

House Bill 459 (AS PASSED HOUSE AND SENATE)

By: Representatives Hitchens of the 161st, Hawkins of the 27th, Lumsden of the 12th, Tanner of the 9th, Burns of the 159th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 9 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated,
2 relating to speed restrictions, so as to modify provisions relating to impeding traffic flow and
3 minimum speed in left-hand lanes; to provide for related matters; to provide for an effective
4 date and applicability; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

7 Article 9 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to
8 speed restrictions, is amended by revising Code Section 40-6-184, relating to impeding
9 traffic flow and minimum speed in left-hand lanes, as follows:

10 "40-6-184.

11 (a)(1) No person shall drive a motor vehicle at such a slow speed as to impede the normal
12 and reasonable movement of traffic, except when reduced speed is necessary for safe
13 operation.

14 ~~(2) On roads, streets, or highways with two or more lanes allowing for movement in the~~
15 ~~same direction, no person shall continue to operate a motor vehicle in the most left-hand~~
16 ~~lane at less than the maximum lawful speed limit once such person knows or should~~
17 ~~reasonably know that he is being overtaken in such lane from the rear by a motor vehicle~~
18 ~~traveling at a higher rate of speed, except when such motor vehicle is preparing for a left~~
19 ~~turn.~~

20 (b) Whenever the commissioner of public safety or the commissioner of transportation or
21 local authorities determine on the basis of any engineering and traffic investigation that
22 slow speeds on any part of a road under their respective jurisdictions impede the normal
23 and reasonable movement of traffic, such commissioners jointly, or such local authorities,
24 may determine and declare a minimum speed limit below which no person shall drive a
25 vehicle except when necessary for safe operation, and ~~that~~ such limit shall be effective
26 when posted upon fixed or variable signs.

27 (c) Upon roads, streets, or highways with two or more lanes allowing for movement in the
28 same direction, no person shall continue to operate a motor vehicle in the passing lane once
29 such person knows or should reasonably know that he or she is being overtaken in such
30 lane from the rear by a motor vehicle traveling at a higher rate of speed. For purposes of
31 this Code section, 'passing lane' means the most left-hand lane other than a high occupancy
32 vehicle lane.

33 (d) Subsection (c) of this Code section shall not apply:

34 (1) When traffic conditions or congestion make it necessary to drive in the passing lane;

35 (2) When inclement weather, obstructions, or hazards make it necessary to drive in the
36 passing lane;

37 (3) When compliance with a law of this state or with an official traffic control device
38 makes it necessary to drive in the passing lane;

39 (4) When a vehicle must be driven in the passing lane to exit or turn left;

40 (5) On toll highways, when necessary to pay a toll or use a pass;

41 (6) To authorized emergency vehicles engaged in official duties; or

42 (7) To vehicles engaged in highway maintenance and construction operations."

43 **SECTION 2.**

44 This Act shall become effective on July 1, 2014, and shall apply to offenses committed on
45 or after such date.

46 **SECTION 3.**

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