

1 HB54
2 165164-4
3 By Representatives McMillan, Drummond and Boothe
4 RFD: Public Safety and Homeland Security
5 First Read: 02-FEB-16

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8 SYNOPSIS: Under existing law, low speed vehicles as
9 defined by federal regulation are registered in the
10 same manner as any other motor vehicle and may be
11 operated on the public roads and highways of the
12 state. Under existing law, a low speed vehicle that
13 is registered to operate on the public roads and
14 highways must be covered by liability insurance.
15 Under existing law, golf carts that do not meet the
16 definition of a low speed vehicle may not be
17 registered or operated on the public roads and
18 highways.

19 This bill would provide a process by which a
20 municipality could permit limited operation of golf
21 carts on municipal streets or public roads within
22 the municipality. The bill would require the owner
23 of a golf cart operating on a municipal street or
24 public highway within a municipality to register
25 the golf cart and to carry a liability insurance
26 policy such as a homeowner's policy or special
27 rider which covers operation of the golf cart on

1 the municipal streets or public roads within the
2 municipality.

3 This bill would require the municipality to
4 inspect the golf cart for the presence of required
5 safety equipment and to verify that operation of
6 the golf cart is covered by a policy of liability
7 insurance.

8 This bill would authorize the municipality
9 to assess a civil penalty for violations.

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11 A BILL
12 TO BE ENTITLED
13 AN ACT
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15 To authorize a municipality to allow limited
16 operation of golf carts on a municipal street or public road;
17 to provide limitations; to require the driver to have a
18 driver's license; to require the operator of a golf cart on a
19 municipal street or public roadway to be covered by liability
20 insurance; and to authorize the municipality to assess a civil
21 penalty for violations.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. (a) A municipality may designate
24 municipal streets or public roads within the municipality for
25 use by golf carts. Before making that designation, the
26 municipality shall first determine that golf carts may safely
27 travel on or across the street or road. The municipality

1 making the safety determination shall consider factors
2 including, but not limited to, the speed, volume, and
3 character of motor vehicle traffic using the road or street.
4 Upon a determination that golf carts may be safely operated on
5 the designated street or road, the municipality shall post
6 appropriate signs to indicate that the operation of golf carts
7 is authorized.

8 (b) A municipality that authorizes the use of golf
9 carts pursuant to subsection (a) shall inspect any golf cart
10 that an owner wishes to use pursuant to subsection (a) to
11 determine if the safety equipment required by subsection (e)
12 is present on the golf cart and shall verify that the operator
13 of the golf cart on a municipal street or public road is
14 covered by a policy of liability insurance held by the owner
15 of the golf cart. The liability limits for operation of the
16 golf cart shall be the same as for operation of a motor
17 vehicle. If the proper safety equipment is present and the
18 golf cart is covered by liability insurance, the municipality
19 shall issue a permit to the owner upon payment of a permit
20 fee. The municipality may designate the appropriate department
21 of the municipality to inspect and permit golf carts and may
22 adopt rules for permitting golf carts, including providing for
23 a permit fee.

24 (c) A municipality may not allow a golf cart to
25 operate on a municipal street or public road where the posted
26 speed limit exceeds 25 miles per hour.

1 (d) A municipality may limit the operation of a golf
2 cart pursuant to this section to only between the hours of
3 sunrise and sunset.

4 (e) The golf cart shall be equipped with headlights,
5 brake lights, turn signals, and a windshield.

6 (f) No person may operate a golf cart on a public
7 street or road without a driver's license.

8 (g) A municipality may enact an ordinance regarding
9 golf cart operation and equipment that is more restrictive
10 than the restrictions enumerated in this section. Upon
11 enactment, the municipality shall post appropriate signs or
12 otherwise inform residents that the ordinance exists and will
13 be enforced within the jurisdictional limits of the
14 municipality.

15 (h) All golf carts shall be entitled to full use of
16 a lane, and no motor vehicle shall be driven in such a manner
17 as to deprive any golf cart of the full use of a lane.

18 (i) The operator of a golf cart may not overtake and
19 pass in the same lane occupied by the vehicle being overtaken.

20 (j) A golf cart may not be operated between lanes of
21 traffic or between adjacent lines or rows of vehicles.

22 (k) Golf carts may not be operated two or more
23 abreast in a single lane.

24 (l) The unauthorized operation of a golf cart on a
25 municipal street or public road is a violation for which the
26 municipality may collect a civil penalty of up to fifty
27 dollars (\$50).

1 (m) Notwithstanding any other provision of this
2 section, a municipality may enact an ordinance regarding golf
3 cart operation and equipment that is less restrictive than the
4 restrictions enumerated in this section authorizing the use of
5 golf carts for periods not to exceed 80 hours by the
6 municipality or a civic organization in conjunction with civic
7 events or events to raise funds, promote economic development,
8 or similar purposes as authorized in the ordinance.

9 Section 2. This act shall become effective on the
10 first day of the third month following its passage and
11 approval by the Governor, or its otherwise becoming law.