

House Bill 249

By: Representatives Powell of the 32<sup>nd</sup> and Corbett of the 174<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 8 of Title 40 of the Official Code of Georgia Annotated, relating to  
2 equipment and inspection of motor vehicles, so as to exempt fully autonomous vehicles from  
3 certain vehicle equipment requirements; to provide for compliance; to remove requirement  
4 for use of strobe light while operating a low-speed vehicle; to provide for means of operation  
5 of vehicle brakes and parking brakes; to revise exhaust system requirements; to provide for  
6 related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 8 of Title 40 of the Official Code of Georgia Annotated, relating to equipment and  
10 inspection of motor vehicles, is amended by revising Code Section 40-8-8, relating to  
11 speedometer, as follows:

12 "40-8-8.

13 Every motor vehicle, other than a fully autonomous vehicle, operated upon a public street  
14 or highway shall be equipped with a speedometer in good working order."

**SECTION 2.**

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Said chapter is further amended by revising Code Section 40-8-11, relating to operational rules for autonomous vehicles and state consumer laws applicable, as follows:

"40-8-11.

(a) A person may operate a fully autonomous vehicle with the automated driving system engaged without a human driver being present in the vehicle, provided that such vehicle:

(1) Unless an exemption has been granted under applicable federal ~~or state~~ law, is capable of being operated in compliance with Chapter 6 of this title and this chapter ~~and has been, at the time of its manufacture, certified by the manufacturer as being in compliance with applicable federal motor vehicle safety standards;~~

(2) Has been certified as being in compliance with applicable motor vehicle safety standards or granted a federal exemption to such standards;

(3) Has the capability to meet the requirements of Code Section 40-6-279;

~~(3)~~(4) Can achieve a minimal risk condition in the event of a failure of the automated driving system that renders that system unable to perform the entire dynamic driving task relevant to its intended operational design domain;

~~(4)(A) Until December 31, 2019, is covered by motor vehicle liability coverage equivalent to 250 percent of that which is required under:~~

~~(i) Indemnity and liability insurance equivalent to the limits specified in Code Section 40-1-166; or~~

~~(ii) Self-insurance pursuant to Code Section 33-34-5.1 equivalent to, at a minimum, the limits specified in Code Section 40-1-166; and~~

~~(B)~~(5) Is On and after January 1, 2020, is covered by motor vehicle liability coverage equivalent to, at a minimum:

~~(i)~~(A) Indemnity and liability insurance equivalent to the limits specified in Code Section 40-1-166; or

41 (ii)(B) Self-insurance pursuant to Code Section 33-34-5.1 equivalent to, at a minimum,  
 42 the limits specified in Code Section 40-1-166; and

43 (5)(6) Is registered in accordance with Code Section 40-2-20 and identified on such  
 44 registration as a fully autonomous vehicle or lawfully registered outside of this state.

45 (b) It shall be the responsibility of the occupants of a fully autonomous vehicle to comply  
 46 with the requirements of Code Sections 40-8-76 and 40-8-76.1 regarding the use of safety  
 47 belts and child passenger restraining systems.

48 (c) Unless otherwise provided in this Code section, fully autonomous vehicles, automated  
 49 driving systems, and any commercial use or operation of fully autonomous vehicles shall  
 50 be governed by this Code section, Code Sections 40-1-1 and 40-5-21, Chapter 6 of this  
 51 title, and this chapter notwithstanding any other provision of law to the contrary. No rules  
 52 or regulations relative to the operation of fully autonomous vehicles or automated driving  
 53 systems shall be adopted which limit the authority to operate such vehicles or systems  
 54 conferred by this Code section.

55 (d) No provision of this Code section shall be construed to limit the applicability of state  
 56 consumer protection laws, including Part 2 of Article 15 of Chapter 1 of Title 10, the 'Fair  
 57 Business Practices Act of 1975,' 1975'; Article 22 of Chapter 1 of Title 10, the 'Georgia  
 58 Motor Vehicle Franchise Practices Act,' Act'; and Article 28 of Chapter 1 of Title 10, the  
 59 'Georgia Lemon Law.'

60 **SECTION 3.**

61 Said chapter is further amended by revising Code Section 40-8-30, relating to standards for  
 62 multiple-beam road lighting equipment, as follows:

63 "40-8-30.

64 Except as hereinafter provided in this part, the headlights or the auxiliary driving light or  
 65 the auxiliary passing light, or combination thereof, on motor vehicles other than  
 66 motorcycles, fully autonomous vehicles, or motor driven cycles shall be so arranged that

67 the driver may select at will between distributions of light projected to different elevations,  
68 and such lights may, in addition, be so arranged that such selection can be made  
69 automatically, subject to the following limitations:

70 (1) There shall be an uppermost distribution of light, or composite beam, so aimed and  
71 of ~~such~~ sufficient intensity as to reveal persons and vehicles at a distance of at least 350  
72 feet ahead for all conditions of loading;

73 (2) There shall be a lowermost distribution of light, or composite beam, so aimed and of  
74 sufficient intensity as to reveal persons and vehicles at a distance of at least 100 feet  
75 ahead; and on a straight level road under any condition of loading, none of the high  
76 intensity portion of the beam shall be directed to strike the eyes of an approaching driver;

77 (3) Every new motor vehicle other than a motorcycle, fully autonomous vehicle, or a  
78 motor driven cycle registered in this state which has multiple-beam road lighting  
79 equipment shall be equipped with a beam indicator which shall be lighted whenever the  
80 uppermost distribution of light from the headlights is in use and shall not otherwise be  
81 lighted. Such indicator shall be so designed and located that when lighted it will be  
82 readily visible without glare to the driver of the vehicle so equipped."

