. *All pedestrians and other authorized modes are strongly encouraged to use head lamps or flashlights during darkness.*

NOTES: GA CODE § 40-6-296: (a) Every bicycle when in use at nighttime shall be equipped with a light on the front which shall emit a white light visible from a distance of 300 feet to the front and with a light on the back which shall emit a red light visible from a distance of 300 feet to the rear. Any bicycle equipped with a red reflector on the rear that is approved by the Department of Public Safety shall not be required to have a light on the rear of the bicycle.

- c. Each user shall be considerate of the welfare and safety of other users. Dangerous conduct will not be tolerated.
- d. Littering on the paths shall be subject to twice the fines and penalties as littering on the streets. All litter shall be deposited in the receptacles provided.
- e. *All motorized cart and LSV crashes with other path and street users causing personal injury or property damage including impacts with trees must be reported.*

~~(5) —Liability. Each person using the paths is liable for his own actions.~~

NOTE: This liability section is redundant and deficient to Sec. 78-97 Liability.

ARTICLE III. *NATURAL SURFACE* ~~NATURE~~ TRAILS

Sec. 70-40. Generally.

Natural Surface Trails means a path with a natural surface tread made by clearing and grading the native soil. The City has authority to regulate the type of devices which may be used upon such trails. Natural Surface Trails shall hereafter be referred to as trails.

NOTE:

Georgia Code 40-6-303 is the only definition of natural surface trails with local authority to regulate such trail use.

(3) This subsection shall not apply to a bicycle path or shared use path designated for nonmotorized vehicles if such path has a natural surface tread made by clearing and grading the native soil with no added surface materials. The types of devices which may be used upon such trails may be regulated by the local authority or state agency having jurisdiction over such path.

Boardwalk means a structure, usually made of wood and without a paved or poured surface, whose primary purpose is to provide access to a recreation or nature area. Boardwalks may be connected to both paths and natural surface trails.

NOTE:

Georgia Code 12-5-232 is a conservation and natural resources code specified for coastal waters and shore protection. Use of boardwalks in Georgia communities for traversing wetlands in greenspace is widespread. In Peachtree City, the most significant uses are in the Flat Creek Nature Area to include the 1800 ft boardwalk near McIntosh Recreation Center and the bridge over the Flat Creek at Gardner Park.

(6) "Boardwalk" or "crosswalk" means a nonhabitable structure, usually made of wood and without a paved or poured surface of any kind, whose primary purpose is to provide access to or use of the beach, while maintaining the stability of any sand dunes it traverses.

(1) *It shall be lawful to operate, ride, or in any manner to locate on the trails and boardwalks in designated recreation and greenspace areas which are marked with signs an adaptive bicycle, bicycle or a rated Class I electric bicycle.*

(2) *It shall be lawful to operate, drive, or in any manner to locate on the trails and boardwalks in designated recreation, greenspace and nature areas which are marked with signs the following mobility aids for people with disabilities on those trails where it is determined safe by the City to operate:*

- (a) *Manually-powered mobility aids to include wheelchairs, adaptive bicycles, walkers, crutches and canes;*
- (b) *Other Power-Driven Mobility Devices registered for disabled use to include powered wheelchairs, adaptive Class-I electric bicycles, EPAMD and motorized carts.*

(a) (3) It shall be unlawful to operate, drive, or in any manner cause to locate on the ~~dirt~~ trails ~~and other nature trails~~ which are marked with signs ~~required in this section the following vehicles:~~ any other vehicle not identified above and defined in section 78-91.

(1) ~~An electric or gasoline powered golf cart;~~

(2) ~~An electric or traditional bicycle;~~

(3) ~~Automobile;~~

(4) ~~Minibike;~~

(5) ~~Moped;~~

(6) ~~Go cart; and~~

(7) ~~Electric or gasoline powered scooter.~~

(b) (4) All trails and boardwalks which are governed by this section shall be marked with a sign indicating authorized micromobility devices at all points of entrance to the trail from parks and other recreational area parking spaces, streets, and ~~recreation~~ paths.

(c) (5) The nature area trails which are governed by this section are Flat Creek Nature Area, ~~Trail and~~ Line Creek Nature ~~Trail.~~ Area, and the Somerby Woods Nature Area.

This draft dated August 10, 2025 is of proposed changes to Peachtree City Municipal Ordinances.

This draft does not represent an official adopted position of the City or any advisory group.

Chapter 70 STREETS, SIDEWALKS, AND OTHER PUBLIC WAYS

ARTICLE I. IN GENERAL

Sec. 70-2. Minimum design standards for streets, sidewalks, and multi-use paths.

- (a) All streets, sidewalks, and multi-use paths constructed in the city shall be done so in accordance with the minimum design standards established in the subdivision regulations of the city (see appendix B); with any published design standards issued by the city; and the latest standards of the American Association of State Highway and Transportation Officials (AASHTO), the Manual on Uniform Traffic Control Devices (MUTCD), Public Right-of-Way Accessibility Guidelines (PROWAG), and the Georgia Department of Transportation (GDOT) Design Policy Manual Chapter 9, "Complete Streets."
- (b) ~~Such streets, sidewalks, and multi-use paths~~ must meet ~~these~~ minimum design standards provided in subsection (a) regardless of whether they are in a platted subdivision, industrial area, commercial area, or an unplatted area. ~~All streets in unplatted areas and in industrial and commercial areas must meet such minimum design standards.~~
- (c) As used in this section, the term "multi-use path" shall have the same meaning as provided for in section 78-91.

Sec. 70-3. Use of rights-of-way, removal of unattended property.

- (a) No person shall leave a vehicle other than a motor vehicle or trailer attached thereto, boat, equipment, or other personal property unattended upon the public sidewalks, multi-use paths, streets, alleys, walkways, parks, parking lots, rights-of-way, or other public lands of the city or upon state rights-of-way without obtaining an encroachment permit or event permit. Unattended property may be removed, impounded, sold in conformance to city ordinances or state laws, or disposed of as trash. As used in this section 70-3, such property shall be considered abandoned if it is left unattended overnight.
- (b) No person shall erect any unpermitted structure, tent, or barricade, or install stakes or other hazardous items or items that block driver or pedestrian visibility in or upon the public sidewalks, multi-use paths, streets, alleys, walkways, parks, parking lots, rights-of-way, or other public lands of the city or upon state rights-of-way within the city limits. No person shall place blankets, tarps, or other personal property in or upon the public sidewalks, multi-use paths, streets, alleys, walkways, parks, parking lots, rights-of-way, or other public lands of the city or upon state rights-of-way within the city limits overnight or place such items prior to dawn on the day of a special event. Any such items may be removed, impounded, sold in conformance to city ordinances or state laws, or disposed of as trash.
- (c) This article shall not apply to signs placed in conformance with chapter 66 of this Code.
- (d) All issues pertaining to abandoned vehicles shall be handled in accordance with state law.
- (e) As used in this section, the term "multi-use path" shall have the same meaning as provided for in section 78-91.

Commented [BH1]: Not a big deal, but other places in the ordinances use the Oxford comma (that is: a, b, and c instead of a, b and c).

Commented [BH2]: Minor grammatical fixes. Separated into subsections. Added cross-reference to "multi-use path" that we will define in section 78-91.

Commented [BH3]: This wasn't in Keith's original draft. The only thing changed here was to update "path" to "multi-use path" and provide the cross-reference definition.

ARTICLE II. PATH SYSTEM

Sec. 70-36. Use of the path system.

(a) *Definitions.* As used in this section, the following terms shall have the same meaning as provided for in section 78-91:

(1) "multi-use path."

(2) "authorized micromobility vehicle."

(b) *Path users, permitted and prohibited.* The only authorized users of the multi-use path system shall be authorized micromobility vehicles as permitted under section 78-94. No other persons or vehicles may use the multi-use path system, including those prohibited under section 78-95.

(c) *Purpose of paths and prohibited hazardous activities.* The purpose of the multi-use path system and specific prohibited activities are as provided for in section 78-96.

(d) *Multi-use path operating regulations.* All traffic operating upon the multi-use path system shall follow the traffic regulations provided for in Article III of Chapter 78.

All persons using the path system in the city shall abide by the following rules and regulations:

(1) *Users of recreation paths:* As permitted under section 78-94.

(2) *Prohibited users of recreation paths:* As prohibited under section 78-95.

(3) *Special rules.* Paths are for transportation and public recreation. No individual or group shall engage in hazardous activities on the paths. Such hazardous activities shall include but are not limited to the following:

a. Racing of any form, except for special events approved by the city.

b. Blocking of public access, except for special events approved by the city.

c. None of the prohibited users (subsection (2)) shall use the path system bridges or underpasses for any purpose.

d. Pedestrians and vehicles shall not loiter on pedestrian bridges or in pedestrian underpasses.

(4) *Rules of the road.*

a. Normal rules of the road apply to the paths. For instance, when approaching oncoming path users, each user shall move to his right side of the path. Passing shall be on the left side.

b. Any vehicle using paths during darkness must use headlights and must have appropriate reflectors.

c. Each user shall be considerate of the welfare and safety of other users. Dangerous conduct will not be tolerated.

d. Littering on the paths shall be subject to twice the fines and penalties as littering on the streets. All litter shall be deposited in the receptacles provided.

(5) *Liability.* Each person using the paths is liable for his own actions.

Commented [BH4]: "Rip and replace" of this section. Divided it into sections and added catchlines (the *italic* headings that explain each subsection).

Commented [BH5]: Add cross-reference definitions.

Commented [BH6]: Combined the permitted and prohibited users, since all this is just a cross reference. If it is really desired to keep them separate, this could be changed to (b)(1) and (b)(2).

Commented [BH7]: Moved to Chapter 78. I think we should consolidate as much as possible as opposed to having half of the rules here and half of the rules there.

Commented [BH8]: Instead of duplicating the work, I think we should just cross-reference it once to the most common place that people look, like in subsection (b) above.

I honestly feel that most people don't look at the ordinances at all. But if they do, I bet they look at Chapter 78, "Traffic" and Article III, "Motorized Carts" over Chapter 70, "Streets, Sidewalks and Other Public Ways."

PART II - CODE OF ORDINANCES
Chapter 70 - STREETS, SIDEWALKS AND OTHER PUBLIC WAYS
ARTICLE III. NATURE TRAILS

ARTICLE III. NATURAL SURFACE TRAILS

Sec. 70-40. Generally-Definitions.

(a) As used in this article, the term “natural surface trails” includes the trails located at:

- (1) Flat Creek Nature Area.
- (2) Line Creek Nature Area.
- (3) Somerby Woods Nature Area.
- (4) Any other area the City Manager designates as a nature area.

(b) As used in this article, the following terms shall have the same meaning as provided in section 78-91:

- (1) “adaptive bicycle.”
- (2) “authorized micromobility vehicle.”
- (3) “automobile.”
- (4) “bicycle.”
- (5) “electric bicycle,” including the definitions of the classification of an electric bicycle as a class I, II, or III electric bicycle.
- (6) “minibike.”
- (7) “mobility aid.”
- (8) “moped.”
- (9) “motorcycle.”
- (10) “motorized cart.”
- (11) “motor vehicle.”
- (12) “multi-use path.”
- (13) “off-road vehicle.”
- (14) “other power-driven mobility device.”
- (15) “scooter.”

Sec. 70-41. Access to natural surface trails.

(a) Pedestrian access to all trails. Unless otherwise marked with a temporary or permanent sign under section 70-42, pedestrians shall be permitted to access all natural surface trails in designated recreation and greenspace areas.

(b) Permitted vehicle access to all trails. It shall be lawful to operate, ride, drive, or otherwise locate on the natural surface trails in designated recreation and greenspace areas the following classes of vehicles:

- (1) Bicycles.
- (2) Adaptive bicycles.

Commented [BH9]: We’ve got space here in the section numbers; let’s use it instead of cramming everything together.

I will make the same recommendation in Chapter 78, Article III.

Commented [BH10]: Optional. Does the City Council want to have to approve each one if there are more? Do we think there will be more?

City Council can always amend this to **remove** one if the City Manager adds something they don’t like.

Commented [BH11]: Cross-referenced terms to Section 78-91.

Commented [BH12]: This section would give one clean place to who can and cannot access the trails.

Commented [BH13]: Pedestrians have access unless a sign prohibits it.

Commented [BH14]: These vehicles always have access unless a sign prohibits it (see subsection (e) below).

(3) Class I electric bicycles.

(c) Permitted vehicle access to trails for persons with disabilities allowed when determined to be safe. In addition to the vehicles permitted to access the natural surface trails under subsection (b), the following classes of vehicles are permitted to access the natural surface trails when operated by or for a person with disabilities; the city has determined that this access can be provided without affecting the reasonable safety of other persons; and the city's determination of safe access has been properly marked with a sign under section 70-42:

(1) Mobility aids that are not self-propelled or assisted.

(2) Other power-driven mobility devices.

(3) Motorized carts that have been registered for use by or for a person with disabilities.

(d) Prohibited vehicle access to trails. It shall be unlawful to operate, ride, drive, or otherwise locate on the natural surface trails in designated recreation and greenspace areas any vehicle not permitted under subsections (b) or (c), including as examples the following classes of vehicles:

(1) Authorized micromobility vehicles for the multi-use path system, except as provided in subsections (b) and (c).

(2) Automobiles.

(3) Motorcycles.

(4) Minibikes.

(5) Mopeds.

(6) Scooters.

(7) Off-road vehicles.

(8) Any other motor vehicle.

(e) Modification of vehicle access rules by properly posted sign. The right of any class of vehicles to access the natural surface trails under subsections (b) and (c) may be removed upon the posting of a sign providing notice of such access restrictions at the entrance to the natural surface area as provided for in section 70-42.

(f) Exceptions to vehicle access prohibitions. Subsection (d) shall not prohibit access to the natural surface trails by any vehicle operated by city personnel in the maintenance of the trail, law enforcement, code enforcement, or any other approved activity.

Sec. 70-42. Posting of signs at natural surface trails.

