



**CITY COUNCIL
ATLANTA, GEORGIA**

20-O-1361

AN ORDINANCE BY COUNCILMEMBERS DUSTIN HILLIS, JOYCE M. SHEPERD, ANDRE DICKENS, AMIR R. FAROKHI, CLETA WINSLOW, CARLA SMITH, MARCI COLLIER OVERSTREET, ANDREA L. BOONE, HOWARD SHOOK, J.P. MATZIGKEIT, ANTONIO BROWN, JENNIFER N. IDE, MICHAEL JULIAN BOND, NATALYN M. ARCHIBONG AND MATT WESTMORELAND AS SUBSTITUTED BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE AND AMENDED BY THE ATLANTA CITY COUNCIL TO AMEND CHAPTER 150, (TRAFFIC AND VEHICLES), ARTICLE III, (GENERAL RULES OF VEHICLE OPERATION) TO ADD SECTION 150-73 TO BE ENTITLED "NON-DRIVER PARTICIPATION IN STREET RACING AND RECKLESS DRIVING EXHIBITIONS", TO SET PENALTIES FOR VIOLATIONS; AND FOR OTHER PURPOSES.(REFERRED BACK TO COMMITTEE BY FULL COUNCIL 6/1/20) ►(HELD 6/8/20 BY THE SPONSOR)

WHEREAS, the City of Atlanta has an interest in maintaining the health, safety, and welfare of the citizens of the City and its visitors; and

WHEREAS, pursuant to O.C.G.A. §40-6-186, no person shall drive any vehicle on a highway in the State of Georgia in any race, speed competition or contest, drag race or acceleration contest, test of physical endurance, exhibition of speed or acceleration or for the purpose of making a speed record, and no person shall in any manner participate in any such race, competition of speed, contest of speed, or test or exhibition of speed; and

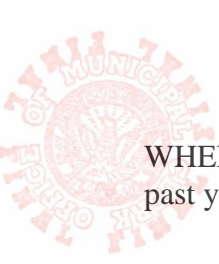
WHEREAS, pursuant to § 40-6-251, no driver of any motor vehicle shall operate the vehicle upon the public streets, highways, public or private driveways, airport runways, or parking lots in such a manner as to create a danger to persons or property by intentionally and unnecessarily causing the vehicle to move in a zigzag or circular course or to gyrate or spin around, except to avoid a collision or injury or damage; and

WHEREAS, pursuant to O.C.G.A. 32-4-92, a municipality may regulate and control the use of the public roads on its municipal street system and on portions of the county road systems extending within the corporate limits of the municipality; and

WHEREAS, street racing and reckless driving exhibitions have been on the rise in cities across the country and are an immediate threat to public safety and a nuisance to neighborhoods and commuters using various modes of transportation; and

WHEREAS, multiple deaths of innocent children have occurred in other cities due to the engagement in street racing and reckless driving exhibitions; and

WHEREAS, cities across the country, such as San Diego, Sacramento, Kansas City, Albuquerque, and Milwaukee have enacted ordinances to prohibit street racing exhibitions, including the prohibition of non-driver or spectator participation therein; and



WHEREAS, the City of Atlanta has experienced an increasing occurrence of such activities over the past year; and

WHEREAS, this issue has caused multiple occurrences of public streets being shut down and made impassable, as well as damage to private properties; and

WHEREAS, in addition to prohibiting and penalizing street racing and reckless driving exhibitions, it is also necessary to prohibit and penalize the organization of, and participation in, such activities, which draw large numbers of spectators, causing a disturbance of the peace and a threat to public safety; and

WHEREAS, establishing an ordinance to prohibit the organization of and participation in street racing exhibitions, as defined herein, would enable the Atlanta Police Department to more effectively combat the occurrence of such behavior; and

WHEREAS, in the interests of public safety and ensuring the well-being of motorists and pedestrians, it is necessary to amend the City of Atlanta's Code of Ordinances to prohibit the organization of, and participation in, street racing and reckless driving exhibitions.


THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS as follows:

SECTION 1: That Chapter 150, (Traffic and Vehicles) Article III, (General Rules of Vehicle Operation) Section 150-73 shall be added and entitled "Non-Driver Participation In Street Racing and Reckless Driving Exhibitions", as follows:

Sec. 150-73. - Non-Driver Participation In Street Racing and Reckless Driving Exhibitions

(a) *For purposes of this section, the following terms shall mean:*

Illegal street racing and reckless driving exhibition means a motor vehicle speed contest using public highways, streets or rights of way in violation of applicable motor vehicle and traffic laws, including without limitation, O.C.G.A. § 40-6-186, § 40-6-251 and § 40-6-390. Illegal street racing and reckless driving exhibitions may include, but are not limited to, situations in which: (1) a group of motor vehicles or individuals has arrived at a location for the purpose of participating in the event; (2) a group of individuals has gathered on private property open to the general public without the consent of the owner, operator, or agent thereof for the purpose of participating in the event; (3) one or more individuals has impeded the free public use of a public street, sidewalk or highway by actions, words, or physical barriers for the purpose of conducting the event; (4) two or more vehicles have lined up with motors running for an illegal motor vehicle speed contest or exhibition of speed; (5) one or more drivers is revving his engine or spinning his tires in preparation for the event; or (6) an individual is stationed at or near one or more motor vehicles serving as a race starter.



Organizer means any individual who in any manner knowingly takes part in the planning, organization, coordination, facilitation, advertising or sharing of the location for any such illegal street race, or collect moneys in connection with an illegal street racing exhibition, as defined herein;

Participant means any individual who is knowingly present at an illegal street racing exhibition for the purpose of actively taking part in the event, through conduct including riding in a race vehicle as a passenger; assisting the organizers and/or drivers in carrying out or promoting the event; or exchanging money or anything of value with any driver, car owner, or other participant in connection with the event. For the purposes of this section, a person who is a mere bystander, passerby, or observer not aware of the illegal activity shall not be deemed a participant.

(b) *Violations.*

(1) No person shall knowingly act as an organizer of an illegal street racing or reckless driving exhibition, as defined herein.

(2) Except as provided elsewhere in this chapter, no person shall knowingly act as a participant in an illegal street racing or reckless driving exhibition, as defined herein.

(d) *Penalties.*

(1) Violations of Sec. 150-73 (b) shall be punished by a minimum fine of \$1000.00 and court costs or imprisonment for not more than six months (6) months, or by any one (1) or more of these punishments, subject to all limitations contained in the charter of the city or applicable state law.

(2) Any motor vehicle used in illegal street racing or driving as defined in this ordinance may be removed and impounded by police to the extent authorized by applicable state law, including, without limitation, O.C.G.A. Sec. 40-6-206, or pursuant to a warrant issued by a court of competent jurisdiction. An impounded vehicle may be held in impound for not less than 30 days or final adjudication of the case, to the maximum extent allowed under state law.

(e) *Exemptions.*

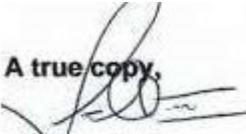
This section shall not apply to licensed or duly authorized racetracks, drag strips, or other designated areas set aside by proper authorities for such purposes.

SECTION 2: The amendment set forth in this ordinance shall become effective immediately upon approval, with notifications sent to the Chief of Police, who shall distribute this ordinance and a call for enforcement to all sworn employees of the City of Atlanta Police Department.

SECTION 3: That all ordinances or parts thereof in conflict with this ordinance are hereby repealed to



the extent of the conflict.

