

## CHAPTER 74: GOLF CARTS

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### § 74.01 AUTHORITY TO REGULATE.

Pursuant to G.S. § 160A-300.6, the town is authorized, by ordinance, to regulate the operation of golf carts on any public street, road or highway where the speed limit is 35 mph or less.

(Prior Code, § H-VIII-1)

### § 74.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**GOLF CART.** As defined by G.S. § 20-4.01(12)(a), or any successor statutory definition. As of the date of this chapter's initial adoption, the definition reads as follows: a vehicle designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of 20 mph.

**OPERATE.** To drive, or be in physical control of a golf cart that is moving or has its key inserted and in the on position.

**PUBLIC STREETS AND ROADS.** The streets, roads and highways owned and/or maintained by the town or the state, including any associated right-of-way.

**TOWN.** The Town of Dallas.

(Prior Code, § H-VIII-2)

### § 74.03 OPERATION ON PUBLIC STREETS AND ROADS.

It is unlawful to operate a golf cart on a public street or road within the town unless the following requirements are met.

(A) The golf cart must display a valid registration sticker as provided in §74.04.

(B) The golf cart may not operate on or alongside NC 279 (Trade Street) within the town limits except to cross over NC 279 (Trade Street) by the shortest route possible. Golf carts may cross or travel on any other public streets and roads with a posted speed limit of 35 mph or less.

(C) No person may operate a golf cart unless that person is licensed to drive a motor vehicle upon the streets and highways of the state, and then only in accordance with the limitations and/or restrictions related to the driver's license.

(D) Only the number of people the golf cart is designed to seat may ride on a golf cart, and all passengers must be properly seated. Passengers shall not be carried on the part of a golf cart designed to carry golf bags.

(E) Riders may not be transported in a negligent manner.

(F) No golf cart may be operated at a speed greater than reasonable and prudent for the existing conditions, and in no instance at a speed greater than 20 mph.

(G) No golf cart may be operated in a careless or reckless manner.

(H) Golf carts must be operated in accordance with all applicable state and local laws and ordinances, including all laws, regulations and ordinances pertaining to the possession and use of alcoholic beverages. In addition, no golf cart containing any open container of alcohol shall be operated on public streets, roads or highways.

(I) Golf carts must be operated to the extreme right of the paved portion of the roadway, must adhere to all traffic flow patterns, and must yield to all vehicular, bicycle and pedestrian traffic.

(J) Golf carts may be operated in bicycle and pedestrian lanes on any public streets and roads provided they do not impede bicycle or pedestrian traffic.

(K) Golf carts are not allowed to be driven on any sidewalks in town.

(L) Golf carts shall not be operated on or across any public or private properties without the permission of the property owner.

(M) Golf carts must be equipped with a rear vision mirror and rear reflectors.

(N) Golf carts must have the basic equipment supplied by the manufacturer, including a vehicle identification number, which must be displayed. The equipment must include all safety devices as installed by the manufacturer.

(O) If a golf cart is not equipped with brake lights or turn signals, the operator must use standard hand signals to signal stopping and turning.

(P) No golf cart may be operated on public streets or roads between one hour after sunset and one hour before sunrise, unless equipped with two operating headlights (one on each side of the front of the golf cart) and two operating tail lights (one on each side of the rear of the golf cart) which are visible from a distance of at least 500 feet.

(Q) The operator must maintain liability insurance on the golf cart in an amount not less than \$150,000 liability limit per occurrence to cover the risk involved in using a golf cart on public streets and roads in the state. The operator must possess proof of the insurance at the time of the operation of the golf cart.

(R) No golf cart shall operate on any street, roadway or other public vehicle area that is closed due to special event, parade or construction. The Chief of Police, or his or her designee, may prohibit the operation of golf carts on any street or road if the Chief determines that the prohibition is necessary in the interest of safety.

(S) No golf cart may be operated for commercial or livery purposes.

(Prior Code, § H-VIII-3) Penalty, see § 74.99

#### **§ 74.04 REGISTRATION REQUIRED.**

(A) No golf cart may be driven on any public street or road, or right-of-way associated therewith, within the town, other than on a golf course, or at properly designated golf cart crossings, without a permit sticker being acquired from the Town Police Department and attached to the golf cart in a conspicuous place on the lower left windshield.

(B) An annual inspection and fee of \$25 per golf cart will be charged by the town for the inspection, permit sticker, and to cover the costs of implementing and administering this chapter. The Town Police Chief retains the right to refuse to issue, to refuse to re-issue and/or to revoke any permit sticker from any golf cart at any time for any reason that he or she feels is appropriate to ensure the safety and well being of the citizens of the town.

(C) The permit sticker shall be valid for no more than one year, except for those issued in the first year, which will expire December 31, 2010. Permit stickers may be issued at any time during the calendar year, but all permit stickers will expire on December 31 of the year issued. Starting on November 1 of each year, the town can begin inspecting and re-issuing permit stickers for the following registration year, the stickers will take effect on January 1.

(D) Registration fees may change without notice.

(Prior Code, § H-VIII-4) Penalty, see § 74.99

#### **§ 74.99 PENALTY.**

Any act constituting a violation, except as provided in division (B) below, or failure to comply with any of its requirements shall subject the offenders to civil penalty of \$50, plus the court costs and attorney fees incurred by the town. Notwithstanding the foregoing, persons who, while driving golf carts on public streets within the town, violate the "rules of the road" applicable to motor vehicles generally (as set forth in Part 10 of G.S. Chapter 20), shall be subject to the same penalties applicable to the operators of other motor vehicles.

(A) Operating a golf cart under the influence of an impairing substance (i.e., alcohol or drugs) on a public road or highway is not a violation of this chapter, but a violation of state law, and is punishable as provided therein.

(B) If the offenders fail to pay the penalty within ten days of receiving final written notice of violation, the penalty may be recovered by the town in a civil action in the nature of a debt. Repeat offenders may have the privileges granted by this chapter revoked by the Town Police Chief and/or the Board of Aldermen.

(C) This division (C) is adopted to address the interest of public safety. Golf carts are not designed or manufactured to be used on the public streets and the town in no way advocates or endorses their operation on public streets or roads. The town, by regulating the operation, is addressing obvious safety issues, and adoption of this division (C) is not to be relied upon as determination that operation on public streets is safe or advisable if done in accordance with this division (C). All persons who operate or ride upon carts on public streets or roads do so at their own risk and peril, and must be observant of, and attentive to the safety of themselves and others, including their passengers, other motorists, bicyclists and pedestrians. The town has no liability under any theory of liability and the town assumes no liability, for permitting carts to be operated on the public streets and roads under the special legislation granted by the states legislature.

(Prior Code, § H-VIII-5)