(a) (1) Authority to place signs. The Public Works Division, and any other city personnel that the City Manager or their designee permits, shall have the authority to post signs at the entrance to the natural surface trails from parks and other recreational area parking spaces, streets, and the multi-use path system.

(2) Obedience to signs. When such signs are properly placed, every person shall obey the instructions of such signs.

(3) Presumptions. When such signs are placed, it shall be presumed that they were properly placed and by the lawful authority of the city unless shown otherwise by competent evidence.

(b) Enforcement restrictions. No offense shall be committed by a person for violating the access restrictions provided for in section 70-41 unless a sign was properly placed at the entrance to the natural surface trail; provided that upon the proper identification of a law enforcement officer or code enforcement officer to a person on the natural surface trail and the presentation of the provisions of section 70-41 to such person on

Commented [BH15]: These vehicles have access when:

- 1.They are operated by or for a person with disabilities (I added "for" to include a scenario where someone drives a disabled person who cannot drive themselves).
- 2.The city has determined that safe access can be provided.
- 3.The city has posted a sign that safe access is provided.

Commented [BH16]: These vehicle may never use the trails, unless they are on official city business (see subsection (f) below).

Commented [BH17]: Any permitted vehicle can have access revoked if a sign is posted.

Commented [BH18]: City vehicles have access for necessary functions.

Commented [BH19]: This section then governs the signing of trails.

Commented [BH20]: Who can place the signs, the signs must be obeyed, and the signs are assumed to be properly placed unless shown otherwise.

Commented [BH21]: There's really just 2 ideas here.

- 1.If the city fails to post a sign, the restriction should not be enforceable.
- 2.However, if a law enforcement or code enforcement officer meets an offender, shows them the ordinance terms, and the person then refuses to leave, that should be punished under the city's obstruction offense.

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(Supp. No. 55, Update 1)

the natural surface trail, the refusal of such person to leave the natural surface trail would constitute an offense under section 50-2.

- ~~(a) It shall be unlawful to operate, drive, or in any manner cause to locate on the dirt trails and other nature trails which are marked with signs required in this section the following vehicles:~~
- ~~(1) An electric or gasoline powered golf cart;~~
 - ~~(2) An electric or traditional bicycle;~~
 - ~~(3) Automobile;~~
 - ~~(4) Minibike;~~
 - ~~(5) Moped;~~
 - ~~(6) Go-cart; and~~
 - ~~(7) Electric or gasoline powered scooter.~~
- ~~(b) All trails which are governed by this section shall be marked with a sign at all points of entrance to the trail from parks and other recreational areas, streets, and recreation paths.~~
- ~~(c) The trails which are governed by this section are Flat Creek Nature Trail and Line Creek Nature Trail.~~

Chapter 78 TRAFFIC

ARTICLE I. IN GENERAL

Sec. 78-1. State rules of the road—Adoption by reference.

(a) Adoption of state traffic regulations. Pursuant to Chapter 6 of Title 40 of the O.C.G.A., §§ 40-6-372 through 40-6-376, the provisions of Chapter 6 of Title 40 known as the Uniform Rules of the Road and the definitions contained in Code Section § 40-1-1 are hereby adopted as and for the traffic regulations of this city with like effect as of recited herein, except for:

- (1) Code Section § 40-6-330, as the city has already established operating standards for personal transportation vehicles (as defined in O.C.G.A. § 40-1-1(43.4)) prior to January 1, 2012.
- (2) Part 6 of Article 13 of the Uniform Rules of the Road, Code Sections §§ 40-6-363 through 40-6-369.1, which shall have no application to the city pursuant to O.C.G.A. § 40-6-367 as the city had ordinances authorizing the operation of PTVs (as defined in O.C.G.A. § 40-1-1(43.4)) enacted prior to January 1, 2012.
- (3) Article 14 of the Uniform Rules of the Road, Code Sections §§ 40-6-370 through 40-6-376, which govern the powers of local authorities and have no application with respect to the local authority governing the powers of itself or another local authority.
- (4) Any offense, including a violation of O.C.G.A. §§ 40-6-270(b) or 40-6-393, for which state law prohibits the offense being charged as a violation of a local ordinance and which the offense must be charged as a violation of state law.

(b) Applicability. The state traffic regulations adopted in subsection (a) shall apply to the public streets, sidewalks, and multi-use paths of the city.

(c) Clarification of traffic regulations. Unless expressly stated otherwise, the definitions of terms and explanation of traffic regulations in this chapter shall be construed as clarifying the state traffic regulations adopted in subsection (a) and not as replacing those traffic regulations.

(d) Citation of a violation of state traffic regulations as an ordinance violation. Pursuant to O.C.G.A. § 40-6-375, it shall be sufficient for any violation of the state traffic regulations adopted in subsection (a) to be charged as an offense under this section 78-1 provided that a Uniform Traffic Citation and Complaint form developed under the authority of O.C.G.A. § 40-13-1 and provided by Rules 375-3-4-.01 and 375-3-4-.02 of the Rules and Regulations of the State of Georgia is used.

~~The Georgia Uniform Rules of the Road, Title 40, Chapter 6 of the Official Code of Georgia Annotated and any subsequent amendments thereto, are adopted to regulate traffic upon the public streets of the city.~~

Sec. 78-5. Reckless or careless operation of a ~~motor~~ vehicle.

It shall be unlawful for any person in charge of a ~~motor~~ vehicle to operate the vehicle in a careless or reckless manner. The ~~motor~~ vehicle must be operated with due regard to the safety of persons upon the streets, sidewalks, multi-use paths, and public places, and in such manner as to avoid a collision. This section shall not be construed as permitting the use of a vehicle on a sidewalk or the multi-use path system that is not otherwise authorized.

Commented [BH22]: Re-adopt State traffic laws.

Commented [BH23]: The 4 exceptions here are:
1. Establishing PTV standards (we already have).
2. The rules for establishing PTV standards (we already have prior to the January 1, 2012 date).
3. The rules governing local authorities (we ARE the local authority – so no need to readopt the rules that govern ourselves; we can't cite ourselves).
4. Certain violations that state law says local authorities cannot enforce as ordinance violations.

Commented [BH24]: Apply traffic regulations on all applicable areas, not just "public streets."

Commented [BH25]: Allows us to meet Keith's concern – we can still explain traffic definitions or laws here, but we aren't supplanting State law.

Commented [BH26]: Technical amendment that allows LEOs to use the UTC to issue offense violations. May not be necessary.

Commented [BH27]: Expand coverage to include all vehicles, not just motor vehicles. State law for reckless covers all vehicles.

Sec. 78-6. Vehicle involved in a collision with a parked vehicle.

No driver of any vehicle shall operate that vehicle in a manner so as to collide with a parked vehicle or cause damage to the property of a second party.

Commented [BH28]: No edits, just worth noting that this is in the ordinances and applies to all vehicles. There is no location restriction here, so applies on sidewalks and paths too.

Sec. 78-7. Failure to have vehicle under control.

(a) ~~Collision with object deemed failure to have vehicle under control.~~ No driver of any vehicle shall operate that vehicle in such a manner so as to collide with any object legally placed upon or adjacent to any street, sidewalk, or multi-use path, ~~or highway, nor~~

Commented [BH29]: Separate into two subsections for better clarity. Expand coverage to sidewalks and multi-use paths.

(b) ~~Entering or leaving street, sidewalk, or multi-use path where unauthorized deemed failure to have vehicle under control.~~ No driver shall ~~a driver~~ operate a vehicle so that the vehicle leaves or enters any street, sidewalk, or multi-use path ~~or roadway~~ except at an intersection or driveway.

Sec. 78-12. ~~Reserved.~~ Use of available bicycle paths.

~~Notwithstanding any other provision of this chapter or any ordinance, it shall be unlawful for anyone to ride a bicycle on the streets of the city where a paved bicycle path is available along the same route.~~

Commented [BH30]: Based on conversation at meeting, we cannot regulate sidewalks in the desired way because (1) State law and (2) the sidewalks are in GDOT right of way. Therefore, recommend repealing this section.

It is still useful to get it off the books so that no one is confused.

ARTICLE III. ~~MOTORIZED CARTS~~MICROMOBILITY VEHICLES

Sec. 78-91. Findings; definitions.

- (a) ~~Finding that authorized micromobility vehicles are safe to use within the city.~~ The city council finds that all streets, except those listed in subsection (d), and paved multi-use recreational paths located within the territorial boundaries of the city and under its jurisdiction are designed and constructed so as to safely permit their use by operators of authorized micromobility vehiclesmotorized carts, electric bicycles, and low speed motor vehicle ("LSMV"), except as stated elsewhere in this article.

- (b) Definitions. The following words, terms and phrases, when used in this ~~chapter~~article, shall have the meanings ascribed to them under state law as provided for in section 78-1, if applicable, and as provided for in this section:

(1) "all-terrain vehicle" shall have the meaning provided for in O.C.G.A. § 40-1-1(3) as a motorized vehicle originally manufactured for off-highway use which is equipped with three or more nonhighway tires, is 80 inches or less in width with a dry weight of 3,500 pounds or less, and is designed for or capable of cross-country travel on or immediately over land, water, snow, ice, marsh, swampland, or other natural terrain.

Commented [BH31]: State law reference (SLR).

(2) a. "adaptive bicycle" shall mean every device propelled by human or electric power upon which any person may ride, having two or more wheels and including upright tricycles, semi-recumbents, tandems, and handcycles, each equipped with special seating, footplates, or headrests to ensure safe, comfortable, and accessible riding for persons of all abilities.

Commented [BH32]: Keith's definition for part (a).

Just added an explanation in part (b) that an "electric adaptive bicycle" or "class X adaptive bicycle" just means a vehicle that is both an adaptive bicycle and an electric bicycle. Keith used the term "adaptive class I electric bicycle," so we need to define/clarify this combination.

b. An adaptive bicycle that is propelled by electric power may also be referred to as an adaptive electric bicycle or as an adaptive class I, class II, or class III electric bicycle, as appropriate.

(3) "automobile" shall mean a passenger vehicle primarily designed to legally travel on the highways of this state that usually has an engine capable of propelling the vehicle over 35 miles per hour.

(4) "bicycle" shall have the meaning provided for in O.C.G.A. § 40-1-1(6) as every device propelled by human power upon which any person may ride, having only two wheels which are in tandem and either of which is more than 13 inches in diameter.

Commented [BH33]: SLR.

(5) "dealer" shall have the meaning provided for in O.C.G.A. § 40-1-1(11) as a person engaged in the business of buying, selling, or exchanging vehicles who has an established place of business in this state.

Commented [BH34]: SLR.

(6) a. "electric bicycle" shall have the meaning provided for "electric assisted bicycle" in O.C.G.A. § 40-1-1(15.3) as a device with two or three wheels which has a saddle and fully operative pedals for human propulsion and also has an electric motor having a power output of not more than 750 watts.

Commented [BH35]: a)SLR.

b)Dealers must label and advertise correctly. Persons modifying the class must update the label. Failure to do so makes a vehicle that was called "an electric bicycle" not be one.

c)Classifications of electric bicycles based on SLR.

b. Electric bicycles operated in the city on streets or multi-use paths shall be required to comply with the labeling and equipment requirements of O.C.G.A. § 40-6-302. No dealer shall advertise or sell an electric bicycle within the city as an electric bicycle if it does not meet these requirements. No person shall modify an electric bicycle without replacing the label as required. Any vehicle purporting to be an electric bicycle that does not meet the requirements of this subitem shall not be considered as an electric bicycle.

c. Electric bicycles shall be classified in accordance with O.C.G.A. § 40-6-300 into class I electric bicycles, class II electric bicycles, and class III electric bicycles. No vehicle shall be an electric bicycle that does not meet the definition of a class of electric bicycle. Class I and class III electric bicycles provide assistance only when the operator is pedaling; class II electric bicycles may provide assistance through a throttle mechanism. Class I and class II electric bicycles have a maximum speed with the assistance of the motor of 20 mph; class III electric bicycles have a maximum speed with the assistance of the motor of 28 mph.

(7) a. "electric personal assistive mobility device" or "EPAMD" shall have the meaning provided for in O.C.G.A. § 40-1-1(15.4) as a self-balancing, two nontandem wheeled device designed to transport only one person and having an electric propulsion system with average power of 750 watts (1 horsepower) and a maximum speed of less than 20 miles per hour on a paved level surface when powered solely by such propulsion system and ridden by an operator who weighs 170 pounds.

b. Examples of EPAMDs include Segways and other similar devices.

(8) a. "electric play vehicle" shall mean an electric scooter, electric skateboard, electric unicycle or other device that is self-propelled by an electric motor with a maximum speed of up to 20 miles per hour designed to carry one person at a time, equipped with one or two wheels.

b. Any vehicle otherwise defined in item (20) as a "motorized cart"; item (13) as a "low speed vehicle"; item (21) as a "motor vehicle"; item (18) as a "motorcycle"; item (6) as a "electric bicycle"; item (7) as an "EPAMD"; or item (27) as a power wheelchair shall not be considered an electric play vehicle.

(9) a. "golf car" or "golf cart" shall have the meaning provided for in O.C.G.A. § 40-11(17.3) as any motorized vehicle designed for the purpose and exclusive use of conveying one or more persons and equipment to play the game of golf in an area designated as a golf course. For such a vehicle to be considered a golf car or golf cart, its average speed shall be less than 15 miles per hour (24 kilometers per hour) on a level road surface with a 0.5 percent grade (0.3 degree) comprising a straight course composed of a concrete or asphalt surface that is dry and free from loose material or surface contamination with a minimum coefficient of friction of 0.8 between tire and surface.

b. Any vehicle not used for the purpose of moving people or equipment at an area designated as a golf course shall not be considered a golf cart, but shall be considered another type of vehicle. For example, a vehicle referred to as a golf cart that is operated on the streets or multi-use paths is a motorized cart as defined in item (20) or a LSV as defined in item (13).

c. The traffic regulations adopted under this chapter shall have no application to a golf cart as so defined, but they shall apply to any vehicle referred to as a golf cart that is not a golf cart because it is operated outside of a designated golf course area as provided for in subitem b, except as otherwise provided for by O.C.G.A. § 40-6-3.

