

**AN ORDINANCE AUTHORIZING THE CONDITIONAL OPERATION OF
PERSONAL TRANSPORTATION VEHICLES
ON DESIGNATED CITY STREETS**

WHEREAS, pursuant to its Charter and other laws of the State of Georgia, the City of Milton, Georgia, has the power to adopt reasonable ordinances, resolutions and regulations for the protection and preservation of the public health, safety and welfare of its citizens; and

WHEREAS, pursuant to O.C.G.A. § 40-6-331(a), the City is authorized to designate, by ordinance, certain public streets or portions thereof that are under its regulation and control for the combined use of personal transportation vehicles ("PTVs") and regular vehicular traffic and establish the conditions under which PTVs may be operated upon such streets or portions thereof, including without limitation the conditions under which a person may operate PTVs on such designated streets or portions thereof; and

WHEREAS, pursuant to O.C.G.A. § 40-6-368, joint use of City streets by personal transportation vehicles and regular vehicular traffic must be limited to streets with a speed limit of 25 miles per hour or less and only on streets that have been determined by a qualified traffic engineer to accommodate personal transportation vehicles without adversely impacting traffic safety or the travel needs of commuters and other users; and

WHEREAS, pursuant to O.C.G.A. § 40-6-331(c), the City shall erect signs on every highway which comprises a part of the state highway system at that point on the highway which intersects the corporate limits of the City and this Ordinance shall not be effective unless and until such signs are properly posted; and

WHEREAS, in the interests of the health, safety, and general welfare of the citizens of the City, the Mayor and Council desire to exercise their authority to adopt an ordinance authorizing the conditional operation of PTVs on designated City streets; and

WHEREAS, appropriate notice and hearing on the ordinance contained herein have been carried out according to general and local law.

NOW THEREFORE, the Council of the City of Milton hereby ordains, while in a regularly called council meeting on June 1, 2020, at 6:00 p.m., as follows:

SECTION 1. The Code of Ordinances of the City of Milton, Georgia, is hereby amended to add a new Article V to be titled "Personal Transportation Vehicles" under Chapter 56 (Traffic and Vehicles) as provided in Exhibit A attached hereto and incorporated herein by this reference.

SECTION 2. All ordinances, parts of ordinances, or regulations in conflict herewith are hereby repealed.

SECTION 3. In accordance with O.C.G.A. § 40-6-331(c), signs shall be erected on every highway which comprises a part of the state highway system at that point on the highway which intersects the corporate limits of the City. Such signs shall be at least 24 by 30 inches in area and shall warn approaching motorists that PTVs are authorized for use on designated City streets. All costs associated with such signs shall be funded entirely by the City.

SECTION 4. This Ordinance shall become effective immediately once the required signage has been properly posted.

SO ORDAINED this the 1st day of June 2020.

Joe Lockwood, Mayor

Attest:

Sudie AM Gordon, City Clerk

EXHIBIT A

THE CODE OF ORDINANCES OF THE CITY OF MILTON, GEORGIA

Chapter 56 – TRAFFIC AND VEHICLES

ARTICLE V. – PERSONAL TRANSPORTATION VEHICLES

Sec. 56-91. – Definitions.

As used in this Article, the following terms and phrases shall have the meaning indicated unless otherwise specifically provided:

City. The term “city” means the City of Milton, a Georgia municipal corporation.

Highway. The term “highway” or “street” means 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.

License or license to operate a motor vehicle. The term “license” or “license to operate a motor vehicle” means any driver’s license or any other license or permit to operate a motor vehicle issued under, or granted by, the laws of this state, including:

- (A) Any temporary license or instruction permit;
- (B) The privilege of any person to drive a motor vehicle whether or not such person holds a valid license; and
- (C) Any privilege conferred upon a person who is not a resident of this state by the laws of this state pertaining to the operation by such person of a motor vehicle or the use of a vehicle owned by such person in this state.

Motor vehicle. The term “motor vehicle” means every vehicle which is self-propelled other than an electric assisted bicycle or an electric personal assistive mobility device (EPAMD) (as defined in O.C.G.A. § 40-1-1(15.3) and (15.4)).

Personal transportation vehicle or PTV. The term “personal transportation vehicle” or “PTV” means any motor vehicle:

- (A) With a minimum of four wheels;



- (B) Capable of a maximum level ground speed of less than 20 miles per hour;
- (C) With a maximum gross vehicle unladen or empty weight of 1,375 pounds; and
- (D) Capable of transporting not more than eight persons.

