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3 HOLLEY SUBSTITUTE FOR SB3
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8 SYNOPSIS: Under existing law, a low-speed vehicle such
9 as a golf cart may not be operated upon the public
10 highways of the state unless the manufacturer of
11 the low-speed vehicle certifies that it conforms
12 with 49 CFR 571.500 and is properly registered.

13 Also under existing law, municipalities in
14 Baldwin County and Class 2 municipalities, by
15 ordinance, may authorize the use of golf carts or
16 other low-speed vehicles that do not comply with 49
17 CFR 571.500.

18 This bill would provide that, except as
19 authorized in Class 2 municipalities and Baldwin
20 County, and except as may be authorized by local
21 law or municipal ordinance under certain
22 conditions, a person is prohibited from operating a
23 nonconforming low-speed vehicle on the public
24 highways of the state.

25 This bill would establish a fine for a
26 violation.

1 Amendment 621 of the Constitution of Alabama
2 of 1901, now appearing as Section 111.05 of the
3 Official Recompilation of the Constitution of
4 Alabama of 1901, as amended, prohibits a general
5 law whose purpose or effect would be to require a
6 new or increased expenditure of local funds from
7 becoming effective with regard to a local
8 governmental entity without enactment by a 2/3 vote
9 unless: it comes within one of a number of
10 specified exceptions; it is approved by the
11 affected entity; or the Legislature appropriates
12 funds, or provides a local source of revenue, to
13 the entity for the purpose.

14 The purpose or effect of this bill would be
15 to require a new or increased expenditure of local
16 funds within the meaning of the amendment. However,
17 the bill does not require approval of a local
18 governmental entity or enactment by a 2/3 vote to
19 become effective because it comes within one of the
20 specified exceptions contained in the amendment.

21
22 A BILL
23 TO BE ENTITLED
24 AN ACT

25
26 Relating to motor vehicles; to prohibit the use of
27 nonconforming low-speed vehicles on the public highways of the

1 state, with exceptions; and in connection therewith would have
2 as its purpose or effect the requirement of a new or increased
3 expenditure of local funds within the meaning of Amendment 621
4 of the Constitution of Alabama of 1901, now appearing as
5 Section 111.05 of the Official Recompilation of the
6 Constitution of Alabama of 1901, as amended.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8 Section 1. (a) As used in this section, the term
9 nonconforming low-speed vehicle means a four-wheeled motor
10 vehicle with a top speed not greater than 25 miles per hour,
11 which has a gross vehicle weight rating of less than 3,000
12 pounds and which does not comply with 49 CFR Section 571.500.

13 (b) Except as provided in subsection (c) or (d), a
14 person may not operate a nonconforming low-speed vehicle on
15 any public highway of this state.

16 (c) This section does not apply to a Class 2
17 municipality, as provided in Chapter 73 of Title 11, Code of
18 Alabama 1975, or Baldwin County, as provided in Amendment 921
19 of the Constitution of Alabama of 1901, now appearing as
20 Section 15.70, Baldwin County Local Amendments, Official
21 Recompilation of the Constitution of Alabama of 1901, as
22 amended.

23 (d) A county or municipality, by resolution or
24 ordinance, may authorize the operation of nonconforming
25 low-speed vehicles on the public highways of the county or
26 municipality, so long as the resolution or ordinance provides
27 for all of the following minimum standards:

1 (1) The nonconforming low-speed vehicle may not be
2 operated on a public highway with a speed limit greater than
3 25 miles per hour, except a nonconforming low-speed vehicle
4 may be permitted to cross a public highway.

5 (2) The driver of a vehicle must have a valid
6 driver's license.

7 (3) The vehicle may only be operated between sunrise
8 and sunset, unless the vehicle is equipped with headlights,
9 brake lights, turn signals, and a windshield.

10 (e) A person who violates subsection (b) is guilty
11 of a traffic violation, punishable by a fine of twenty-five
12 dollars (\$25).

13 Section 2. Conforming and nonconforming low-speed
14 vehicles that are owned by a public institution of higher
15 education are exempt from the requirements of this act and are
16 not required to be registered when operated on property owned
17 by such institutions.

18 Section 3. Although this bill would have as its
19 purpose or effect the requirement of a new or increased
20 expenditure of local funds, the bill is excluded from further
21 requirements and application under Amendment 621, now
22 appearing as Section 111.05 of the Official Recompilation of
23 the Constitution of Alabama of 1901, as amended, because the
24 bill defines a new crime or amends the definition of an
25 existing crime.

1 Section 4. This act shall become effective on the
2 first day of the third month following its passage and
3 approval by the Governor, or its otherwise becoming law.