

House Bill 1146 (AS PASSED HOUSE AND SENATE)

By: Representatives Lott of the 122nd, Collins of the 68th, Hitchens of the 161st, Lumsden of the 12th, and McDonald of the 26th

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and
2 traffic, so as to provide for vehicles operated by certain law enforcement to be equipped with
3 flashing or revolving lights which are primarily blue in color; to remove a restriction relating
4 to motor vehicles of the Georgia State Patrol; to provide for related matters; to repeal
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, is
9 amended by revising Code Section 40-1-7, relating to blue light required for officers
10 enforcing traffic and exception, as follows:

11 "40-1-7.

12 Whenever pursuing a person in violation of a traffic related offense, a uniformed law
13 enforcement officer who is assigned routinely or primarily to traffic law enforcement or
14 other traffic safety duties on the roadways or highways of this state ~~must~~ shall place a
15 visible blue light on the roof of his or her vehicle if such vehicle is not equipped with
16 permanent exterior mounted roof blue lights; provided, however, that the provisions of this

17 Code section shall not apply to law enforcement officers operating vehicles manufactured
 18 prior to 2001. This Code section shall not apply to any officer assigned to special
 19 operations activities or responding to an immediate threat to public safety as a result of an
 20 accident or other emergency. This Code section shall not apply to vehicles of the Georgia
 21 State Patrol or of a sheriff's office or police department which office or police department
 22 provides law enforcement services by certified peace officers 24 hours a day, seven days
 23 a week where the vehicles are marked in accordance with Code Section 40-8-91, with
 24 flashing or revolving ~~colored~~ lights, primarily blue in color, visible under normal
 25 atmospheric conditions for a distance of 500 feet from the front and rear of such ~~vehicle~~
 26 vehicles, and which also ~~has an~~ have illuminating agency ~~identifier~~ identifiers reasonably
 27 visible to a driver of a vehicle subject to a traffic stop; provided, however, ~~that the Georgia~~
 28 ~~State Patrol shall not be permitted to have more than two vehicles per post without such~~
 29 ~~exterior mounted roof lights; and provided, further,~~ that a sheriff's office or police
 30 department shall not be permitted to have more than one vehicle per agency without such
 31 exterior mounted roof lights. An otherwise lawful arrest shall not be invalidated or in any
 32 manner affected by failure to comply with this Code section."

33

SECTION 2.

34 Said title is further amended in Code Section 40-8-91, relating to marking and equipment of
 35 law enforcement vehicles and motorist allowed to continue to safe location before stopping
 36 for law enforcement officer vehicles, by revising subsection (b) as follows:

37 "(b) Any motor vehicle, except as hereinafter provided in this subsection, used by any
 38 employee of the Georgia State Patrol for the purpose of enforcing the traffic laws of this
 39 state shall be distinctly painted, marked, and equipped in such manner as shall be
 40 prescribed by the commissioner of public safety pursuant to this Code section. The
 41 commissioner in prescribing the manner in which such vehicles shall be painted, marked,
 42 or equipped shall:

43 (1) Require that all such motor vehicles be painted in a ~~two-toned~~ two toned uniform
44 color or a solid color. For vehicles painted in a ~~two-toned~~ two toned uniform color, the
45 hood, top, and the top area not to exceed 12 inches below the bottom of the window
46 opening thereof shall be a light gray color and the remaining portion of said motor
47 vehicle shall be painted a dark blue color;

48 (2) Require that any such motor vehicle be equipped with at least one lamp which when
49 lighted shall display a flashing or revolving ~~colored~~ light, primarily blue in color, visible
50 under normal atmospheric conditions for a distance of 500 feet from the front and rear
51 of such vehicle; and

52 (3) Require that any such motor vehicle shall be distinctly marked on each side and the
53 back thereof with the wording 'State Patrol' in letters not less than six inches in height of
54 a contrasting color from the background color of the motor vehicle."

55

SECTION 3.

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