#### 83 **SECTION 4.**

84 Said chapter is further amended by revising Code Section 40-8-35, relating to operating  
85 low-speed vehicles on highway requires amber strobe light, as follows:

86 "40-8-35.

87 Reserved. ~~Any low-speed vehicle operated on the highways of this state shall display an~~  
88 ~~amber strobe light so as to warn approaching travelers to decrease their speed because of~~  
89 ~~the danger of colliding with such vehicle. Such amber strobe light shall be mounted in a~~  
90 ~~manner so as to be visible under normal atmospheric conditions from a distance of 500 feet~~  
91 ~~from the front and rear of such vehicle."~~

92 **SECTION 5.**

93 Said chapter is further amended by revising Code Section 40-8-51, relating to means of  
94 operation of brakes, as follows:

95 "40-8-51.

96 (a) One of the means of brake operation shall consist of a mechanical connection from the  
97 operating ~~lever~~ mechanism to the brake shoes or bands, and this brake shall be capable of  
98 holding the vehicle or combination of vehicles stationary under any condition of loading  
99 on any upgrade or downgrade upon which it is operated.

100 (b) The brake shoes operating within or upon the drums on the vehicle wheels of any  
101 motor vehicle may be used for both service and hand operation."

102 **SECTION 6.**

103 Said chapter is further amended by revising Code Section 40-8-52, relating to parking brakes,  
104 as follows:

105 "40-8-52.

106 Every 1966 model motor vehicle and all subsequent model motor vehicles shall be  
107 equipped with parking brakes adequate to hold the vehicle on any grade on which it is  
108 operated, under all conditions of loading, on a surface free from snow, ice, or loose  
109 material. The parking brakes shall be capable of being applied in conformance with the  
110 foregoing requirements by the driver's muscular effort, ~~or~~ by spring action, by electric  
111 motor, or by equivalent means. Their operation may be assisted by the service brakes or  
112 other source of power, provided that failure of the service brake actuation system or other  
113 ~~power assisting~~ power-assisting mechanism will not prevent the parking brakes from being  
114 applied in conformance with the foregoing requirements. The parking brakes shall be so  
115 designed that when once applied they shall remain applied with the required effectiveness  
116 despite exhaustion of any source of energy or leakage of any kind. The same brake drums,  
117 brake shoes and lining assemblies, brake shoe anchors, and mechanical brake shoe

118 actuation mechanism normally associated with the wheel brake assemblies may be used for  
 119 both the service brakes and the parking brakes. If the means of applying the parking brakes  
 120 and the service brakes are connected in any way, they shall be so constructed that failure  
 121 of any one part shall not leave the vehicle without operative brakes."

122 **SECTION 7.**

123 Said chapter is further amended in Code Section 40-8-53, relating to performance ability of  
 124 brakes, by revising subsection (a) as follows:

125 "(a) Except as provided for in subsection (b) of this Code section, every motor vehicle or  
 126 combination of motor drawn vehicles shall be capable at all times and under all conditions  
 127 of loading of being stopped on a dry, smooth, level road free from loose material, upon  
 128 application of the service (~~foot~~) brake within the distances specified in this Code section  
 129 or shall be capable of being decelerated at a sustained rate corresponding to these distances.

	<u>Feet to Stop From</u>	<u>Deceleration in</u>
	<u>20 Miles Per Hour</u>	<u>Feet Per Second</u>
132 Vehicles or combinations of vehicles		
133 having brakes on all wheels . . . . .	30	14
134 Vehicles or combinations of vehicles		
135 not having brakes on all wheels . . . . .	40	10.7"

136 **SECTION 8.**

137 Said chapter is further amended in Code Section 40-8-71, relating to exhaust system and  
 138 prevention of noise, smoke, and fumes, by revising subsection (a) as follows:

139 "(a) Every motor vehicle equipped with an internal combustion engine shall at all times  
 140 be equipped with an exhaust system, in good working order and in constant operation,  
 141 meeting the following specifications:

- 142 (1) The exhaust system shall include the piping leading from the flange of the exhaust  
143 manifold to, and including, the muffler or mufflers and tail pipes;
- 144 (2) The use of flexible pipe shall be prohibited except on diesel tractors or according to  
145 manufacturers' original specifications;
- 146 (3) The exhaust emission point shall extend beyond the rear or outside of the passenger  
147 compartment. The trunk shall be considered as part of the passenger compartment;
- 148 (4) The exhaust system and its elements shall be securely fastened, including the  
149 consideration of missing or broken hangers; and
- 150 (5) There shall be no part of the exhaust system passing through the passenger  
151 compartment or any exposed stack so located that any individual entering or leaving the  
152 vehicle may be burned."

153 **SECTION 9.**

154 Said chapter is further amended in Code Section 40-8-72, relating to mirrors, by revising  
155 subsection (a) as follows:

156 "(a) Except as provided in subsection (b) of this Code section, every motor vehicle, other  
157 than a fully autonomous vehicle granted an exemption from federal requirements, which  
158 is so constructed or loaded as to obstruct the driver's view to the rear thereof from the  
159 driver's position shall be equipped with a mirror so located as to reflect to the driver a view  
160 of the highway for a distance of at least 200 feet to the rear of such vehicle."

161 **SECTION 10.**

162 Said chapter is further amended in Code Section 40-8-73, relating to windshields and  
163 windshield wipers, by revising subsection (b) as follows:

164 "(b) The windshield of every motor vehicle, other than a fully autonomous vehicle granted  
165 an exemption from federal requirements, shall be equipped with a device for cleaning rain,

166 snow, or other moisture therefrom, which device shall be so constructed as to be controlled  
167 or operated by the driver of the vehicle."

168 **SECTION 11.**

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