(10) "gross weight" shall have the meaning provided for in O.C.G.A. § 40-1-1(18) as the weight of a vehicle without load plus the weight of any load thereon.

(11) a. "highway" or "street" shall have the meaning provided for in O.C.G.A. §§ 40-1-1(19) and 40-1-1(63) as the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

b. Multi-use paths are declared to be highways or parts of highways, as appropriate.

(12) a. "intersection" shall have the meaning provided for in O.C.G.A. § 40-1-1(22)(A) as the area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or

Commented [BH36]: a)SLR.

b)Example of an EPAMD, since most people will likely not be familiar with this.

Commented [BH37]: Just split the primary definition and exceptions into separate parts.

Commented [BH38]: a)SLR.

b)Clarifies that a "golf cart" that is operated on a public area instead of golf course ceases to be a "golf cart" and becomes some other form of vehicle, usually a PTV or LSV.

c)Under state law, most traffic regulations do not apply to "golf carts" as so defined, because they are operated on private property. However there are offenses – like DUI – that apply to all vehicles anywhere in the state, so added the SLR for that.

Commented [BH39]: SLR.

Commented [BH40]: This is a proposed NEW definition.

a)SLR.

b)Declare multi-use paths to be part of highways as defined by state law. They almost certainly already are, but this gives firmer footing to applying traffic regulations since state traffic law generally only applies on highways.

Commented [BH41]: This is a proposed NEW definition.

a)SLR.

b)This is really the key point and it is to address a concern – when is the path part of an intersection or not? If we adopt state law on this, then we get an easy answer – 30 feet or less.

approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

b. The rules provided for in O.C.G.A. § 40-1-1(22)(B) governing the definition of intersections of highways with multiple roadways shall apply to intersections that contain a multi-use path crossing. Where the multi-use path crossing is less than 30 feet from the intersection, the multi-use path crossing shall be considered part of the same intersection. Where the multi-use path crossing is 30 feet or more from the intersection, it shall be considered a separate intersection.

(13) a. "low speed vehicle" or "LSV" shall have the meaning provided for in O.C.G.A. § 40-1-1(25.1) as any four-wheeled 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 or converted to comply with standards based upon those federal motor vehicle safety standards for low-speed vehicles set forth in 49 C.F.R. Section 571.500, as amended.

b. As provided in the definition of item (9), golf cart, a vehicle referred to as a golf cart that is operated on a public street or multi-use path may be an LSV.

c. Any motor vehicle that has a top speed greater than 25 miles per hour shall not be considered an LSV.

(14) a. "miniature on-road vehicle" shall mean any motorized vehicle with four or more wheels, operates over 25 miles per hour and is designed and manufactured for use upon roadways in another country that has been imported into the United States and is not designed or manufactured as a golf cart as provided in item (9), an all-terrain vehicle as provided in item (1), or a multipurpose off-highway vehicle as provided in O.C.G.A. § 40-1-1(33.1).

b. Examples of miniature on-road vehicles include Kei vehicles.

(15) "minibike" shall mean two-wheeled vehicle which is propelled by an internal combustion engine, electric motor in excess of 750 Watts or other mechanical means, is capable of carrying a rider and/or passenger at a speed in excess of 20 miles per hour, and is designed to replicate the general appearance of a motorcycle, regardless of the scale of the replication.

(16) "mobility aid" shall mean an EPAMD as defined in item (8), a power wheelchair as defined in item (27), and scooters, that are used indoors or outdoors for the express purpose of enabling mobility for a person with a disability.

(17) a. "moped" shall have the meaning provided for in O.C.G.A. § 40-1-1(28) as a motor driven cycle equipped with two or three wheels, with or without foot pedals to permit muscular propulsion, and an independent power source providing a maximum of two brake horsepower. If a combustion engine is used, the maximum piston or rotor displacement shall be 3.05 cubic inches (50 cubic centimeters) regardless of the number of chambers in such power source. The power source shall be capable of propelling the vehicle, unassisted, at a speed not to exceed 30 miles per hour (48.28 kilometers per hour) on level road surface and shall be equipped with a power drive system that functions directly or automatically only, not requiring clutching or shifting by the operator after the drive system is engaged.

b. Any motor vehicle that has a top speed greater than 30 miles per hour or a power source exceeding 2 horsepower (1,500 Watts) shall not be considered a moped. Any motor vehicle powered by a combustion engine with a piston or rotor displacement exceeding 50 cubic centimeters shall not be considered a moped.

(18) "motorcycle" shall have the meaning provided for in O.C.G.A. § 40-1-1(29) as every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in

Commented [BH42]: a)SLR.

b)Reminder that "golf carts" on public areas cease to be "golf carts" and may be LSVs.

c)It's already in the SLR, but explicit statement that if your vehicle exceeds 25 mph, it cannot be an LSV.

Commented [BH43]: Proposed new definition from Keith.

a)The proposed SLR that did not pass.

b)An example.

Commented [BH44]: This was an existing definition as "pocket bike." I believe this meets Keith's intent, but "minibike" was not elsewhere defined.

Commented [BH45]: Keith used this term but did not define it.

Commented [BH46]: a)SLR.

b)Explicit reminders that vehicles that exceed 30 mph, 2 horsepower / 1,500 W, or 50 cc displacement (if combustion engine) cannot be mopeds.

Commented [BH47]: SLR.

contact with the ground, but excluding a tractor, an all-terrain vehicle as defined in item (1), and a moped as defined in item (17).

(19) "motor-driven cycle" shall have the meaning provided for in O.C.G.A. § 40-1-1(30) as every motorcycle, with a motor which produces not to exceed five brake horsepower, and every moped.

(20) a. "motorized cart" shall have the meaning provided for "personal transportation vehicle" or "PTV" in O.C.G.A. § 40-1-1(43.4)(A) as any motor vehicle having no fewer than three wheels and an unladen weight of 1,300 pounds or less and which cannot operate at more than 20 miles per hour.

b. The term "personal transportation vehicle" or "PTV" shall mean the same as "motorized cart."

c. As provided in the definition of item (9), golf cart, a vehicle referred to as a golf cart that is operated on a public street or multi-use path may be a motorized cart.

d. Any motor vehicle that has a top speed greater than 20 miles per hour shall not be considered a motorized cart.

e. Pursuant to the definition provided for in O.C.G.A. § 40-1-1(43.4), the term "motorized cart" does not include mobility aids as defined in item (16), an all-terrain vehicle as defined in item (1), and a multipurpose off-highway vehicle as defined in O.C.G.A. § 40-1-1(33.1).

(21) "motor vehicle" shall have the meaning provided for in O.C.G.A. § 40-1-1(33) as every vehicle which is self-propelled other than a personal delivery device as defined in item (26), an electric bicycle as defined in item (6), or an EPAMD as defined in item (7).

(22) a. "motorized play vehicle" shall mean a coaster, minibike as defined in item (15), any other alternatively fueled device, or other motor vehicle that is self-propelled by a motor engine, whether gas or electric.

b. Any vehicle otherwise defined in item (20) as a "motorized cart"; item (13) as a "low speed vehicle"; item (21) as a "motor vehicle"; item (18) as a "motorcycle"; item (6) as a "electric bicycle"; item (7) as an "EPAMD"; or item (27) as a power wheelchair shall not be considered a motorized play vehicle.

(23) a. "multi-use path" or "path" shall mean a paved area that is generally at least 10 feet wide that is designed or intended for use by authorized micromobility vehicles and pedestrians.

b. Multi-use path shall generally mean the same as a "shared use path" as defined in O.C.G.A. § 40-1-1(56.1), but to the extent that there is any conflict between the meaning of the terms, the definition in subitem a shall control for the purposes of this chapter.

(24) "off-road vehicle" shall mean any recreational motor vehicle designed for or capable of cross-country travel on or immediately over land, water, snow, ice, marsh, swampland, or other natural terrain and not intended for use predominantly on public roads. The term includes, but is not limited to, four-wheel drive vehicles, low-pressure tire vehicles, two-wheel vehicles, nonhighway tire vehicles, amphibious machines, ground effect or air cushion vehicles, and any other means of transportation deriving power from any source other than muscle or wind.

(25) "other power-driven mobility device" shall mean power wheelchairs as defined in item (27) and adaptive class I electric bicycles as defined in item (2).

(26) "personal delivery device" shall have the meaning provided for in O.C.G.A. § 40-1-1(43.1) as a powered vehicle that utilizes an automated driving system to transport cargo, is not designed to transport passengers, and has a maximum unladen weight of 500 pounds or a maximum weight of 600 pounds when carrying any cargo.

Commented [BH48]: SLR.

Commented [BH49]: a)SLR.

b)PTV means the same as motorized cart under SLR.

c)Reminder that a "golf cart" operated on a public area ceases to be a "golf cart" and may be a PTV.

d)Explicit statement that any vehicle that exceeds 20 mph cannot be a PTV.

e)SLR note that mobility aids, ATVs, and MPOHVs cannot be PTVs.

Commented [BH50]: SLR.

Commented [BH51]: Split primary definition and exceptions of other vehicles.

Commented [BH52]: Existing definition with a reference to "shared use path" which is what we generally mean, but this is an area where we DO override the SLR to the extent that there is any conflict.

Commented [BH53]: This is a proposed new definition from Keith. There technically is a SLR for this, but it cannot be automatically adopted as it isn't in OCGA 40 Ch. 6 or in 40-1-1.

Commented [BH54]: Keith used this term but didn't explicitly define it.

Commented [BH55]: SLR.

(27) "power wheelchair" shall mean a self-propelled wheelchair that is used by a physically disabled person for mobility.

Commented [BH56]: This was previously defined as a "motorized wheelchair" but Keith used power wheelchair.

(28) "scooter" shall mean a vehicle ridden usually while standing that consists of a narrow footboard mounted between or atop two wheels tandem, that has an upright steering handle attached to the front wheel

Commented [BH57]: This is a proposed NEW definition. State law doesn't explicitly define this, so it's from the dictionary. We prohibit this class of vehicle in a couple of places (natural trails), so we should define it.

(29) a. "sidewalk" shall mean a paved area that is generally 5 feet wide or less that is designed or intended only for the use of pedestrians and not for use by authorized micromobility vehicles.

Commented [BH58]: Same as for multi-use path. We generally mean the same as the SLR, but we override if there is conflict.

b. Sidewalk shall generally mean the same as the term is defined in O.C.G.A. § 40-1-1(57), but to the extent that there is any conflict between the meaning of the terms, the definition in subitem a shall control for the purposes of this chapter.

(c) Authorized micromobility vehicles defined. For the purposes of this chapter, authorized micromobility vehicles shall be the vehicles permitted to use the multi-use paths as provided in section 78-94 and shall exclude the vehicles prohibited by section 78-95. As explained in those sections, any motor vehicle designed operated in a mode that permits a speed in excess of 20 miles per hour is not an authorized micromobility vehicle and is prohibited from the path system.

Commented [BH59]: Authorized micromobility devices are those that are permitted under 78-94.

(d) Prohibited streets. Prohibited streets are those streets where authorized micromobility vehicles are not permitted to be operated except for clearly marked authorized crossings of these streets and where state law otherwise permits the operation of a class of authorized micromobility vehicle. The prohibited streets include:

Commented [BH60]: This gives a single list of prohibited streets.

(1) Highway 54.

(2) Highway 74.

(3) Peachtree Parkway.

(4) Senoia Road.

(5) Rockaway Road.

(6) Kelly Drive.

(7) McIntosh Road.

(8) MacDuff Parkway.

(9) Crosstown Road from its intersection with Highway 74 to its intersection with Peachtree Parkway.

All-terrain vehicle means any motorized vehicle designed for off-road use which is equipped with three or more low-pressure tires and with a seat to be straddled by the operator and with handlebars for steering control.

Automobile means a passenger vehicle primarily designed to legally travel on the highways of this state that usually has an engine capable of propelling the vehicle over 35 miles per hour.

Bicycle means every device propelled by human power upon which any person may ride, having only two wheels which are in tandem and either of which is more than 13 inches in diameter.

Dealer means a person engaged in the business of buying, selling, or exchanging vehicles who has an established place of business in this state.

Electric bicycle means a device with two or three wheels which has a saddle and fully operative pedals for human propulsion and also has an electric motor. For such a device to be considered an electric assisted bicycle, it shall meet the requirements of the Federal Motor Vehicle Safety Standards, as set forth in 49 C.F.R. Section 571, et seq., and shall operate in such a manner that the electric motor disengages or ceases to function when the brakes are applied. The electric motor in an electric assisted bicycle shall:

- ~~(1) Have a power output of not more than 1,000 watts;~~
- ~~(2) Be incapable of propelling the device at a speed of more than 20 miles per hour on level ground; and~~
- ~~(3) Be incapable of further increasing the speed of the device when human power alone is used to propel the device at or more than 20 miles per hour.~~

Electric personal assistive mobility device or EPAMD means a self-balancing, two non-tandem wheeled device designed to transport only one person and having an electric propulsion system with average power of 750 watts (one horsepower) and a maximum speed of less than 20 miles per hour on a paved level surface when powered solely by such propulsion system and ridden by an operator who weighs 170 pounds.

Electric play vehicle means an electric scooter, electric skateboard, electric unicycle or other device that is self-propelled by an electric motor with a maximum speed of up to 20 miles per hour designed to carry one person at a time, equipped with one or two wheels, and is not otherwise defined in this Code as a "motorized cart," "low speed motor vehicle (LSMV)," "motor vehicle," "motorcycle," "electric bicycle," "electric personal assistive mobility device (EPAMD)," or "motorized wheelchair."

Gross weight means the weight of a vehicle without load plus the weight of any load thereon.

Low speed motor vehicle or LSMV 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.

