

Motorized Carts

40-1-1(32) Every motor vehicle having no less than three wheels and an unladen weight of 1,300 pounds or less and which cannot operate at more than 20 miles per hour.

All Terrain Vehicles

40-1-1(3) Any motorized vehicle designed for off-road use which is equipped with three or more low pressure tires and with a seat to be straddled by the operator and with handlebars for steering control.

40-1-1(8.1) Class I ATV: An off-highway recreational vehicle 50 inches or less with a dry weight of 1,000 lbs. or less that travels on 3 or more low pressure tires designed for or capable of cross-country travel on land, water, sand, snow, ice etc.

40-1-1(8.2) Class II ATV: Weighs more than a Class I but less than 8,000 lbs. and is being operated off a highway.

40-8-91.1 Authorizes the use of ATVs by law enforcement when properly marked and registered.

Low Speed Vehicles

40-1-1(25.1) Any four-wheeled electric vehicle whose top speed attainable in one mile is greater than 20 miles per hour but not greater than 25 miles per hour on a paved level surface and which is manufactured in compliance with those federal motor vehicle safety standards for low-speed vehicles set forth in [49 C.F.R. Section 571.500](#) and in effect on January 1, 2001.

Bicycles/Electric Assisted Bicycles

40-1-1(6) Bicycle: Every device propelled by human power upon which any person may ride, having only two wheels which are in tandem and either of which is more than 13 inches in diameter.

40-1-1(15.5) Electric assisted bicycle: A device with two or three wheels which has a saddle and fully operative pedals for human propulsion and also has an electric motor. For such a device to be considered an electric assisted bicycle, it shall meet the requirements of the Federal Motor Vehicle Safety Standards, as set forth in 49 C.F.R. Section 571, et seq., and shall operate in such a manner that the electric motor disengages or ceases to function when the brakes are applied. The electric motor in an electric assisted bicycle shall: (A) Have a power output of not more than 1,000 watts; (B) Be incapable of propelling the device at a speed of more than 20 miles per hour on level ground; and (C) Be incapable of further increasing the speed of the device when human power alone is used to propel the device at or more than 20 miles per hour.

Mopeds and Motor Scooters

40-1-1(30) Motor Scooter: Every motorcycle, including every motor scooter, with a motor which produces not to exceed five brake horsepower, every bicycle with a motor attached, and every moped.

40-1-1(28) Moped: A motor driven cycle equipped with two or three wheels, with or without foot pedals to permit muscular propulsion, and an independent power source providing a maximum of two brake horsepower. If a combustion engine is used, the maximum piston or rotor displacement shall be 3.05 cubic inches (50 cubic centimeters) regardless of the number of chambers in such power source. The power source shall be capable of propelling the vehicle, unassisted, at a speed not to exceed 30 miles per hour (48.28 kilometers per hour) on level road surface and shall be equipped with a power drive system that functions directly or automatically only, not requiring clutching or shifting by the operator after the drive system is engaged.

Motorcycles

40-1-1(29) Every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor, all-terrain vehicle, and moped.

Electric Personal Assistive Mobility Devices

40-1-1(15.6) Electric Personal Assistive Mobility Device or "EPAMD": A self-balancing, two nontandem wheeled device designed to transport only one person and having an electric propulsion system with average power of 750 watts (1 horsepower) and a maximum speed of less than 20 miles per hour on a paved level surface when powered solely by such propulsion system and ridden by an operator who weighs 170 pounds.

40-6-320 (a) EPAMDs may be operated on highways and on sidewalks where a 48 inch clear path is maintained for access for persons with disabilities, provided that any person operating such a device shall have the same rights and duties as prescribed for pedestrians;
(b) No person shall operate any EPAMD on the roadway of any highway unless: (1) The maximum speed limit of the roadway is 35 miles per hour or less; or (2) The roadway has a separately striped bicycle lane and the device is operated within the bicycle lane;
(c) When traveling on any roadway of a highway, a person operating an EPAMD shall travel in the same direction authorized for motor vehicle traffic on such roadway.

