



Legislation Secretary of Senate Members Committees Meetings Home House



Georgia Senate

SB 236 - Veh. Accidents - chng. provisions on removing veh. from roadway (3)

Streat, Sr., Van (19th) Price, Richard J (28th) Checks, Donald E (23rd)

Status Summary SC: Trans HC: MotV FR: 03/01/99 LA: 04/28/99 Signed by Governor

First Reader Summary

A bill to amend Article 12 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to the uniform rules of the road regarding accidents, so as to change certain provisions relating to the duty to remove a vehicle from the roadway of an expressway or multilane highway; to provide an effective date.

Code Sections Amended: 40

RECORDED VOTES

Vote #	Date	Yeas	Nays	Description
<u>SV0213</u>	3/08/99	054	000	PASSAGE
<u>HV1350</u>	3/23/99	009	157	Joyce amend appeal rule of chair
<u>HV1351</u>	3/23/99	032	129	Mobley amend
<u>HV1352</u>	3/23/99	170	001	PASS
<u>SV0466</u>	3/24/99	051	000	AGREE TO HOUSE SUBSTITUTE

Senate	Action	House
3/1/99	Read 1st time	3/9/99
3/3/99	Favorably Reported	3/16/99
	Committee Amend/Sub	Sub
3/4/99	Read 2nd Time	3/10/99
3/8/99	Read 3rd Time	3/23/99
3/8/99	Passed/Adopted	3/23/99
	Comm/Floor Amend/Sub	CS/FA
3/24/99	Amend/Sub Agreed To	
3/30/99	Sent To Governor	
4/28/99	Signed by Governor	
425	Act/Veto Number	
4/28/99	Effective Date	

Code Sections

Code Sections amended: 40-6-70, 40-6-275

*Secretary of the Senate
Frank Eldridge, Jr., Secretary
Last Updated on 05/15/00*



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SB 236 - Veh. Accidents - chng. provisions on removing veh. from roadway

Streat, Sr., Van (19th) Price, Richard J (28th) Checks, Donald E (23rd)

Status Summary SC: Trans HC: MotV FR: 03/01/99 LA: 03/10/99 H - Read 2nd Time

First Reader Summary

A bill to amend Article 12 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to the uniform rules of the road regarding accidents, so as to change certain provisions relating to the duty to remove a vehicle from the roadway of an expressway or multilane highway; to provide an effective date.

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Code Sections - 40-6-275

Senate	Action	House
3/1/99	Read 1st time	3/9/99
3/3/99	Favorably Reported	
3/4/99	Read 2nd Time	3/10/99
3/8/99	Read 3rd Time	
3/8/99	Passed/Adopted	

Version by LC Number

LC 25 1331ER As Introduced

SB 236 99

LC 25 1331ER

SENATE BILL 236

By: Senators Streat of the 19th, Price of the 28th,
Checks of the 23rd and others


A BILL TO BE ENTITLED
AN ACT

1- 1 To amend Article 12 of Chapter 6 of Title 40 of the Official
1- 2 Code of Georgia Annotated, relating to the uniform rules of
1- 3 the road regarding accidents, so as to change certain
1- 4 provisions relating to the duty to remove a vehicle from the
1- 5 roadway of an expressway or multilane highway; to provide an
1- 6 effective date; to repeal conflicting laws; and for other
1- 7 purposes.

1- 8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

1- 9 SECTION 1.

1-10 Article 12 of Chapter 6 of Title 40 of the Official Code of
1-11 Georgia Annotated, relating to the uniform rules of the road
1-12 regarding accidents, is amended by striking in its entirety
1-13 Code Section 40-6-275, relating to the duty to remove a
1-14 vehicle from the roadway of an expressway or multilane
1-15 highway, and inserting in lieu thereof the following:

1-16 "40-6-275. 

1-17 (a) Any other provision of this article or any other law
1-18 to the contrary notwithstanding, motor vehicles involved
1-19 in traffic accidents and the drivers of such motor
1-20 vehicles shall be subject to the provisions of this Code
1-21 section.

1-22 (b) This Code section shall apply to motor vehicle traffic
1-23 accidents which occur on the expressways and multilane
1-24 highways of this state.

1-25 (c) When a motor vehicle traffic accident occurs with no
1-26 apparent serious personal injury, ~~or death, or extensive~~
1-27 ~~property damage~~, it shall be the duty of the drivers of
1-28 the motor vehicles involved in such traffic accident, or
1-29 any other occupant of any such motor vehicle who possesses
1-30 a valid driver's license, to remove said vehicles from the
1-31 immediate confines of the roadway into a safe refuge on
1-32 the shoulder, emergency lane, or median or to a place
1-33 otherwise removed from the roadway whenever such moving of

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2- 1 a vehicle can be done safely and the vehicle is capable of
2- 2 being normally and safely driven, does not require towing,
2- 3 and can be operated under its own power in its customary
2- 4 manner without further damage or hazard to itself, to the
2- 5 traffic elements, or to the roadway. The driver of any
2- 6 such motor vehicle may request any person who possesses a
2- 7 valid driver's license to remove any such motor vehicle as
2- 8 provided in this Code section, and any such person so
2- 9 requested shall be authorized to comply with such request.

2-10 (d) The driver or any other person who has removed a motor
2-11 vehicle from the main traveled way of the road as provided
2-12 in subsection (c) of this Code section before the arrival
2-13 of a police officer shall not be considered liable or at
2-14 fault regarding the cause of the accident solely by reason
2-15 of moving the vehicle pursuant to this Code section.

2-16 (e) This Code section shall not abrogate or affect a
2-17 driver's duty to file any written report which may be
2-18 required by a local law enforcement agency, but compliance
2-19 with the requirements of this Code section shall not allow
2-20 a driver to be prosecuted for his or her failure to stop
2-21 and immediately report a traffic accident.

2-22 (f) This Code section shall not abrogate or affect a

2-23 driver's duty to stop and give information in accordance
2-24 with law, nor shall it relieve a police officer of his or
2-25 her duty to render a report in accordance with law.

2-26 (g) Employees of the Department of Transportation, in the
2-27 exercise of the management, control, and maintenance of
2-28 the state highways, may require and assist in the removal
2-29 from the main traveled way of roads on the state highway
2-30 system of all vehicles incapacitated from any cause other
2-31 than having been involved in a motor vehicle accident and
2-32 of all vehicles incapacitated as a result of motor vehicle
2-33 traffic accidents and of debris caused thereby when such
2-34 motor vehicle accidents occur with no apparent serious
2-35 personal injury, or death, or extensive property damage,
2-36 where such move can be accomplished safely by the drivers
2-37 of the vehicles involved or with the assistance of a
2-38 towing or recovery vehicle and will result in the improved
2-39 safety or convenience of travel upon the road. However, a
2-40 vehicle incapacitated as a result of a motor vehicle
2-41 traffic accident with apparent serious personal injury, or
2-42 death, or extensive property damage may not be moved until
2-43 the enforcement officer has made the necessary

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3- 1 measurements and diagrams required for the initial
3- 2 accident investigation."

3- 3 SECTION 2.

3- 4 This Act shall become effective upon its approval by the
3- 5 Governor or upon its becoming law without such approval.

3- 6 SECTION 3.

3- 7 All laws and parts of laws in conflict with this Act are
3- 8 repealed.

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*Secretary of the Senate
Frank Eldridge, Jr., Secretary
Last Updated on 03/10/99*