Moped means a motor driven cycle equipped with two or three wheels, with or without foot pedals to permit muscular propulsion, and an independent power source providing a maximum of two brake horsepower. If a combustion engine is used, the maximum piston or rotor displacement shall be 3.05 cubic inches (50 cubic centimeters) regardless of the number of chambers in such power source. The power source shall be capable of propelling the vehicle, unassisted, at a speed not to exceed 30 miles per hour (48.28 kilometers per hour) on level road surface and shall be equipped with a power drive system that functions directly or automatically only, not requiring clutching or shifting by the operator after the drive system is engaged.

Motorcycle means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor, all-terrain vehicle, dirt bike, and moped.

Motor driven cycle means every motorcycle, including every motor scooter, with a motor which produces not to exceed five brake horsepower, every bicycle with a motor attached, and every moped.

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

Motorized play vehicle means a coaster, pocket bike, any other alternatively fueled device, or other motorized vehicle that is self-propelled by a motor engine, gas or electric, and is not otherwise defined in this Code as a "motorized cart," "low speed motor vehicle (LSMV)," "motor vehicle," "motorcycle," "electric bicycle," "electric play vehicle," "electric personal assistive mobility device" or "motorized wheelchair."

Motorized wheelchair means a self-propelled wheelchair that is used by a physically disabled person for mobility.

Pocket motorcycle or pocket bike means a two-wheeled vehicle other than a motor vehicle, bicycle with helper motor or a motorized scooter and which is propelled by an internal combustion engine, electric motor or other mechanical means, is capable of carrying a rider and/or passenger at a speed in excess of 20 miles per hour, and is designed to replicate the general appearance of a motorcycle, regardless of the scale of the replication.

Recreation path means a paved area of generally six feet or more in width that is designed or intended for multi-use such as pedestrians, bicyclists, motorized carts, or any other approved use.

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~~Sidewalk means a paved area of generally five feet in width or less that is designed or intended for the use of pedestrian traffic only.~~

Sec. 78-92. Registration, ~~decals~~, and transfer requirements.

- (a) *Motorized carts.* It shall be the duty of every owner of an electric or gasoline-powered motorized cart that is operated over the ~~multi-use/recreation~~ paths and streets and those areas accessible by the public within the corporate limits of the city to register the cart with the city within ten business days of the date of purchase. Two numerical decals shall be issued upon registration; and a record of each motorized cart number, along with the name and address of the owner, shall be maintained by the finance division. The decals must be affixed to the sides of the cart in such a manner as to be fully visible at all times. The failure to have a current registration and decal on a motorized cart shall be a violation of this section and subject the owner of such cart to the penalties set forth in section 1-11.
- (1) *Registration fee.* The registration fee shall be \$15.00 per year for each cart. Registered carts shall display the required numbered decal issued by the finance division.
- (2) *Nonresident user fee.* In addition to the registration fee, an annual path system user fee shall be established by the mayor and city council and be charged for each cart registered by nonresidents of the city. The nonresident fee is due by January 31 each year and shall be paid annually until such time as the cart is released and decals are returned to the city.
- (3) *Assessment and proration of fees.*
- a. Resident registration fees shall be assessed as follows:
 1. Registration year: \$45.00 (for the subsequent three-calendar year period);
 2. Year 1 - \$45.00 (\$30.00 on or after July 1);
 3. Year 2 - \$30.00 (\$15.00 on or after July 1);
 4. Year 3/new registration year - \$15.00 (\$45.00 for subsequent three-year period after registration renewals commence).
 - b. Nonresident fees shall be assessed annually and shall be due by January 31 of the calendar year covered. The nonresident fee shall be prorated for carts purchased after January 31 of the first calendar year of ownership as follows:
 1. Registration on or after April 1 - 75 percent;
 2. Registration on or after July 1 - 50 percent;
 3. Registration on or after October 1 - 25 percent.

Failure to pay the annual registration and nonresident user fee by January 31 will result in a \$20.00 penalty and the cart shall be considered an unregistered cart after January 31 until such time as the annual fees and penalties are paid.
 - c. Golf cart rental companies located within the city limits may register rental fleet carts annually.
 - d. Assessed registration and nonresident user fees shall remain with the cart and attached decals. Recovery of these fees upon the sale of a cart shall be part of the negotiated price between seller and buyer.
- (4) *Registration and payment deadline.* If a cart is not registered within ten business days of purchase, a \$20.00 penalty will be applied in addition to the registration fee; and the cart shall be considered an unregistered cart after the ten-business-day period. If the registration is not renewed within the designated renewal period of a registration year, a \$20.00 penalty will be applied in addition to the registration fee.

Commented [BH61]: Only real changes here are cleaning up LSMV to LSV and one note on EPAMDs.

Commented [BH62]: I'm not going to fight the battle here, but I will state that on the record, the city's registration fees are not lawful because they conflict with OCGA 40-6-331.

(5) *Transfers.* Upon occurrence of a sale of the cart to another person who shall operate the cart over the ~~multi-user~~~~recreation~~ paths and streets of the city, the registration must be transferred to the new owner within ten business days of the change in ownership at a cost of \$15.00. If the new owner is not a city resident, the nonresident fees for the balance of the year shall be prorated as described in paragraph (3) above. If the registration is not transferred within ten business days, a \$20.00 penalty will be applied in addition to the \$15.00 transfer charge; and the cart shall be considered an unregistered cart after the ten-business-day period. Dealers acquiring a registered cart exclusively for resale (non-rental) shall not be required to pay the transfer charge, but shall notify the city of the transfer within ten business days of receiving the cart, and of the ultimate disposition of the cart within ten business days of sale.

(6) *Special tourism events.* Council may, at its discretion, waive registration requirements for special events of a limited duration to which out-of-city residents may bring carts as participants.

Registration requirements will be waived for a five-day period beginning July 2 and ending July 6 for the annual 4th of July activities.

(7) *Homeowner relocation.* In the event that a registered motorized cart owner changes his/her address or contact information after the motorized cart is registered, that owner shall have 60 days to provide their new contact information to the finance division. If the ownership information is not updated within 60 days of relocation, a \$20.00 penalty will be applied and the cart shall be considered an unregistered cart after the 60-day period.

City residents relocating outside the corporate city limits shall be responsible for the annual nonresident user fee for all registered carts. The fee shall be prorated for the first year of payment as described in paragraph (3) above.

(b) *Gasoline carts.*

(1) Every gasoline powered motorized cart shall at all times be equipped with an exhaust system in good working order and in constant operation, meeting the following specifications:

- a. The exhaust system shall include the piping leading from the flange of the exhaust manifold to and including the muffler and exhaust pipes or include any and all parts specified by the manufacturer.
- b. The exhaust system and its elements shall be securely fastened, including the consideration of missing or broken brackets or hangers.
- c. The engine and powered mechanism of every cart shall be so equipped, adjusted and tuned as to prevent the escape of excessive smoke or fumes.

(2) It shall be unlawful for the owner of any gasoline powered motorized cart to operate or permit the operation of such cart on which any device controlling or abating atmospheric emissions, which is placed on a cart by the manufacturer, to render the device unserviceable by removal, alteration or which interferes with its operation.

(3) State law (O.C.G.A. § 40-2-20) requires that gasoline powered motorized carts must be registered and tagged with the county tag office. In addition, because these vehicles must be registered, they must be insured. However, the enforcement of this portion of state law rests with the county tag office, and the city will not verify it as part of the registration process. A violation of this portion of state law may be enforced by other law enforcement officers.

Commented [BH63]: This might be worth adding to the ordinance, even though the city doesn't enforce this part.

(c) *Rental carts.* Cart dealers and distributors, as well as other commercial establishments, may rent carts to the public for use on the ~~multi-user~~~~recreation~~ paths and streets and those areas accessible by the public of the city. Each such establishment renting carts shall be required to register each such rental cart in accordance with subsections (a) and (b) of this section and shall maintain a written record of each person who rents each

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cart. Renters shall be required to furnish positive identification, shall be provided a copy of this article to read, and must be at least 16 years of age. The registration fee and transfer fees and regulations shall be the same as those in subsections (a) and (b).

- (d) *Electric personal assistive mobility device (EPAMD).* EPAMDs shall be subject to the same registration requirements outlined above in subsections (a) and (c).
- (e) *Age, number of registrants limited.* Only those persons 18 years of age or older may register a motorized cart. Cart registration may be in one person's name only, and the registration form must be signed by that person.
- (f) *LSMV.* No ~~LSMV~~ shall be operated on the paved ~~multi-use/recreational~~ paths or streets located within the territorial boundaries of the city unless it is legally registered and insured according to laws of the state. LSVs are registered with the county tag office and are not registered with the city.

Commented [BH64]: This may not be enforceable. The city can regulate the operation of EPAMDs, but there is no authority to require registration.

Sec. 78-93. Traffic regulations on the multi-use path system generally.~~Operation regulations.~~

(a) Operating regulations by class of vehicle. Special local traffic regulations for specific classes of authorized micromobility vehicles on the multi-use path system are provided as follows:

- (1) For motorized carts, special operating regulations are provided in section 78-101.
- (2) For LSVs, special operating regulations are provided in section 78-102.
- (3) For EPAMDs, special operating regulations are provided in section 78-103.
- (4) For electric play vehicles, special operating regulations are provided in section 78-104.
- (5) For bicycles and electric bicycles, special operating regulations are provided in section 78-105.

(b) Special local traffic regulations applicable to all users of the path system. In addition to the special local traffic regulations provided for in subsection (a) for specific classes of vehicles and in subsection (c) from adopted state law, special local traffic regulations applicable to all traffic on the multi-use paths are as provided for in subsection 78-100.

(c) State traffic regulations apply to the multi-use path system. As provided in section 78-1, the Uniform Rules of the Road apply to the multi-use path system. Examples of the traffic regulations that apply to the path system include, but are not limited to the following list:

(1) In general.

- a. Obedience to authorized persons directing traffic. Traffic on the multi-use path system must obey the lawful orders of any law enforcement officer or other person empowered to direct traffic on the multi-use path system (O.C.G.A. § 40-6-2).
- b. Sound volume limitations. Operators of vehicles on the multi-use path system must comply with the restrictions on creating noise provided for in section 42-304 (O.C.G.A. § 40-6-14).

(2) Traffic signs, signals, and markings.

- a. Obedience to traffic-control devices. Traffic on the multi-use path system must obey and properly posted traffic-control devices, including signs indicating that specific classes of authorized micromobility vehicles must not cross a particular highway (O.C.G.A. § 40-6-20).
- b. Pedestrian control signals. Pedestrians on the multi-use path must obey any pedestrian control signals at signalized intersections or at pedestrian hybrid beacons (HAWK crossings) (O.C.G.A. § 40-6-22). For a special local traffic regulation that the drivers of vehicles on the paths must also obey pedestrian control signals, see section 78-100.
- c. Unauthorized signs, signals, or markings. No person may display any sign that purports to be a traffic control device that has not been placed under the authority of the city on the multi-use path (O.C.G.A. § 40-6-25).

(3) Driving on right side of roadway, overtaking and passing, following too closely.

- a. Driving on the right and exceptions. Vehicles driven on the multi-use path system shall be driven to the right side of the path unless overtaking another vehicle or pedestrian or an obstruction on the path requires the vehicle to be driven to the left of center. Any vehicle driving to the left of the center of the path shall yield to all oncoming traffic, including pedestrians. No two vehicles shall be driven side by side on the path in a manner that prevents other traffic from approaching from the opposite direction or passing (O.C.G.A. § 40-6-40).

Commented [BH65]: Big proposed revision to this section.

Main idea: the existing information was very hard to parse, because it threw the rules for every class of vehicle together. Let's instead point people to (1) here are the specific rules for that class of vehicle and (2) the remainder of this section are the general rules that apply to everyone.

Commented [BH66]: The idea here is to split operating regulations by the class of vehicle instead of having one big long list.

That way, people would really only need to look at 2 (maybe 3) sections.

- 1.The remainder of this section, which is really just re-iterating state law and OUGHT to be known to drivers anyways (but we have all seen 54/74, etc.).
- 2.The special local regulations that apply to ALL vehicles.
- 3.And then whatever local regulations apply to their vehicle.

Commented [BH67]: This is the general rule list noted above. For each subsection, it aligns with state law (OCGA 40, Ch. 6). Where possible, each item contains a SLR.

Also, if we want to remove some of these that is fine with me. I just gave all the SLRs that I thought would be applicable, and then we can trim back.

Commented [BH68]: This is basically referencing the “no left/through/right” signs for carts that the city puts up, although it would cover any sign.

Commented [BH69]: Special rule for discussion based on some of our previous meetings – should we require all path users to obey pedestrian signals (and quit posting contradictory STOP signs)?

- b. Passing vehicles proceeding in opposite directions. When vehicles approach each other from opposite directions on the multi-use path, they shall pass each other on the right and shall each give at least one-half of the path to the other (O.C.G.A. § 40-6-41).
- c. Passing vehicles proceeding in the same direction. The driver of a vehicle passing another vehicle proceeding in the same direction on the multi-use path shall pass to the left at a safe distance and shall not move back to the right of the path until clear of the overtaken vehicle. The driver of a vehicle being passed on the path shall give way to the right in favor of the overtaking vehicle upon audible signal and shall not increase their speed until completely passed (O.C.G.A. § 40-6-42).
- d. Passing restrictions. No driver of a vehicle on the multi-use path shall overtake another vehicle proceeding in the same direction on the path under subitem c unless the left side of the path is free of traffic, including pedestrians, for a sufficient distance to permit the pass to be made without interfering with that approaching traffic, if any, on the path. The passing vehicle shall return to the right side of the path as soon as practicable and in all cases before coming within 200 feet of any approaching traffic, including pedestrians, on the path (O.C.G.A. § 40-6-44).
- e. No passing zones. No driver of a vehicle on the multi-use path shall overtake for any reason when approaching a grade or crest where the view of the driver is obstructed and they cannot see oncoming traffic, including pedestrians on the path; at any railroad grade crossing of the multi-use path; or within 100 feet of any multi-use path system bridge, tunnel, or underpass. This shall not be construed as restricting left turns when made safely or when a vehicle must be driven to the left of center to pass an obstruction on the path provided that the driver yields to oncoming traffic as provided for in subitem a (O.C.G.A. § 40-6-45).
- f. No lanes. The multi-use path system is not considered to be divided into lanes for traffic. All paths are unlaned (O.C.G.A. § 40-6-48).
- g. Following too closely. No driver of a motor vehicle on the multi-use path system shall follow another vehicle so closely that the driver cannot stop if the leading vehicle were to stop for any reason, including left turns or an obstruction. Drivers shall maintain assured clear distance ahead while on the path (O.C.G.A. § 40-6-49).
- h. Three feet while passing cyclists. A minimum of 3 feet is required when passing cyclists in any motor vehicle on the path (O.C.G.A. § 40-6-56).

