

1 HB311  
2 192165-1  
3 By Representative Jones (M) (Constitutional Amendment)  
4 RFD: Local Legislation  
5 First Read: 03-FEB-21

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8 SYNOPSIS: This bill would propose an amendment to the  
9 Constitution of Alabama of 1901, relating to  
10 Covington County, to authorize municipalities in  
11 the county to permit the limited operation of golf  
12 carts on municipal streets or public roads subject  
13 to restrictions and civil penalties for violations.

14  
15 A BILL  
16 TO BE ENTITLED  
17 AN ACT

18  
19 Relating to Covington County; to propose an  
20 amendment to the Constitution of Alabama of 1901, authorizing  
21 a municipality in the county to permit the limited operation  
22 of golf carts on a municipal street or public road; to provide  
23 limitations; to require the driver to have a driver's license;  
24 to require the operator of a golf cart on a municipal street  
25 or public roadway to be covered by liability insurance; and to  
26 authorize the municipality to assess a civil penalty for  
27 violations.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

2 Section 1. The following amendment to the  
3 Constitution of Alabama of 1901, is proposed and shall become  
4 valid as a part of the Constitution when all requirements of  
5 this act are fulfilled:

6 PROPOSED AMENDMENT

7 (a) A municipality in Covington County may  
8 designate municipal streets or public roads within the  
9 municipality for use by golf carts. Before making that  
10 designation, the municipality shall first determine that golf  
11 carts may safely travel on or across the street or road. The  
12 municipality making the safety determination shall consider  
13 factors including, but not limited to, the speed, volume, and  
14 character of motor vehicle traffic using the road or street.  
15 Upon a determination that golf carts may be safely operated on  
16 the designated street or road, the municipality shall post  
17 appropriate signs to indicate that the operation of golf carts  
18 is authorized.

19 (b) A municipality that authorizes the use of golf  
20 carts pursuant to subsection (a) shall inspect any golf cart  
21 that an owner wishes to use pursuant to subsection (a) to  
22 determine if the safety equipment required by subsection (e)  
23 is present on the golf cart and shall verify that the operator  
24 of the golf cart on a municipal street or public road is  
25 covered by a policy of liability insurance held by the owner  
26 of the golf cart. The liability limits for operation of the  
27 golf cart shall be the same as for operation of a motor

1 vehicle. If the proper safety equipment is present and the  
2 golf cart is covered by liability insurance, the municipality  
3 shall issue a permit to the owner upon payment of a permit  
4 fee. The municipality may designate the appropriate department  
5 of the municipality to inspect and permit golf carts and may  
6 adopt rules for permitting golf carts, including providing for  
7 a permit fee.

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

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

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

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

18 (g) A municipality may enact an ordinance regarding  
19 golf cart operation and equipment that is more restrictive  
20 than the restrictions enumerated in this section. Upon  
21 enactment, the municipality shall post appropriate signs or  
22 otherwise inform residents that the ordinance exists and will  
23 be enforced within the jurisdictional limits of the  
24 municipality.

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

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

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

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

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

11 (m) Notwithstanding any other provision of this  
12 amendment, a municipality may enact an ordinance regarding  
13 golf cart operation and equipment that is less restrictive  
14 than the restrictions enumerated in this amendment authorizing  
15 the use of golf carts for periods not to exceed 80 hours by  
16 the municipality or a civic organization in conjunction with  
17 civic events or events to raise funds, promote economic  
18 development, or similar purposes as authorized in the  
19 ordinance.

20 Section 2. An election upon the proposed amendment  
21 shall be held in accordance with Section 284 and Section  
22 284.01 of the Constitution of Alabama of 1901, now appearing  
23 as Section 284 and Section 284.01 of the Official  
24 Recompilation of the Constitution of Alabama of 1901, as  
25 amended, and the election laws of this state.

26 Section 3. The appropriate election official shall  
27 assign a ballot number for the proposed constitutional

1 amendment on the election ballot and shall set forth the  
2 following description of the substance or subject matter of  
3 the proposed constitutional amendment:

4 "Relating to Covington County; proposing an  
5 amendment to the Constitution of Alabama of 1901, authorizing  
6 any municipality in the county to allow the limited operation  
7 of golf carts on designated municipal streets or public roads  
8 subject to restrictions and civil penalties for violations.

9 "Proposed by Act \_\_\_\_\_"

10 This description shall be followed by the following  
11 language:

12 "Yes ( ) No ( )."