The term does not include mobility aids, including electric personal assistive mobility devices, power wheelchairs, and scooters, that can be used indoors and outdoors for the express purpose of enabling mobility for a person with a disability. The term also does not include any all-terrain vehicle or multipurpose off-highway vehicle (as defined in O.C.G.A. § 40-1-1(3) and (33.1)).

Street. The term "street" or "highway" means 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.

Vehicle. The term "vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices used exclusively upon stationary rails or tracks.

Sec. 56-92. – Conditional Operation Allowed.

Subject to the terms and conditions of this Article, and in accordance with state law, including but not limited to the Official Code of Georgia, Title 40 (Motor Vehicles and Traffic), Chapter 6 (Uniform Rules of the Road), Article 13 (Special Provisions for Certain Vehicles), Part 3 (Personal Transportation Vehicles) and Part 6 (Vehicle Transportation Plan), the operation of personal transportation vehicles shall be allowed.

Sec. 56-93. – Designated Streets Approved for PTV Operation.

Personal transportation vehicles shall only be operated on streets that meet all of the following criteria:

- (a) Are under the regulation and control of the city;
- (b) Have a speed limit of 25 miles per hour or less; and
- (c) Have been determined by a qualified traffic engineer to accommodate personal transportation vehicles without adversely impacting traffic safety or the travel needs of commuters and other users.

Sec. 56-94. – Minimum PTV Equipment Requirements.

All personal transportation vehicles shall be equipped with:

- (a) A braking system sufficient for the weight and passenger capacity of the vehicle, including a parking brake;
- (b) A reverse warning device functional at all times when the directional control is in the reverse position;
- (c) A main power switch. When the switch is in the "off" position, or the key or other device that activates the switch is removed, the motive power circuit shall be inoperative. If the switch uses a key, it shall be removable only in the "off" position;
- (d) Head lamps;
- (e) Reflex reflectors;
- (f) Tail lamps;
- (g) A horn;
- (h) A review mirror;
- (i) Safety warning labels; and
- (j) Hip restraints and hand holds or a combination thereof.

Sec. 56-95. – PTV Operators.

An operator of a personal transportation vehicle shall possess a valid driver's license and shall comply with the financial responsibility requirements for passenger vehicle operators when operating a personal transportation vehicle on any public street.

Sec. 56-96. – Use of Lanes.

- (a) All personal transportation vehicles authorized by this Article are entitled to full use of a lane, and no motor vehicle shall be driven in such manner as to deprive a personal transportation vehicle of the full use of a lane.
- (b) The operator of a personal transportation vehicle shall not overtake and pass in the same lane occupied by the vehicle being overtaken.
- (c) No person shall operate a personal transportation vehicle between lanes of traffic or between adjacent lines or rows of vehicles.

- (d) Personal transportation vehicles shall not be operated two or more abreast in a single lane.

Sec. 56-97. – Street or Highway Crossings.

- (a) *State Highways.* Personal transportation vehicles may cross streets and highways that are part of the state highway system only at crossings or intersections designated for that purpose and which are constructed as an active grade crossing in accordance with the Manual on Uniform Traffic Control Devices. PTV crossings shall be indicated by warning sign W11-11 of the Standard Highway Signs and be clearly visible in both directions by vehicles traversing the highway which is being crossed or intersected by PTVs.
- (b) *City Streets.* Personal transportation vehicles may cross city streets only at crossings or intersections designated for that purpose.
- (c) *Crosswalks.* No operator of a personal transportation vehicle shall use a pedestrian crosswalk to cross any street or highway, unless such crosswalk is marked and/or designated by the city as approved for PTV use.

Sec. 56-98. – Signage Requirements.

Signs shall be erected on every highway which comprises a part of the state highway system at that point on the highway which intersects the corporate limits of the city. Such signs shall be at least 24 by 30 inches in area and shall warn approaching motorists that personal transportation vehicles are authorized for use on designated city streets.

Sec. 56-99. – Operation of PTVs on Private Property Not Effected.

This Article shall not apply to the operation of personal transportation vehicles on private roads or drives except with the consent of the landowner.

Sec. 56-100. – Enforcement.

Any person operating a personal transportation vehicle in violation of any requirement under this Chapter, including but not limited to this Article, shall be guilty of an infraction, enforceable by the police department in accordance with section 56-21, and punishable by a fine as established by law.