A true copy,

Foris Webb III
Municipal Clerk

ADOPTED by the Atlanta City Council
APPROVED per City Charter Section 2-403

AUG 03, 2020
AUG 12, 2020



CITY COUNCIL
ATLANTA, GEORGIA

20-O-1361

SPONSOR SIGNATURES

A. Fakhi
Aamir K Fakhi, Councilmember, District 2

Andre Dickens
Andre Dickens, Councilmember, Post 3 At Large

A. Boone
Aurea L. Boone, Councilmember, District 10

A. Brown
Anthony Brown, Councilmember, District 3

Carla Smith
Carla Smith, Councilmember, District 1

Cleta Winslow
Cleta Winslow, Councilmember, District 4

D. Hillis
Dustin Hillis, Councilmember, District 9

H. Shook
Howard Shook, Councilmember, District 7

J. Matzigkeit
J. F. Matzigkeit, Councilmember, District 8

J. N. Ide
Jennifer N. Ide, Councilmember, District 6

Joyce M. Sheperd
Joyce M. Sheperd, Councilmember, District 12

M. Collier Prusht
Marti Collier Prusht, Councilmember, District 11

Michael Julian Bond
Michael Julian Bond, Councilmember, Post 1 At Large

Natalyn Mosby Archibong
Natalyn Mosby Archibong, Councilmember, District 5



CITY COUNCIL
ATLANTA, GEORGIA

20-O-1361

AN ORDINANCE BY COUNCILMEMBERS DUSTIN HILLIS, JOYCE M. SHEPERD, ANDRE DICKENS, AMIR R. FAROKHI, CLETA WINSLOW, CARLA SMITH, MARCI COLLIER OVERSTREET, ANDREA L. BOONE, HOWARD SHOOK, J.P. MATZIGKEIT, ANTONIO BROWN, JENNIFER N. IDE, MICHAEL JULIAN BOND, NATALYN M. ARCHIBONG AND MATT WESTMORELAND AS SUBSTITUTED BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE AND AMENDED BY THE ATLANTA CITY COUNCIL TO AMEND CHAPTER 150, (TRAFFIC AND VEHICLES), ARTICLE III, (GENERAL RULES OF VEHICLE OPERATION) TO ADD SECTION 150-73 TO BE ENTITLED "NON-DRIVER PARTICIPATION IN STREET RACING AND RECKLESS DRIVING EXHIBITIONS", TO SET PENALTIES FOR VIOLATIONS; AND FOR OTHER PURPOSES.(REFERRED BACK TO COMMITTEE BY FULL COUNCIL 6/1/20) ►(HELD 6/8/20 BY THE SPONSOR)

Workflow List:

Atlanta City Council	Completed	05/18/2020 1:00 PM
Public Safety & Legal Administration Committee	Completed	05/26/2020 4:00 PM
Atlanta City Council	Completed	06/01/2020 1:00 PM
Public Safety & Legal Administration Committee	Completed	06/08/2020 2:00 PM
Atlanta City Council	Completed	06/15/2020 1:00 PM
Public Safety & Legal Administration Committee	Completed	06/22/2020 2:00 PM
Atlanta City Council	Completed	07/06/2020 1:00 PM
Public Safety & Legal Administration Committee	Completed	07/13/2020 2:00 PM
Atlanta City Council	Completed	08/03/2020 1:00 PM
Mayor's Office	Pending	

HISTORY:

05/18/20 Atlanta City Council REFERRED WITHOUT OBJECTION

REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION

RESULT:	REFERRED WITHOUT OBJECTION
----------------	-----------------------------------

05/26/20 Public Safety & Legal Administration Committee FAVORABLE

RESULT:	FAVORABLE [UNANIMOUS]	Next: 6/1/2020 1:00 PM
MOVER:	Dustin Hillis, District 9	
SECONDER:	Andrea L. Boone, District 10	
AYES:	Sheperd, Bond, Smith, Farokhi, Winslow, Hillis, Boone	

06/01/20 Atlanta City Council REFERRED TO COMMITTEE

Chairperson Sheperd requested 20-O-1361 be removed from the Consent Agenda. Ms. Sheperd made a Motion to Refer the Item back to the Public Safety and Legal Administration Committee. It was Seconded by Council Member Ide and the Motion CARRIED by a roll call vote of 14 yeas; 1 nay (Archibong).

REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 1 NAY

LEGISLATION HISTORY – BLUE BACK

RESULT: REFERRED TO COMMITTEE [14 TO 1] **Next:** 6/8/2020 2:00 PM
MOVER: Joyce M Sheperd, Councilmember, District 12
SECONDER: Jennifer N. Ide, Councilmember, District 6
AYES: Bond, Westmoreland, Dickens, Smith, Farokhi, Brown, Winslow, Ide, Shook, Matzigkeit, Hillis, Boone, Overstreet, Sheperd
NAYS: Natalyn Mosby Archibong

06/08/20 Public Safety & Legal Administration Committee HELD IN COMMITTEE

RESULT: HELD IN COMMITTEE [UNANIMOUS] **Next:** 6/15/2020 1:00 PM
MOVER: Dustin Hillis, District 9
SECONDER: Cleta Winslow, District 4
AYES: Sheperd, Bond, Smith, Farokhi, Winslow, Hillis, Boone

06/15/20 Atlanta City Council RETURNED AS HELD

RETURNED AS HELD TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION

MEMBERS PRESENT: SHEPERD, SMITH, HILLIS, BOONE, FAROKHI, BOND & WINSLOW

RESULT: RETURNED AS HELD **Next:** 6/22/2020 2:00 PM

06/22/20 Public Safety & Legal Administration Committee HELD IN COMMITTEE

RESULT: HELD IN COMMITTEE **Next:** 7/6/2020 1:00 PM

07/06/20 Atlanta City Council RETURNED AS HELD

RETURNED AS HELD TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION

RESULT: RETURNED AS HELD **Next:** 7/13/2020 2:00 PM

07/13/20 Public Safety & Legal Administration Committee HELD IN COMMITTEE

RESULT: HELD IN COMMITTEE **Next:** 8/3/2020 1:00 PM

08/03/2020 Atlanta City Council ADOPTED SUBSTITUTE AS AMENDED

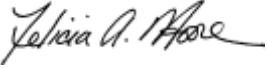

RESULT: ADOPTED SUBSTITUTE AS AMENDED [UNANIMOUS]
MOVER: Dustin Hillis, Councilmember, District 9
SECONDER: Carla Smith, Councilmember, District 1
AYES: Bond, Westmoreland, Dickens, Smith, Farokhi, Brown, Winslow, Archibong, Ide, Shook, Matzigkeit, Hillis, Boone, Overstreet, Sheperd

AN ORDINANCE BY COUNCILMEMBERS DUSTIN HILLIS, JOYCE M. SHEPERD, ANDRE DICKENS, AMIR R. FAROKHI, CLETA WINSLOW, CARLA SMITH, MARCI COLLIER OVERSTREET, ANDREA L. BOONE, HOWARD SHOOK, J.P. MATZIGKEIT, ANTONIO BROWN, JENNIFER N. IDE, MICHAEL JULIAN BOND, NATALYN M. ARCHIBONG AND MATT WESTMORELAND AS SUBSTITUTED BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE AND AMENDED BY THE ATLANTA CITY COUNCIL TO AMEND CHAPTER 150, (TRAFFIC AND VEHICLES), ARTICLE III, (GENERAL RULES OF VEHICLE OPERATION) TO ADD SECTION 150-73 TO BE ENTITLED "NON-DRIVER PARTICIPATION IN STREET RACING AND RECKLESS DRIVING EXHIBITIONS", TO SET PENALTIES FOR VIOLATIONS; AND FOR OTHER PURPOSES.