Golf Carts

40-1-1(33) Motor vehicle: Every vehicle which is self-propelled other than an electric personal assistive mobility device (EPAMD).

40-1-1(75) Vehicle: 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.

Golf carts are treated as vehicles and motor vehicles pursuant to [Simmons v. State](#), 2006 WL 2422918 (Aug. 23, 2006) and [Coker v. State](#), 261 Ga. App. 646 (2003).



CHARGING LOW SPEED VEHICLES

Colonel Mark W.
McDonough

GEORGIA DEPARTMENT
OF PUBLIC SAFETY

2007

www.dps.georgia.gov

DPS-34 (11/07)

CHARGE ¹	Motorized Cart 40-1-1(32)	All Terrain Vehicle ² 40-1-1(3)
DUI 40-6-391	YES	YES
Reckless Driving 40-6-390	YES	YES
No Registration 40-2-20	NO	Yes (unless agricultural use)
No Driver's License 40-5-20	Yes on Highway ³ (unless 40-6-331 applies)	Yes on Highway
No Insurance/ Proof of Ins. 40-6-10 & 33-34-4	NO	YES
No Child Seat 40-8-76	NO	NO
No Seatbelt 40-8-76.1	NO	NO
Implied Consent 40-5-55	YES	YES
Horn 40-8-70	Yes on Highway	Yes on Highway
Exhaust 40-8-71	YES	YES
Tires 40-8-74 (tread depth)	Yes on Highway	Yes on Highway
Night lights 40-8-20	Yes on Highway at night (40-6-330)	Yes on Highway
Head, Tail & Brake Lights 40-8-22, 23, 25	Yes on Highway at night (40-6-330)	Yes on Highway
Brakes 40-8-50	Yes on Highway	Yes on Highway
Helmet	NO	NO

Low Speed Vehicle 40-1-1(25.1)	Bicycle/Electric Asst. Bicycle 40-1-1(6) & (15.5)	Moped/Motor Scooter 40-1-1(28) & (30)
YES	Yes must also charge 40-6-291	YES
YES	Yes must also charge 40-6-291	YES
YES	NO	NO
Yes on Highway 40-6-362	No 40-6-351	Yes on Highway 40-6-351
YES	NO	NO
NO	NO	NO
NO	NO	NO
YES	NO	YES
Yes on Highway	NO	Yes on Highway
YES	NO	YES
Yes on Highway	NO	Yes on Highway
Yes on Highway	Yes 40-6-296	Yes on Highway
Yes on Highway	NO	Yes on Highway
Yes on Highway	NO	Yes on Highway
NO	Yes under 16 (40- 6-296) & electric (40-6-352)	Yes 40-6-352

Motorcycle 40-1-1(29)	Electric Personal Assistive Mobility Device 40-1-1(15.6) & 40-6-320	Golf Cart 40-1-1(33) & 40- 1-1(75)
YES	YES	YES
YES	YES	YES
YES	NO	NO
Yes on Highway	NO	Yes on Highway (unless 40-6-331 applies)
Yes but use 40-6-11	NO	NO
NO	NO	NO
NO	NO	NO
YES	NO	YES
Yes on Highway	NO	Yes on Highway
YES	NO	YES
Yes on Highway	Yes on Highway	Yes on Highway
Yes on Highway	YES 40-6-325	Yes on Highway
Yes on Highway	YES 40-6-325	Yes on Highway at night
Yes on Highway	YES 40-6-325	Yes on Highway
Yes 40-6-315	YES	NO

¹ Local Governments may by ordinance impose additional restrictions/requirements.

² ATVs are vehicles that are covered by the provisions of the Uniform Rules of the Road. See Op. Att'y Gen. No. 2007-3.

³ Highway is defined as the entire width between boundary lines of every way publicly maintained for vehicular travel.