(4) Right of way.

- a. Applicability to the path system. The provisions of this item (4) shall apply on the multi-use path system. For a special local traffic regulation governing when vehicles on the multi-use path interact with traffic on a roadway with traffic designed for automobiles, see section 78-100.
- b. Uncontrolled intersections or simultaneous arrival. When two vehicles on the multi-use path system arrive at an intersection on the path system that has no traffic-control devices or arrive at an intersection that does have traffic-control devices at all directions at approximately the same time, the vehicle on the left shall yield to the vehicle on the right (O.C.G.A. § 40-6-70).
- c. Exception for T intersections. When a vehicle on the multi-use path system arrives at an uncontrolled intersection under subitem a where one path terminates into another path that continues (a “T intersection”), the vehicle on the path that is terminating shall yield to all vehicles on the continuous path notwithstanding if it is the vehicle on the left or right (O.C.G.A. § 40-6-70).
- d. Yield when turning left. A vehicle turning left shall yield to oncoming traffic, including pedestrians (O.C.G.A. § 40-6-71).

Commented [BH70]: This actually corresponds to a section called “further limitations on driving on left of center of roadway” but it basically is establishing areas where passing is prohibited and – because we do not mark lanes – there won’t be any no-passing zones marked that way anyways.

Commented [BH71]: There have been changes to the 3 feet for passing rule, but because the minimum speed when passing a cyclist is 25 mph and there are no lanes, the only applicable part of the rule is the old 3 foot requirement.

e. *Stops and yields.* Preferential right of way may be indicated by STOP or YIELD signs, and the driver of every vehicle on the multi-use path system shall obey the instructions of every such device unless otherwise directed by a law enforcement officer or other person empowered to direct traffic (O.C.G.A. § 40-6-72). For a special local traffic regulation when leaving the multi-use path system, see section 78-100. STOP and YIELD signs posted on the multi-use path system at or near an intersection of a roadway designed for automobile traffic shall be treated as a single intersection or a separate intersection under the rules provided for in section 78-91.

Commented [BH72]: Reference to special rule when leaving the path system.

e. *Entering or crossing the path system.* The driver of any vehicle, including those operating an automobile or other class of vehicle that is not an authorized micromobility vehicle, who is crossing the multi-use path system from private property shall yield the right of way to all vehicles on the multi-use path system (O.C.G.A. § 40-6-73).

f. *Yielding to emergency, maintenance, construction, and other city personnel.* The driver of any vehicle on the multi-use path system shall yield to emergency and other authorized vehicles on the paths as they would on any other highway (O.C.G.A. §§ 40-6-74 and 40-6-75).

(5) *Pedestrians.*

a. *Subject to traffic regulations.* Pedestrians are subject to these traffic regulations, unless otherwise directed by a law enforcement officer or other person empowered to direct traffic (O.C.G.A. § 40-6-90).

b. *Drivers to exercise due care.* The driver of any vehicle on the multi-use path must exercise due care to avoid any collision with a pedestrian and shall give warning by sounding a horn when necessary (O.C.G.A. § 40-6-93). For a special local traffic regulation when passing pedestrians, see section 78-100.

Commented [BH73]: Reference to use of horn or audible signal when passing pedestrians.

c. *Blind pedestrians.* The driver of every vehicle on the multi-use path system shall yield to any blind pedestrian who is carrying a cane or stick that is white or who is accompanied by a guide dog (O.C.G.A. § 40-6-94).

d. *Direction of pedestrian travel.* Because the multi-use path systems are not considered laned roadways as provided for in item (3)f, pedestrians may use either direction when traveling on the multi-use path system. Drivers of vehicles on the paths shall yield to pedestrians regardless of their direction of travel, and pedestrians shall not be obligated to yield to vehicles except as necessary to avoid collisions or as otherwise provided in this chapter. Nothing in this subitem shall relieve a pedestrian from their duty to exercise due care for their safety and the safety of others (O.C.G.A. § 40-6-96).

(6) *Turning, starting, signaling.*

a. *U-turns.* No vehicle shall be turned to proceed in the opposite direction on the multi-use path on a curve; on a crest of a grade; or where the turn cannot be made safely without interfering with other traffic (O.C.G.A. § 40-6-121).

b. *Starting parked vehicle.* When a vehicle is parked on the multi-use path, the driver shall not start the vehicle until determining that such movement can be made with reasonable safety (O.C.G.A. § 40-6-122).

c. *Turning movements and signaling.* No driver of a vehicle on the multi-use path system shall turn until determining that such movement can be made with reasonable safety. Prior to turning, the driver shall give a signal of their intention to turn right or left for a sufficient time to alert other traffic, including pedestrians. Turn signals may be indicated by an electric turn signal or by hand (O.C.G.A. §§ 40-6-123 through 40-6-125).

d. Slowing and signaling. When slowing or stopping, the driver of a vehicle on the multi-use path system shall provide a signal to a vehicle in the rear unless the circumstances reasonably prevent them from having the time to do so. Such signal may be given by a brake light or by hand signals (O.C.G.A. §§ 40-6-123 through 40-6-125).

(7) Negotiating railroad crossings, sidewalk restrictions.

a. Railroad crossings. The drivers of vehicles on the multi-use path system shall obey the same requirements for railroad crossings on any other highway, including the requirements to stop and wait until it is safe to proceed when there is a signal of an approaching train; to not proceed through or around any closed crossing gate or while the gate is moving; to slow to a speed where they can stop if necessary when no signal is provided of an approaching train; and to wait if there is not enough space to drive completely over the crossing without stopping (O.C.G.A. § 40-6-140).

b. Sidewalks. No vehicle may be driven from the multi-use path system onto a sidewalk unless expressly authorized to do so.

(8) School buses. When a physical separation other than a painted line is provided for between a multi-use path and the adjacent roadway, that physical separation shall serve to permit the operation of vehicles on the path with caution even though a school bus is stopped on the roadway with its red flashing lights activated. If there is a multi-use path crossing perpendicular to where the school bus is stopped, vehicles may use the path crossing with caution, provided that if they turn into the roadway they would then be required to stop if otherwise required (O.C.G.A. § 40-6-163).

(9) Speed restrictions.

a. State traffic regulations not adopted for multi-use path system generally. For purposes of speed enforcement, traffic on the multi-use path system shall not be subject to any speed zone enforcement under O.C.G.A. § 40-6-183. Therefore, the provisions of O.C.G.A. §§ 40-6-180 through 40-6-189 are not adopted, except as provided in subitem b, on the multi-use path system. This limited waiver of adoption of state traffic law shall not be construed as affecting the speed enforcement on any roadway designed for automobile traffic and properly listed in Article II of this chapter.

b. Specific exceptions where state traffic regulations adopted for multi-use path system. Notwithstanding subitem a, the provisions of O.C.G.A. §§ 40-6-180, relating to the basic speed rule; 40-6-184(a), relating to impeding traffic; and 40-6-186, relating to racing are adopted for enforcement on the multi-use path system.

c. Nature of speeding violation on the multi-use path system. The only vehicles that may use the multi-use path system are authorized micromobility vehicles, and these vehicles generally have a top permitted speed of 20 miles per hour. The offense committed when a vehicle is operated on the multi-use path system in excess of 20 mph when not otherwise authorized to do so shall be a violation of sections 78-94 and 78-95 for operating a vehicle that is not an authorized micromobility vehicle as defined in section 78-91.

(10) Stopping, standing, and parking.

a. In general. Parking restrictions are generally established in section 78-17. In addition, specific restrictions that would apply to any other highway, such as stopping in a crosswalk, also apply to the drivers of vehicles on the multi-use path system (O.C.G.A. §§ 40-6-200 through 40-6-228).

b. Obstructing intersection. No vehicle may enter an intersection on the multi-use path system or at a path system crossing unless there is sufficient space to complete the movement without stopping, even if there is a signal shown to proceed (O.C.G.A. § 40-6-205).

Commented [BH74]: I would like to think that people are smart enough to not attempt to beat a train.

Commented [BH75]: Sidewalks are areas that are not part of the path system. These are usually marked with the "no carts" signs noted above.

Commented [BH76]: This might be a point of consideration – should we change how the path interacts with buses? If they are separated by a dividing area, we might not even be able to do so.

c. Parking for persons with disabilities. Designated parking spots for persons with disabilities that are operating authorized micromobility vehicles may be established where properly marked, and only those persons may park in such parking spots. The form of identifying persons who qualify shall be at the discretion of the city. The requirements of this rule shall apply on both the multi-use path system, the city's public property, and private property (O.C.G.A. §§ 40-6-220 through 40-6-228).

(11) Miscellaneous provisions.

a. Backing. No driver of a vehicle on the multi-use path system shall back the vehicle unless the movement can be safely made without interfering with other traffic (O.C.G.A. § 40-6-240).

b. Distracted driving. The penalties for distracted driving under O.C.G.A. § 40-6-241 apply to the operator of any motor vehicle on the multi-use path system as provided in section 70-36.

c. Blocking driver's view or control of vehicle. No person shall drive a vehicle on the multi-use path system when there are more than 3 persons in the front seats of the vehicle so that the driver has an obstructed view of the front or side of the vehicle or the driver's control of the vehicle is interfered with. No passenger shall ride or commit any act which results in the driver violating this subitem (O.C.G.A. § 40-6-242).

d. Littering. For special littering restrictions on the multi-use path system, see section 78-100 (O.C.G.A. § 40-6-249).

Commented [BH77]: Special provisions for littering.

e. Impaired hearing or vision. No person shall operate a motor vehicle while wearing a device that impairs a person's ability to hear or their vision, except that a headset or headphone for communications purposes may be used (O.C.G.A. § 40-6-250).

f. Laying drags. No person shall intentionally drive a motor vehicle on the multi-use path system in a zigzag or circular course, gyrate, or spin around except to avoid a collision, injury, or damage (O.C.G.A. § 40-6-251).

g. Open container. No person shall consume any alcoholic beverage or possess an open alcoholic beverage container in the passenger area of any motor vehicle on the multi-use path system (O.C.G.A. § 40-6-253).

(12) Accidents. The requirements for reporting accidents of vehicles driven on the multi-use path system shall be the same as for any other roadway, including the requirements to provide information to the other party who was struck or the responsible owner of the property that was struck. Failure to do so constitutes hit and run (O.C.G.A. §§ 40-6-270 through 40-6-279).

(13) Special provisions for certain vehicles. Special provisions based on the class of vehicle operated on the multi-use path are as provided for in subsection (a).

(14) Effect of chapter on powers of local authorities. Reserved.

(15) Serious traffic offenses. The provisions of any serious traffic offense, including reckless driving, driving under the influence, homicide by vehicle, serious injury by vehicle, fleeing a law enforcement officer, impersonating a law enforcement officer, and aggressive driving apply to vehicles and persons upon the multi-use path to the maximum extent allowed by state law (O.C.G.A. §§ 40-6-390 through 40-6-397).

(d) Traffic regulations nonexclusive. It shall serve as no defense to a violation of subsection (c) that:

(1) A traffic regulation provided for by state law was not listed as an example in subsection (c).

(2) A serious traffic offense in item (15) of subsection (c) was not listed as an example.

- ~~(a) Those persons who are 16 years of age and older may drive a motorized cart on the recreation paths and/or streets and those areas accessible by the public of the city unless such person has had his or her license to operate a motor vehicle suspended or revoked by the state which issued said license in which case such person shall not be permitted to operate a motorized cart on the recreation paths and/or streets and those areas accessible by the public of the city during the time of suspension or revocation.~~
- ~~(b) Those persons who are 15 years of age but not yet 16 years of age may drive a motorized cart on the recreation paths and/or streets and those areas accessible by the public of the city:~~
- ~~(1) If he or she does not have in his or her possession a valid instructional permit issued by the state pursuant to O.C.G.A. § 40-5-24, as may be amended, and has not had his or her instructional permit suspended or revoked, then he or she shall be accompanied in the front seat by a person at least 18 years of age who holds a valid motor vehicle driver's license or he or she shall be accompanied in the front seat by a parent, grandparent or legal guardian; or~~
- ~~(2) If he or she has in his or her possession a valid instructional permit issued by the state pursuant to O.C.G.A. § 40-5-24, as may be amended, and is unaccompanied by a licensed driver as provided in subsection (b)(1), or is unaccompanied by a parent, grandparent or legal guardian as provided in subsection (b)(1), then he or she may be accompanied in the vehicle by up to one other person who must be at least 15 years of age, or he or she may be accompanied by up to three immediate family members.~~
- ~~(c) Those persons who are 12 years of age but not yet 15 years of age may drive a motorized cart on the recreation paths and/or streets and those areas accessible by the public of the city if they are accompanied in the front seat by a parent, grandparent or legal guardian.~~
- ~~(d) No person under the age of 12 shall be permitted to drive a motorized cart on the recreation paths and/or streets and those areas accessible by the public of the city under any circumstances.~~
- ~~(e) It shall be unlawful for the parent, guardian, or other adult person, having the care and custody of a minor under the age of 17 years, to permit, whether knowingly or through negligent supervision, such minor to violate any provision of this chapter or O.C.G.A. tit. 40.~~
- ~~(f) All operators shall abide by all traffic regulations applicable to vehicular traffic when using the recreation paths, streets and those areas accessible by the public in the city. Where cart paths exist, they must be used in preference to parallel city streets with the exclusion of those cart paths privately owned and maintained by the Flat Creek and Braclinn clubs as part of the golf courses and not used by the general public.~~
- ~~(g) Motorized carts and LSMVs shall not be operated on sidewalks at any time.~~
- ~~(h) Motorized carts may be operated over those authorized streets, recreational paths and those areas accessible by the public only during daylight hours unless such motorized carts are equipped with functional headlights and taillights.~~
- ~~(i) No motorized cart shall be permitted to operate over, along, or across Highway 74, Highway 54, Peachtree Parkway, Senoia Road, Rockaway Road, or Crosstown Road between Peachtree Parkway and Highway 74 within the boundaries of the city except where authorized crossings are provided.~~
- ~~(j) It shall be unlawful for the owner of any motorized cart or LSMV or any other person operating, employing, permitting the use of or otherwise directing the use of such motorized cart or LSMV to operate or permit the operator of any motorized cart or LSMV to drive over the recreational paths, streets or those areas accessible by the public in the city in violation of this article.~~
- ~~(k) LSMV. Only persons possessing a valid license issued by the state, other state of the United States of America, or international agency which permits such person to operate a motor vehicle on the highways of~~

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the state may operate a LSMV on the paved recreational paths or streets located within the territorial boundaries of the city.

