

GOLF CARTS

§ 73.20 PURPOSE.

The purpose of this subchapter is to establish rules and regulations to allow for safe and lawful operation of golf carts upon city streets within the city as an alternative means of transportation. The provisions of this subchapter shall not apply to a golf cart that is not used on a public roadway.

(Ord. 2011-2, passed 3-19-2012; Ord. 2020-06, passed 9-17-2020)

§ 73.21 DEFINITIONS.

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

GOLF CART. Any self-propelled vehicle that:

(1) Is designed for the transportation of players or maintaining equipment on a golf course, while engaged in the playing of golf, supervising the play of golf or maintaining the condition of the grounds of a golf course;

(2) Has a minimum of four wheels;

(3) Is designed to operate at a speed of not more than 35 mph;

(4) Is designed to carry not more than six persons including the driver;

(5) Has a maximum gross vehicle weight of 2,500 pounds;

(6) Has a maximum rated payload capacity of 1,200 pounds; and

(7) Meets the federal motor vehicle safety standards for low-speed vehicles set forth in 49 C.F.R. § 571.500, which include, but are not necessarily limited to, the following:

(a) Headlamps;

(b) Front and rear turn signal lamps;

(c) Tail-lamps;

(d) Stop lamps;

(e) Reflex reflectors: one red on each side as far as to the rear as practicable, and one red on the rear;

(f) An exterior mirror mounted on the driver's side of the vehicle and either an exterior mirror mounted on the passenger's side of the vehicle or an interior mirror;

(g) A parking brake;

(h) A windshield that conforms to the federal motor vehicle safety standard on glazing materials (49 C.F.R. § 571.205);

(i) A Type 1 or Type 2 seat belt assembly conforming to 49 C.F.R. § 571.209 that is installed at each designated seating position; and

(j) A horn that meets the requirements of KRS 189.080.

LOCAL GOVERNMENT. A city, county charter county government, urban-county government, consolidated local government, unified local government or a special district. (Ord. 2011-2, passed 3-19-2012; Ord. 2020-06, passed 9-17-2020)

§ 73.22 ADDITIONAL RESTRICTIONS ON GOLF CART USAGE.

Golf carts shall also comply with the following requirements.

(A) A standard noise reducing muffler shall be used. No cutouts or straight pipes are allowed.

(B) Brakes shall be adequate to control the movement of the golf cart and to stop and hold the golf cart under any condition of operation.

(C) Tires must have sufficient tread for safe use on city streets. The operator of a golf cart on any city street shall obey all state motor vehicle traffic rules and regulations as well as all manufacturers' recommendations for said golf cart.

(D) The golf cart displays a slow-moving vehicle emblem in compliance with KRS 189.820. When operated on a designated city street a golf cart shall have a bicycle safety flag, which extends not less than seven feet above the ground, attached to the rear of the vehicle. The bicycle safety flag shall be triangular in shape with an area of not less than 30 square inches and shall be day-glow in color.

(E) No person operating a golf cart on a city street shall:

(1) Operate a golf cart without having a valid driver's license in the operator's possession;

(2) Operate a golf cart without having insurance in compliance with KRS 304.39-080 and proof of said insurance inside the cart at all times during operation;

(3) Operate a golf cart on any roadway where the posted speed limit is more than 35 mph;

(4) Cross a highway at an intersection where the posted speed limit is 35 mph or more. Notwithstanding, the Transportation Cabinet may prohibit the operation of a golf cart on a public roadway designated hereunder that crosses a state-maintained highway under its jurisdiction if it determines that such prohibition is necessary in the interest of public safety;

(5) Operate a golf cart between sunset and sunrise; and/or

(6) Operate on the private property of another without the written and dated permission of that property owner.

(Ord. 2011-2, passed 3-19-2012; Ord. 2020-06, passed 9-17-2020) Penalty, see § 73.99

§ 73.23 INSPECTION AND PERMITS.

(A) Any person who intends to operate a golf cart on any city street within the limits shall have the golf cart initially inspected by the County Sheriff or his or her designee to ensure the golf cart is in compliance with the requirements of this subchapter. Such inspection is subject to a fee as set forth in KRS 189.286(3).

(B) The city shall also issue a permit for the operation of a golf cart within the city and a sticker or decal shall be displayed at all times. Golf carts which bare an official permit issued by the city shall be numbered and affixed to the lower left side (driver's side) of the windshield of the vehicle. The City Clerk shall prepare an application form for the special permit and charge a yearly fee \$25 for each permit issued annually. Subsequent renewals of the permit shall be due on or before January 1 of each year. Any initial permits or renewal permits issued after January 1 shall not be prorated and shall be subject to the full and entire yearly permit fee of \$25. Insurance and proof of inspection by a certified inspector shall be presented prior to issuance of the first official permit issued for a specific golf cart. Following the initial inspection associated with a specific golf cart by a certified inspector, the requirements for subsequent renewal of the permit described herein shall be the completion of an application, proof of insurance, and the fee of \$25.

(Ord. 2011-2, passed 3-19-2012; Ord. 2020-06, passed 9-17-2020)

§ 73.24 ROADWAY USAGE.

Pursuant to KRS 189.286(2), the city may authorize and regulate the operation of a golf cart on any public roadway under its jurisdiction if it adopts an ordinance specifying each roadway that is open for golf cart use. Accordingly, golf carts meeting the requirements set forth herein are allowed to be used on any local roadway that meet the speed limitations and are under the jurisdiction of the city. Notwithstanding, the city expressly reserves the right to restrict the usage of said golf carts on certain roadways falling within its jurisdiction.

(Ord. 2011-2, passed 3-19-2012; Ord. 2020-06, passed 9-17-2020)

§ 73.99 PENALTY.

(A) Whoever violates any provision of this chapter where there is not a penalty already provided shall be deemed to have committed a violation and shall be fined not more than \$50 for each offense.

(B) If any individual is charged with violating § 73.05 of this chapter, the penalty for the first offense shall be \$10. The penalty for the second offense shall be \$25. The penalty for the third offense shall be \$50 and/or confiscation of the motor vehicle.

(Prior Code, § 73.99)

(C) Any person violating the provisions of §§ 73.20 through 73.24 of this chapter shall, upon conviction of a first offense, be fined not less than \$100, nor more than \$250. Any person convicted of a subsequent violation of §§ 73.20 through 73.24 of this chapter within two years of a prior conviction under §§ 73.20 through 73.24 of this chapter shall be fined not less than \$250, nor more than \$500.

(Ord. passed 4-16-1990; Ord. 2011-2, passed 3-19-2012; Ord. 2020-06, passed 9-17-2020)