VOTE RECORD - ORDINANCE 20-O-1361						
<input type="checkbox"/> ADOPTED <input type="checkbox"/> ADVERSED <input type="checkbox"/> FAVORABLE <input type="checkbox"/> ACCEPTED AND FILED <input type="checkbox"/> FIRST READING <input type="checkbox"/> SECOND READING <input type="checkbox"/> THIRD READING <input type="checkbox"/> FOURTH READING <input type="checkbox"/> FIFTH READING <input type="checkbox"/> REFERRED TO COMMITTEE <input type="checkbox"/> HELD IN COMMITTEE <input type="checkbox"/> TABLED <input type="checkbox"/> DEFERRED <input type="checkbox"/> RECONSIDERED <input type="checkbox"/> FILED <input type="checkbox"/> ADOPTED AS AMENDED <input type="checkbox"/> AMENDED <input type="checkbox"/> ACCEPTED <input type="checkbox"/> SUBSTITUTED <input type="checkbox"/> AMENDED SUBSTITUTE <input type="checkbox"/> FILED BY COMMITTEE <input type="checkbox"/> REFERRED TO ZRB AND ZC <input type="checkbox"/> REFERRED WITHOUT OBJECTION <input type="checkbox"/> ADOPTED ON SUBSTITUTE <input checked="" type="checkbox"/> ADOPTED SUBSTITUTE AS AMENDED <input type="checkbox"/> FORWARDED WITH NO RECOMMENDATI <input type="checkbox"/> REFERRED TO SC <input type="checkbox"/> FILED WITHOUT OBJECTION <input type="checkbox"/> FAILED <input type="checkbox"/> FORWARDED TO FC/NQ						
			YES/AYE	NO/NAY	ABSTAIN	ABSENT
	MICHAEL JULIAN BOND	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	MATT WESTMORELAND	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	ANDRE DICKENS	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	CARLA SMITH	SECONDER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	AMIR R FAROKHI	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	ANTONIO BROWN	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	CLETA WINSLOW	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	NATALYN MOSBY ARCHIBONG	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	JENNIFER N. IDE	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	HOWARD SHOOK	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	J. P. MATZIGKEIT	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	DUSTIN HILLIS	MOVER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	ANDREA L. BOONE	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	MARCI COLLIER OVERSTREET	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JOYCE M SHEPERD	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

<input type="checkbox"/> FAVORABLE ON SUBSTITUTE <input type="checkbox"/> FAVORABLE/SUB/AMENDED <input type="checkbox"/> FAVORABLE/SUB/AMND/COND <input type="checkbox"/> FAVORABLE/AMND/COND <input type="checkbox"/> FAVORABLE AS AMENDED <input type="checkbox"/> RETURNED AS HELD <input type="checkbox"/> FAVORABLE ON CONDITION <input type="checkbox"/> FAVORABLE/SUB/CONDITION <input type="checkbox"/> QUADRENNIALY TERMINATED <input type="checkbox"/> QUESTION CALLED <input type="checkbox"/> ROUTED TO COW <input type="checkbox"/> SUSTAINED <input type="checkbox"/> OVERRIDEN <input type="checkbox"/> NOT ACCEPTED BY COMMITTEE <input type="checkbox"/> SUSTAINED W/O OBJECTION <input type="checkbox"/> TABLED W/O OBJECTION <input type="checkbox"/> HELD IN COW <input type="checkbox"/> POSTPONED <input type="checkbox"/> RETAINED AS HELD <input type="checkbox"/> REFER TO ZRB AND ZC W/O OBJECTION	
---	--

[Unanimous]

Certified by Presiding Officer	Certified by Clerk
<p style="text-align: center;">CERTIFIED</p> <p style="text-align: center;">8/3/2020</p> <p style="text-align: center;">ATLANTA CITY COUNCIL PRESIDENT</p> <p style="text-align: center;"></p>	<p style="text-align: center;">CERTIFIED</p> <p style="text-align: center;">8/3/2020</p> <p style="text-align: center;">MUNICIPAL CLERK</p> <p style="text-align: center;"></p>
<p>Mayor's Action</p> <p><i>See Authentication Page Attachment</i></p>	

ADOPTED BY COUNCIL

8/03/2020