- (l) ~~No LSMV shall be permitted to operate on any street of which the posted speed limit exceeds 35 miles per hour. Except as prohibited above, LSMVs shall be permitted to cross over streets of which the posted speed limit exceeds 35 miles per hour.~~
- (m) ~~EPAMD. Only persons possessing a valid driver's license, or in lieu of a driver's license, persons who are at least 18 years of age and older, may operate an EPAMD on the paved recreational paths or streets located within the territorial boundaries of the city.~~
- (n) ~~No EPAMD shall be permitted to operate on, over, along, or across Highway 74, Highway 54, Peachtree Parkway or Crosstown Road between Peachtree Parkway and Highway 74 within the boundaries of the city, except where authorized pedestrian crossings are provided. No EPAMD shall be permitted to operate on any street of which the posted speed limit exceeds 35 miles per hour. Except as prohibited above, EPAMDs shall be permitted to cross over streets of which the posted speed limit exceeds 35 miles per hour.~~
- (o) ~~EPAMDs shall be equipped with the following: front, rear, and side reflectors which shall be visible from a distance of 300 feet when directly in front of lawful upper beams of headlights on a motor vehicle; a system that when employed will enable the operator to bring the device to a controlled stop; and, if the device is operated between one half hour after sunset and one half hour before sunrise, a lamp emitting a white light which, while the device is in motion, illuminates the area in front of the operator for a distance of 300 feet.~~
- (p) ~~No person shall operate an EPAMD at a speed greater than seven miles per hour when traveling on any path or sidewalk or 15 miles per hour or any other city right of way. (This again is limited by state law, see O.C.G.A., § 40-6-322.)~~
- (q) ~~No person shall operate an EPAMD with more than a single user at any time.~~
- (r) ~~All users of electric play vehicles shall wear a properly fitted and fastened bicycle helmet which meets the standards of the American National Standards Institute or the Snell Memorial Foundation's Standards for Protective Headgear for Use in Bicycling or a motorcycle helmet while operating an electric play vehicle on the recreational paths.~~

**Sec. 78-94. Authorized path users and micromobility vehicles.~~Recreation path users—~~
~~Authorized.~~**

(a) The only authorized users of the multi-use path system ~~recreation paths~~ are as follows:

(1) Pedestrians.;

(2) Authorized micromobility vehicles as defined in subsection (b).

(b) Authorized micromobility vehicles defined. The only authorized micromobility vehicles permitted to be operated on the multi-use path system are the following classes of vehicles:

(12) Roller skates, roller blades and skateboarders. ~~(daylight only);~~

(23) Registered electric-powered ~~golf carts or~~ motorized carts.;

(34) Registered gasoline-powered ~~golf carts or~~ motorized carts.;

(45) Emergency and authorized maintenance vehicles.;

(56) Bicycles, including, traditional, adaptive, and electric (as defined in section 78-91).;

(67) ~~Electric and conventional wheelchairs;~~ Wheelchairs and other power-driven mobility devices.

(78) Electric play vehicles (as defined in section 78-91).;

(89) LSMV LSVs provided that such a the vehicle is operated only in a mode or other restriction which does not allow the vehicle to exceed 20 miles per hour. ~~;~~ and

(910) Registered EPAMDs.

(10) Personal delivery devices.

(c) Limitation on operation of certain classes of vehicles outside of daylight hours.

(1) Definition of "daylight hours." For the purposes of this subsection, the term "daylight hours" shall mean 30 minutes after sunrise through 30 minutes prior to sunset.

(2) Restricted vehicles. The following vehicles that would otherwise be authorized micromobility vehicles as defined in subsection (b) shall not be considered authorized micromobility vehicles, and shall be vehicles prohibited from using the multi-use path system during any time outside of daylight hours:

a. Skating only during daylight hours. The vehicles provided for in item (1) of subsection (b), relating to roller skates and skateboards, shall not be operated outside of daylight hours.

b. Motorized carts operating only during daylight hours unless equipped with head lamps and tail lamps. The vehicles provided for in items (2) and (3) of subsection (b), related to motorized carts shall not be operated outside of daylight hours unless the vehicle has functional head lamps and tail lamps as required by O.C.G.A. § 40-6-330.1 for operation at night.

c. Cycling only during daylight hours unless equipped with visibility devices. The vehicles provided for in item (5) of subsection (b) shall not be operated outside of daylight hours unless the vehicle has a functional white light on the front which is visible from 300 feet away and either a functional red light on the rear which is visible from 300 feet away or a red reflector on the rear.

Sec. 78-95. ~~Same—Prohibited uses.~~ Prohibited users of the paths.

Prohibited uses of ~~the multi-user~~~~recreation~~ paths are any users not specifically enumerated in section 78-94 ~~above~~, including, but not limited to, the following:

- (1) Automobiles and trucks (except emergency and authorized maintenance vehicles).;
- (2) Motorcycles.;
- (3) Street and trail motorized bikes or vehicles (not to include electric bicycles).;
- (4) Minibikes and mopeds.;
- (5) Horses.;
- (6) Go-carts.;
- (7) Un-registered ~~electric-powered golf carts or~~ motorized carts, whether gas or electric.;
- ~~(8) Un-registered gasoline-powered golf carts or motorized carts.~~
- ~~(89)~~ Commercially owned or operated electric play vehicles.;
- ~~(910)~~ Motorized play vehicles.;
- (10) Off-road vehicles, including all-terrain vehicles.
- (11) Un-registered ~~LSMs~~.;
- (12) Miniature on-road vehicles.
- ~~(132)~~ Except as permitted in section 78-94, any vehicle designed by the manufacturer or modified by any person to be able to travel at speeds in excess of 20 miles per hour under its own power on a flat surface.;
- ~~and~~
- ~~(13) Un-registered EPAMDs.~~

Commented [BH78]: Is this term sufficiently defined?

Commented [BH79]: Is this term sufficiently defined?

Sec. 78-96. Purpose of the path system and prohibited hazardous activities and special rules.

(a) *Purpose of paths and prohibited hazardous activities.* The multi-use path system is designed for pedestrians and operators of authorized micromobility vehicles for transportation and public recreation. No individual or group shall engage in any hazardous activity on the multi-use path system. Hazardous activities shall include, but are not limited to, the following examples:

- (1) Racing of any form, except for special events approved by the city.
- (2) Blocking of public access, except for special events approved by the city.
- (3) Using any multi-use path system bridge, underpass, or tunnel for any reason by any prohibited user(s) of the multi-use path system as defined in subsection (b) and section 78-95.
- (4) Loitering by a pedestrian or operator of an authorized micromobility vehicle on the multi-use path; any multi-use path system bridge, underpass, or tunnel; or any adjacent right-of-way as provided for in section 50-3.
- (5) Using or holding a wireless telecommunications device while operating any motor vehicle on the multi-use path system as prohibited by O.C.G.A. § 40-6-241.
- (6) Participating in any unlawful assembly as prohibited by section 50-14.
- (7) Causing excessive noise as prohibited by section 42-304.
- (8) Operating a vehicle in a reckless or careless manner as prohibited by section 78-5.
- (9) Failing to have any vehicle under control as prohibited by section 78-7.
- (10) Committing any misdemeanor offense under the laws of the state if the offense is not prosecuted by the state, as provided for in section 50-1. Examples of such prohibited criminal conduct include terroristic threats (O.C.G.A. § 16-11-37), simple assault (O.C.G.A. § 16-5-20), simple battery (O.C.G.A. § 16-5-23), or battery (O.C.G.A. § 16-5-23.1).

(b) *List of prohibited activities and conduct nonexclusive.* It shall serve as no defense to a violation of subsection (a) that:

- (1) A hazardous activity was not listed as an example in subitems (1) through (10).
- (2) A criminal offense was not listed as an example in subitem (10).

(a) Paths are for transportation and public recreation by the various groups of permitted users. No individual or group shall engage in hazardous activities on the paths and streets and those areas accessible by the public. Such hazardous activities, and the special rules pertaining to them, include but are not limited to the following:

- (1) Racing of any form, except for special events approved by the city; and
- (2) Blocking of public access, except for special events approved by the city.

(b) None of the prohibited users in section 78-95 shall use the path system or the bridges and/or their underpasses for any purpose whatsoever.

(c) Pedestrians, skaters and permitted vehicles shall not loiter or park on recreation path bridges or in underpasses.

(d) Normal rules of the road shall apply to the recreation paths. For instance, when approaching oncoming path users, each user shall move to his right side of the path. Passing shall be on the left side of the path.

Commented [BH80]: This is basically previous section (3) just moved down a level because of the subsections created above.

For parallelism purposes, all starting items are changed to -ing verbs.

Commented [BH81R80]: This is pulled from Chapter 70 to put everything in one place.

Commented [BH82]: Keith had several example items here, but we can just reference to the Code. All of the items he mentioned are in the State law version of this term. If desired, we could add them back in as examples.

We do need to clarify "motor vehicles" as that is the State law term. Bicycles and eBikes, for example, cannot be convicted of this offense.

Commented [BH83]: Minor correction to ordinance section.

Commented [BH84]: Added (8) and (9) to reference to chapter 78.

Commented [BH85]: I didn't see "harassment" defined under the ordinances or State law, except for "harassing communications" referring to repeatedly contacting someone by phone, etc.

For the rest, I added in State law references.

Commented [BH86]: This is just a catch-all that "just because we didn't explicitly list it here doesn't mean it's legal."

This may or may not hold up if it were ever challenged.

- ~~(e) Pedestrians should be given due consideration and reasonable right of way by other users of the recreation paths to ensure them safe passage.~~
- ~~(f) A warning or announcement shall be given by operators of golf carts and other users of the recreation paths, such as bicyclists and skaters, when approaching pedestrians from the rear. This warning or announcement may be verbal, but it is recommended that bicyclists and golf cart operators equip their vehicles with a warning device such as a horn or bell. Each user of the recreation paths shall be considerate of the safety and welfare of other users, and dangerous conduct will not be tolerated.~~
- ~~(g) All laws and ordinances relative to alcohol and its use, including open container laws, which apply to traffic on the streets of the city also apply to the recreation paths.~~
- ~~(h) All litter shall be deposited in the receptacles provided along the recreation paths or retained by the path user for proper disposal later. Littering on the recreation paths shall be subject to twice the fines and penalties as littering on the streets.~~
- ~~(i) All users of electric bicycles shall wear a properly fitted and fastened bicycle helmet which meets the standards of the American National Standards Institute or the Snell Memorial Foundation's Standards for Protective Headgear for Use in Bicycling or a motorcycle helmet while operating an electric bicycle on the recreational paths.~~
- ~~(j) No one under the age of 15 shall operate an electric bicycle on the recreational paths.~~
- ~~(k) Seat belts on LSMVs shall be worn by all occupants at all times the vehicle is moving.~~
- ~~(l) All operators and passengers must remain seated at all times during the operation of the golf cart. No person may sit on the operator's lap during the operation of the golf cart.~~
- ~~(m) The driver of any vehicle on the recreation path system shall, prior to leaving the recreation path system to enter or cross a public roadway designed for automobile traffic, stop as though a stop sign were present and yield the right of way to any traffic on said public roadway that is within the intersection or so close thereto as to create a hazard.~~

Sec. 78-976.1. Motorized play vehicle; authorizations; prohibitions; disclosure requirements.

- (a) No motorized play vehicle may be operated on any public street, public roadway, public sidewalk, public park, public or private parking lot, public trail, public ~~shared~~-multi-use path, public bicycle route-path, or ~~any and all~~ other public property in the city.
- (b) Motorized play vehicles are permitted on private residential property with the permission of the property owner. In the case of residential property commonly owned by a homeowner association, the homeowner association may regulate such usage.
- (c) No motorized play vehicle may be operated on any private commercial or ~~/~~industrial property unless the location where the vehicles are to be operated is inaccessible to normal pedestrian or vehicular traffic (such as an enclosed warehouse or fenced parking lot with a locked gate). Motorized play vehicles may be operated on private commercial or ~~/~~industrial property meeting these restrictions with the written permission of the owner, the person entitled to immediate possession of the property, or the authorized agent of either.
- (d) No person shall operate a motorized play vehicle on any private property in a manner causing excessive, unnecessary, or offensive noise which disturbs the peace and quiet of any neighborhood or which causes discomfort or annoyance to a reasonable person of normal sensitivity.
- ~~(e) Reserved.~~

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(ef) It is unlawful for any vendor or merchant to sell motorized play vehicles without making disclosures required by this section. Any merchant or vendor who sells motorized play vehicles within the city shall:

- (1) Post in a prominent place at each location where motorized play vehicles are on display, a notice, on a sign not less than 96 square inches and visible to the public, stating that operation of motorized play vehicles:
 - a. Are prohibited on any public street, public roadway, public sidewalk, public park, public parking lot, public trail, public ~~shared~~ multi-use path, public highway or any part of a highway, public bicycle ~~route-path, or any and all~~ other public property in the city.
 - b. Are allowed to be used on private residential property with owner's written permission.
 - c. Are allowed to be used on private commercial ~~or~~ / industrial property only in areas inaccessible to normal pedestrian or vehicular traffic and only with the written permission of the owner ~~or~~ / agent.
- (2) Provide a copy of such notice to each purchaser of a motorized play vehicle, either before or in connection with the purchase of a motorized play vehicle. If the purchaser is a minor, the minor's parent or legal guardian must sign a receipt of said notice.
- (3) Any motorized play vehicle owned by a governmental entity and which is operated in the performance of authorized duties or activities, is exempt from the provisions of this section.

(fg) Temporary suspension of all or part of this section may be granted by the city council for special events.

Sec. 78-9~~87~~. Liability.

~~Each person using the multi-use paths and public streets is liable for his or her own actions, including for personal injuries and property damage resulting from a crash. Vehicle insurance coverage is required for LSVs and gas-powered motorized carts, and it is recommended for electric motorized cart owners and bicyclists. Users of the multi-use paths and public streets should consider obtaining extended coverage for injuries and property damage resulting from uninsured persons, underinsured persons, and hit and run collisions.~~

~~Each person using the recreation paths is liable for his own actions. Liability insurance coverage varies, and each person operating a golf cart on the recreation paths and public streets and those areas accessible by the public should verify their coverage.~~

Sec. 78-9~~98~~. Penalties.

- (a) Any person who violates the terms of this article, except section 78-93(b), (c) or (d), shall be punished as provided in section 1-11; except that any fine for a littering offense shall be doubled.
- (b) Any violation of subsections 78-93 (b), (c), or (d) shall be charged against the registered owner of the motorized cart, and all fines and penalties shall be levied against the registered owner of the motorized cart as follows:
 - (1) For the first offense, a fine of not less than \$250.00.
 - (2) For the second offense, a fine of not less than \$500.00.
 - (3) For a third offense committed within one year of conviction for a second offense for a motorized cart, a fine of \$1,000.00, and the registered owner's motorized cart registration shall be revoked. The registered owner or family member cannot thereafter register a motorized cart for use in the city for a period of two years following the third conviction.
- (c) Any violation by an ~~owner or~~ operator of a LSMV shall be charged against the operator according to the provisions of Title 40 of the ~~O.C.G.A. Official Code of Georgia and this Code. Any violation by an owner of a~~

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~~LSMV shall be charged against the owner according to the provisions of Title 40 of the Official Code of Georgia and this Code.~~

~~(d) *Responsibility of parent or guardian.* It shall be unlawful for the parent, guardian, or other adult person, having the care and custody of a minor under the age of 17 years, to permit, whether knowingly or through negligent supervision, such minor to violate any provision of this chapter or of Title 40 of the O.C.G.A.~~

Sec. 78-100. Special local traffic regulations on the multi-use path system.

In addition to the Uniform Rules of the Road that are applicable to the multi-use path system as provided for in section 78-93, the following special local traffic regulations apply to users of the paths:

- (a) Purpose of paths and prohibited hazardous activities. The purpose of the multi-use path system and specific prohibited activities are as provided for in section 78-96.
- (b) Littering. All litter shall be deposited in the receptacles provided along the multi-use paths or retained by the path user for proper disposal later. Littering on the multi-use paths shall be subject to twice the fines and penalties as littering on the streets as provided for in section 78-99.
- (c) Vehicles to yield to pedestrians and persons with disabilities. Notwithstanding any other traffic regulation providing otherwise, the operators of vehicles on the multi-use path shall yield to pedestrians travelling in either direction on the paths. However, pedestrians and persons with disabilities are not relieved of their duty to exercise due care for their safety and the safety of others, including taking reasonable steps to avoid collisions. This traffic regulation shall not apply to traffic on public roadways designed for automobile traffic when a pedestrian is in a multi-use path crossing.
- (d) Audible signal when passing a pedestrian. Any traffic other than another pedestrian must give an audible signal when overtaking a pedestrian from behind. This warning or announcement may be verbal, but it is recommended that operators equip their vehicles with a warning device such as a horn or bell.
- (e) Path users to obey pedestrian control signals at signalized intersections and pedestrian hybrid beacons.
 - (1) Where a signalized intersection or pedestrian hybrid beacon (HAWK crossing) has pedestrian control signals, all users of the multi-use path system must obey the signals of the pedestrian control signals, to include crossing when a steady WALKING PERSON (symbolizing WALK) is displayed.
 - (2) Vehicles on the multi-use path system may also cross on a flashing UPRAISED HAND (symbolizing DONT WALK) is displayed provided that they complete their crossing before a steady UPRAISED HAND (symbolizing DONT WALK) is displayed.
 - (3) When any pedestrian control signal is nonfunctional, all users of the path system shall treat the crossing as if a STOP sign were posted. Pedestrians may cross with caution. All vehicles must come to a complete stop and then yield to any other traffic that is at or approaching the crossing and would constitute a hazard.
- (f) Yield when leaving the path system.
 - (1) Generally. The driver of any vehicle on the multi-use path system shall, prior to leaving the multi-use path system to enter or cross a public roadway designed for automobile traffic, yield as though a YIELD sign were present by slowing, yielding the right of way to any traffic on the public roadway that is within the intersection or so close thereto as to create a hazard, and stopping if necessary for safety.
 - (2) Exception when sign is posted, at signalized intersections, and when otherwise directed by traffic officer. The general rule when leaving the path system provided in item (1) is modified if any of the following apply:
 - a. A STOP sign is posted in which case the driver shall stop and then yield to traffic within the intersection or so close thereto as to create a hazard as they would at any other STOP sign.
 - b. At signalized intersections and pedestrian hybrid beacons (HAWK crossings) in which case the driver shall operate the vehicle as provided for in subsection (f) by obeying the pedestrian control signals.

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- c. When otherwise directed by a law enforcement officer or other person empowered to direct traffic in which case the driver shall follow the directions of the law enforcement officer or other person empowered to direct traffic.

(g) *Preferential use of multi-use path system.* When a multi-use path is adjacent to a roadway that is designed for automobile traffic, authorized micromobility vehicles shall use the path instead of the roadway unless any of the following apply:

(1) *Exception for purpose of accessing path system.* No offense shall be committed, when an authorized micromobility vehicle accesses the path system through the use or crossing of a roadway designed for automobile traffic provided that all of the following are true:

- a. There is no connection to the path system without using a roadway designed for automobile traffic.
- b. The use or crossing of a roadway designed for automobile traffic is limited to the most direct course to access the nearest path.
- c. None of the prohibited streets are used or crossed at any time, other than at the clearly marked authorized crossings as provided for in subsection (d) of section 78-91.

(2) *Exception where otherwise authorized by state law.* No offense shall be committed, when an authorized micromobility vehicle is operated on any roadway designed for automobile traffic and such operation is both:

- a. Authorized by state law.
- b. Not prohibited by a traffic-control devices that the city has lawful authority to place and has so placed.

This item shall apply, where applicable, to the operation of authorized vehicles on the prohibited streets as provided for in subsection (d) of section 78-91.

(3) *Exception for certain private paths.* No offense shall be committed, when an authorized micromobility vehicle uses a roadway designed for automobile traffic when the adjacent path is a private path located within a golf course and that private path is not used by the general public. Examples of such private paths include the paths located at:

- a. Flat Creek.
- b. Planterra.
- c. Braelinn.

(h) *Use of bicycle lane.* Any authorized micromobility vehicle may use the bicycle lane on the following streets as if the bicycle lane were a multi-use path, including the restrictions of preferential use under subsection (g):

- (1) *Dividend Drive.*

Sec. 78-101. Special local traffic regulations—motorized carts.

In addition to the Uniform Rules of the Road that are applicable to the multi-use path system as provided for in section 78-93 and the special local traffic regulations provided for in section 78-100, the following special local traffic regulations apply to operators of motorized carts on the path system and public streets:

(a) Permitted operators of motorized carts.

- (1) Suspended or revoked driver's license prohibits the operation of motorized carts.** Notwithstanding any other provision of this chapter, any person who has a suspended or revoked driver's license or instructional permit shall not operate a motorized cart.
- (2) Responsible person defined.** For the purposes of this subsection, the term "responsible person" shall mean a parent, grandparent, or legal guardian while it is being operated by a minor. This person or persons shall be responsible for the minor's operation of the motorized cart as provided for in section 78-99. If no responsible person is in the motorized cart, the parents of the minor operating a motorized cart may be held accountable as provided for in 78-99.
- (3) Drivers aged 16 and older may operate motorized carts.** Persons who are 16 years of age or older may operate motorized carts on the multi-use paths, streets, and areas of the city accessible by the public.
- (4) Drivers under age 12 may never operate motorized carts.** Persons who are under the age of 12 shall not be permitted to drive a motorized cart on any multi-use path, street, or area of the city accessible by the public.
- (5) Drivers age 12 to age 15 may operate motorized carts with a responsible person present.** Persons who are at least 12 years of age but not yet 15 years of age may drive a motorized cart on the multi-use paths, streets, and areas of the city accessible by the public only if they are accompanied in the front seat by a responsible person.
- (6) Drivers aged 15 may operate motorized carts with restrictions.** Persons who are at least 15 years of age but not yet 16 years of age may drive a motorized cart on the multi-use paths, streets, and areas of the city accessible by the public if they meet the following conditions:
 - a. Restrictions with valid instructional permit on number of passengers.** If the person has a valid instructional permit issued by the state pursuant to O.C.G.A. § 40-2-54, as may be amended, in their possession, then that person may operate a motorized cart, provided that, unless the exception in subitem c applies, the maximum number of passengers that may be in the motorized cart are either:
 - 1. One other person who must be at least 15 years of age; or**
 - 2. Up to three immediate family members of any age.**
 - b. Restrictions without valid instructional permit of requiring adult or responsible person.** If the person does not have a valid instructional permit issued by the state pursuant to O.C.G.A. § 40-2-54, as may be amended, in their possession, then that person may operate a motorized cart only if they are accompanied in the front seat by a responsible person or by any adult age 18 or older who holds a valid driver's license. There are no restrictions on passengers in this case.
 - c. Exception to restrictions on passengers when adult or responsible person present.** If the person has a valid instructional permit as provided for in subitem a, but is also accompanied in the front seat by a responsible person or adult age 18 or older with a valid driver's license, then subitem a shall apply except there shall be no restriction on the maximum number of passengers that may be in the motorized cart other than the cart's designed maximum capacity.

(b) No driving on sidewalks. Motorized carts shall not be operated on sidewalks at any time.

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- (c) Daylight hours only unless equipped with functional lights. As provided for in subsection (c) of section 78-94, motorized carts may only be operated during daylight hours unless they are equipped with headlamps and tail lamps.
- (d) Responsibility of owners of motorized carts. It shall be unlawful for the owner of any motorized cart or any other person operating, employing, permitting the use of or otherwise directing the use of such motorized cart to operate or permit the operator of any motorized cart to drive over the multi-use paths, streets or those areas accessible by the public in the city in violation of this article.
- (e) No operation on prohibited streets. No motorized cart may operated over the prohibited streets except at clearly marked authorized crossings as provided for in subsection (d) of section 78-91.
- (f) Speed limitation. As noted in the definition of motorized cart provided for in section 78-91, no vehicle that exceeds 20 miles per hour shall be considered as a motorized cart.
- (g) Requirement to be seated in a seat and not on a person's lap. All operators and passengers must remain seated at all times during the operation of a motorized cart. No person may sit on the operator's lap during the operation of a motorized cart.

Sec. 78-102. Special local traffic regulations—LSVs.

In addition to the Uniform Rules of the Road that are applicable to the multi-use path system as provided for in section 78-93 and the special local traffic regulations provided for in section 78-100, the following special local traffic regulations apply to operators of LSVs on the path system and public streets:

- (a) Driver's license required for operation. Only persons possessing a valid license issued by the state, other state of the United States of America, or international agency which permits such person to operate a motor vehicle on the highways of the state may operate an LSV on the paved multi-use paths or streets located within the territorial boundaries of the city.
- (b) Operation limited to roadways with speed limits of 35 miles per hour or less. As provided for in O.C.G.A. § 40-6-362, no LSV shall be operated on any street where the posted speed limit exceeds 35 miles per hour. Except for the prohibited streets, LSVs shall be permitted to cross over any other street where the posted speed limit exceeds 35 miles per hour. Crossing of the prohibited streets shall be as provided in subsection (c).
- (c) No operation on prohibited streets. Except as otherwise provided for in subsection (b) and by state law, no LSV may be operated over the prohibited streets except at clearly marked authorized crossings as provided for in subsection (d) of section 78-91.
- (d) No driving on sidewalks. LSVs shall not be operated on sidewalks at any time.
- (e) Responsibility of owners of LSVs. It shall be unlawful for the owner of any LSV or any other person operating, employing, permitting the use of or otherwise directing the use of such LSVs to operate or permit the operator of any LSV to drive over the multi-use paths, streets or those areas accessible by the public in the city in violation of this article.
- (f) Speed limitation. As noted in the definition of LSV provided for in section 78-91, no vehicle that exceeds 25 miles per hour shall be considered as an LSV. Further, no LSV may be operated on the multi-use paths unless it is in a mode that limits the speed to 20 miles per hour or less, as provided for in section 78-94.
- (g) State traffic regulations. State law provides that, when operated on the multi-use path system or streets:
 - (1) Full use of a lane. LSVs are entitled to the full use of a lane, and no motor vehicle shall deprive them of the use of a full lane. This item shall not apply to the multi-use paths, because the paths are unlaned.

- (2) No passing within lane. LSVs must not overtake and pass within the same lane as the vehicle they are overtaking. This item shall not apply to the multi-use paths, because the paths are unlaned.
- (3) No lane splitting. LSVs shall not be operated between adjacent lanes of traffic. This item shall not apply to the multi-use paths, because the paths are unlaned.
- (4) No side-by-side operation. LSVs shall not be operated two or more abreast.

(h) Use of seatbelts required. Seat belts on LSVs shall be worn by all occupants at all times the vehicle is moving.

Sec. 78-103. Special local traffic regulations—EPAMDs.

In addition to the Uniform Rules of the Road that are applicable to the multi-use path system as provided for in section 78-93 and the special local traffic regulations provided for in section 78-100, the following special local traffic regulations apply to operators of LSVs on the path system and public streets:

- (a) Section overrides state law to the extent permitted. As permitted pursuant to O.C.G.A. § 40-6-371(a)(18.1), the city may adopt regulations for EPAMDs as long as they are not less restrictive than state law. To the extent that any provisions in this section conflict with state law, the provisions of this section shall apply notwithstanding state law to the extent permitted.
- (b) Driver's license or age 18 required for operation. Only persons possessing a valid driver's license or those who are at least age 18 or older may operate an EPAMD on the multi-use paths or streets located within the territorial boundaries of the city.
- (c) Operation limited to roadways with speed limits of 35 miles per hour or less. No EPAMD shall be operated on any street where the posted speed limit exceeds 35 miles per hour. Except for the prohibited streets, LSVs shall be permitted to cross over any other street where the posted speed limit exceeds 35 miles per hour. Crossing of the prohibited streets shall be as provided in subsection (d).
- (d) No operation on prohibited streets. Except as otherwise provided for in subsection (c), no EPAMD may be operated over the prohibited streets except at clearly marked authorized crossings as provided for in subsection (d) of section 78-91.
- (e) Required equipment. EPAMDs shall have the equipment required by O.C.G.A. § 40-6-325 for operation, including:
 - (1) Front, rear, and side reflectors, which shall be visible from a distance of 300 feet when directly in front of lawful upper beams of headlights on a motor vehicle.
 - (2) A system that when employed will enable the operator to bring the device to a controlled stop
 - (3) If the device is operated between one-half hour after sunset and one-half hour before sunrise, a lamp emitting a white light which, while the device is in motion, illuminates the area in front of the operator for a distance of 300 feet.
- (f) Speed limitation. Pursuant to O.C.G.A. § 40-6-322, no EPAMD may be operated at a speed exceeding:
 - (1) On sidewalks and paths. 7 miles per hour while traveling on any sidewalk or multi-use path.
 - (2) Elsewhere. 15 miles per hour where otherwise permitted to operate.
- (g) No passengers. No person shall operate an EPAMD with more than a single user at any time.

Sec. 78-104. Special local traffic regulations—electric play vehicles.

In addition to the Uniform Rules of the Road that are applicable to the multi-use path system as provided for in section 78-93 and the special local traffic regulations provided for in section 78-100, the following special local traffic regulations apply to operators of electric play vehicles on the path system and public streets:

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- (a) Helmet use required. All users of electric play vehicles shall wear a properly fitted and fastened bicycle helmet which meets the standards of the American National Standards Institute or the Snell Memorial Foundation's Standards for Protective Headgear for Use in Bicycling or a motorcycle helmet while operating an electric play vehicle on the multi-use paths.

Sec. 78-105. Special local traffic regulations—bicycles and electric bicycles.

In addition to the Uniform Rules of the Road that are applicable to the multi-use path system as provided for in section 78-93 and the special local traffic regulations provided for in section 78-100, the following special local traffic regulations apply to operators of electric bicycles on the path system and public streets:

- (a) Helmet use required for certain users. All operators of class III electric bicycles and operators of any bicycle who are under the age of 16 shall wear a properly fitted and fastened bicycle helmet which meets the standards of the American National Standards Institute or the Snell Memorial Foundation's Standards for Protective Headgear for Use in Bicycling or a motorcycle helmet while operating an electric bicycle or bicycle, as appropriate, on the multi-use paths or streets.
- (b) Age restrictions. No one under the age of 15 shall operate a class III electric bicycle on the multi-use paths or streets.
- (c) Daylight hours only unless equipped with functional lights. As provided for in subsection (c) of section 78-94, bicycles and electric bicycles may only be operated during daylight hours unless they are equipped with a functional white light on the front which is visible from 300 feet away and either a functional red light on the rear which is visible from 300 feet away or a red reflector on the rear.

CITY OF PEACHTREE CITY

TRANSPORTATION ADVISORY GROUP

MEETING AGENDA ITEM MEMORANDUM

MEMO TO: Jonathan Miller, Director of Public Works

FROM: Blake Hayes, TAG Member

DATE: August 6, 2025

SUBJECT: Alternative Ordinance Updates

Recommendation:

I recommend one of the following options:

1. The TAG instruct myself and Keith to coordinate on the ordinance language.
2. The TAG proceed with considering the alternative to the proposed ordinance updates.

I further recommend, regardless of the option chosen above (including if neither option is selected by the TAG), that the TAG consider the discussion points listed below in updating the ordinances.

Discussion:

At our first meeting, I did not originally recognize the scope of Keith's proposed work. I was under the impression that we were largely just updating the definitions to capture new types of micromobility vehicles, not necessarily doing a full revamp of Chapters 70 and 78. With that in mind, I had some additional thoughts on the revisions as proposed that come to the extent of providing an alternative version instead of going section-by section.

With that in mind, I want to recognize that even if the TAG chooses to go with this version, a lot of the groundwork was done by Keith. For many sections, all I did was add cross-references and re-organize the content in what I believe is a better logical flow. I will provide a summary of any major changes and similarities below:

Chapter 70

- Section 70-2: minor grammatical changes, organization into 3 subsections, cross-reference to definitions in Chapter 78.

- Section 70-3: this wasn't in Keith's original draft. Only change is to update language to "multi-use paths" and add a cross-reference of the definition of that term in Chapter 78.
- Section 70-36: added cross-referenced definitions and organization.
 - Proposed update: I suggest that we move this section to Chapter 78 so that the hazardous activities list is there, where I believe most people will check the rules. Therefore, this section was updated to reference Chapter 78.
 - This includes the proposed updates of stating the traffic rules of the road, requirements of lights for carts and bicycles at night, rights of pedestrians, and reporting collisions. This information is still in this version, it is just in Chapter 78.
- Article III, Natural Surface Trails.
 - Proposed update: instead of putting everything into one section (the old Section 70-40), I split this into three sections. The first provides the definitions. The second is the access regulations. The third is the signing requirements and enforcement.
 - NEW Section 70-40, Definitions: this section takes subsection (e) of the old wording to setup which nature trail areas the chapter is applicable to; and cross-references the definitions of the classes of vehicles to their definitions in Chapter 78. This includes a couple of terms that weren't defined anywhere.
 - NEW Section 70-41, Access to natural surface trails: this section establishes the access restrictions in (a), (b), and (c) of the old wording. Pedestrians have access to all trails (I believe this was the intent – if incorrect, we can remove it; they weren't mentioned in the old wording). Certain vehicles have access to all trails. Other vehicles have access to the trails when used for disabilities and the city has determined it is safe for them to access the trails. Lastly, there are classes of vehicles that never have access to trails. The last bits of this section are technical wording to setup the posting of signs (coming up next) and permit city personnel to operate vehicles that would otherwise be prohibited.
 - NEW Section 70-42, Posting of signs at natural surface trails. This section permits public works to post signs governing vehicle use and other regulations and requires obedience. It further restricts that no ordinance violation shall be enforced when a sign isn't placed, with one exception when an officer shows the person the ordinance in lieu of the sign AND they refuse to leave.

Chapter 78 – Article I

- Section 78-1: re-adopts state traffic laws, applies them to the multi-use paths (and streets), and states that we are generally explaining the application of state law to the system in the ordinances. This allows us to reference state law, but also say what it means instead of just “OCGA <section>.”
- Section 78-5: change reckless operation to apply to all vehicles, not just motor vehicles. For example, a bicycle and an electric bicycle are vehicles, but not motor vehicles, so the current wording could not apply. Expand to apply to paths.
- Section 78-6: no changes, just added for context that there is an ordinance requiring the reporting of collisions with parked vehicles.
- Section 78-7: minor organization edits and expanded to cover paths.
- Section 78-12: per our discussion at the last meeting, remove this section of the ordinance because there are no bicycle paths, and we can’t regulate sidewalks the way that was desired.

Chapter 78 – Article III

- Section 78-91: organizational changes; added state law references for terms where possible, added a couple of definitions that weren’t elsewhere; move the list of prohibited streets here so that it is constant for all vehicles that it applies to (carts, EPAMDs, LSVs, etc.) instead of repeated 3 times.
 - Proposed update: I added wording in the definition of “electric bicycle” that if a dealer or person does not have the correct label or update the label as required, that it would NOT be an “electric bicycle” for purposes of access to the path.
 - Proposed update: I added specific wording that vehicles >20 mph cannot be PTVs and vehicles >25 mph cannot be LSVs. I also added wording that “golf carts” that are operated on the paths become another class of vehicle (usually PTV or LSV).
 - Proposed update: I recommend that we adopt the state law definitions of “highway” and “intersection.” Further, I added wording to declare the paths “highways” and to apply the rules governing how intersections are treated (as 1 or 2 based on the distance).
- Section 78-92: mostly minor edits. EPAMDs may not be able to have registration required under state law. I did add specific wording that LSVs are registered with the county tag office instead of the city.
 - Proposed update: I think we should add wording that gasoline golf carts are required to be registered with the county tag office and insured. The city

doesn't necessarily need to check this, but we should provide the information.

- Section 78-93.
 - BIG proposed change here: re-organized this section to 3 parts. First, cross-references to proposed new sections for each class of vehicle. Instead of putting everything for all vehicles in one section, let's write a section for carts, a section for LSVs, and so on. Second, a cross-reference to a proposed new section for regulations that apply to ALL vehicles. Third, state traffic law is applied to the path, and explained.
 - Key idea: instead of people needing to check the entire ordinance for things applicable to their vehicle, they need to check 2: the regulations applicable to ALL vehicles, and the regulations applicable to THEIR vehicle.
- Section 78-94: minor organization update, define the term "authorized micromobility vehicles" (this is just the permitted users, except for pedestrians who are permitted but aren't vehicles). Added the wording on daylight hours for skating, cycling, and carts (unless headlights/taillights for the last 2).
- Section 78-95: minor updates.
- Section 78-96: this was a list of special rules for the path. That was moved to proposed new section 78-100. This section now contains the "purpose of path" and "hazardous activities" that we went through last time and was previously in Chapter 70.
- Section 78-97: this was previously section 78-96.1. If we are revising, might as well update it to the next number instead of ".1." Also cleaned up a bit of the wording ("multi-use path") and deleted an unused reserved section.
- Section 78-98: this was previously section 78-97. Updated to have the liability wording that Keith preferred. Small changes to grammar.
- Section 78-99: this was previously section 78-98. Minor consolidation of wording. Moved the "parent responsibility" section here, since this section refers to penalties.
- Proposed new section 78-100: this was primarily portions of sections 78-93 and 78-96 that were applicable to all vehicles/users of the path. This includes restrictions on littering, audible signals when passing a pedestrian, the new language for vehicles to yield to pedestrians regardless of what side they are on. There are a couple of new changes that I would suggest:
 - Proposed update: change the requirement to stop when leaving the path system to yielding when leaving the path system. The only difference is that

- rolling is not an offense any more. In addition, add exceptions for HAWK crossings, signalized intersections, and when an officer directs traffic.
- Proposed update: require all path users to obey pedestrian controls. This removes the current situation of having a STOP and HAWK crossing at the same time (although with the above, it would change to a YIELD).
 - Proposed update: for the “preferential use” requirement, I added 2 exceptions. The first technically already existed where state law overrides the ordinance. For example, bicycles cannot be compelled to use the paths. The second would be new, but it would authorize direct access to the path system in certain cases (NOT any of the prohibited streets, so it still wouldn’t allow crossing Peachtree Parkway).
 - Proposed update: I added wording to formalize what already exists where carts use the bicycle lane on Dividend Drive. This is technically unlawful otherwise, since carts aren’t bicycles.
 - Proposed NEW sections 78-101 through 78-105. These new sections just collect the regulations for each class of vehicle that already existed. For example, 78-101 provides the regulations for carts.
 - Section 78-101, motorized carts. I cleaned up the wording on who is permitted to operate carts in a way that is hopefully easier to understand. Also, I added again that any vehicle exceeding 20 mph is not a cart.
 - Section 78-102, LSVs. I added again that any vehicle exceeding 25 mph is not an LSV. I also added some state law references that apply to how LSVs are operated (they get the full use of a lane, so no trying to split it with them when passing in an automobile; you also can’t pass them in a no-passing zone like you can bicycles).
 - Section 78-103, EPAMDs. No real changes here other than organizing the information.
 - Section 78-104, electric play vehicles. No real changes here other than organizing the information.
 - Section 78-105, bicycles and electric bicycles. The helmet restriction and operation restriction of electric bicycles were modified to comply with state law.

State law points:

The last part of this memorandum would just be some scenarios that result from the application of state law and/or the current ordinance that I think we should consider when making decisions on what to change. For some of these, I have provided my take in the proposed amendment, but I would be open to discussion on any of them.

1. Interaction of path crossing at a roadway intersection. This was the reason I added the rules for treating as 1 intersection or 2 intersections based on distance. At an all-way stop with paths, are users of the paths included in the traffic rotation? What about at signalized intersection and HAWK crossings?
2. As previously discussed when we mentioned the HAWK crossings, should we just have all path users obey the pedestrian crossing? Should we mandate the use (no crossing without pushing the button)?
3. Should we authorize passing on the multi-use paths under the rules applicable to other roadways? People do pass, this would just formalize it. It would add a requirement from state law that if someone attempts to pass you, you must give way to allow them to complete their pass.
4. Should we explicitly prohibit or allow U-turns?
5. Should we mention railroad crossings? State law covers it, but we could repeat (I did when I mentioned all state laws).
6. How does the path system interact with school buses where there is a grass strip? Should we allow the path to continue while the bus is stopped or not? What if there's a crossing near the bus? Should they be allowed to cross perpendicular to the bus or not while the bus is stopped?