

TITLE VII: TRAFFIC CODE

CHAPTER 75: GOLF CARTS

A SUBCHAPTER REGULATING THE OPERATION OF GOLF CARTS WITHIN THE TOWN LIMITS OF WALLACE

§ 75.070 AUTHORITY TO REGULATE.

Pursuant to N.C.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 within its municipal limits, or on any property owned or leased by the city, where the speed limit is 35 miles per hour or less

§ 75.071 PURPOSE

The purpose of this ordinance shall be to establish a Golf Cart Ordinance within the Town to promote the health, safety, and welfare of person(s) operating golf cart(s) within the Town and to protect the safety of their passengers and other users of roads. To this end the operation of golf carts must comply with applicable state laws and town regulations pertaining to the operation of traditional motor vehicles, and must also comply with the specific provisions included in this ordinance.

§ 75.072 LIABILITY DISCLAIMER.

This establishment of a golf cart ordinance is necessary to address the interests of public safety. Golf carts are not designed or manufactured to be used on public streets, roads, and highways, hereinafter “road(s),” and the Town in no way advocates or endorses the operation of golf carts on roads. The Town, by regulating such operation is merely trying to address obvious safety issues, and adoption of this Ordinance is not to be relied upon as a determination that operation on roads is safe or advisable if done in accordance with this Ordinance. All persons who operate or ride upon carts on 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 for permitting golf carts to be operated on roads under special legislation granted by the State Legislature. Any person who operates a cart must procure liability insurance sufficient to cover the risks involved in using a cart on the roads of the Town.

§ 75.073 DEFINITIONS.

For the purposes of this subchapter, the following words and phrases shall have the following meanings:

1. CHIEF OF POLICE: The Town Chief of Police or designee.
2. TOWN: The Town of Wallace, North Carolina.
3. GOLF CART: 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. N.C.G.S. § 20-4.01(12a).
4. ROAD: Any public street, road, or highway within the corporate limits of the town, open to the general public and whose posted speed limit is 25 mph or less.
5. OPERATE: To drive or be in physical control of a golf cart that is moving or has its engine on.
6. REGISTRATION PERIOD: July 1 through June 30 of each year.
7. DRIVER'S LICENSE: A valid license issued to operate a motor vehicle by North Carolina or any other state.
8. FINANCIAL RESPONSIBILITY: Liability insurance coverage on a golf cart in an amount not less than required by North Carolina law for motor vehicles operated on public highways in the State of North Carolina.
9. OPERATOR: Only persons over 16 years of age and holding a valid driver's license may operate a golf cart on roads.

§ 75.074 LIABILITY INSURANCE.

No golf cart shall be operated on any public street within the town without liability insurance coverage being provided for that golf cart. Any person who owns a golf cart that is operated within the town shall be responsible for procuring liability insurance sufficient to cover the risk involved in operating a golf cart on public streets. Penalty, see § 75.999

§ 75.075 REQUIRED EQUIPMENT.

(A) Generally. In addition to all other requirements stated herein, all golf carts operated within the Town shall have the following equipment installed on them and the equipment shall be visible and/or operational at all times:

- (1) Two red reflectors of a diameter of not less than three inches, which are so designed and located as to height and which are maintained so that each reflector is visible for at least 500 feet under normal atmospheric conditions;

- (2) Slow moving vehicle warning sign attached to the rear;
- (3) Rear view mirror or side view mirrors, mounted on each side of the golf cart;
- (4) Seat belts (one per seat, a lap belt only, is required);
- (5) A parking brake;
- (6) A windshield; and
- (7) Must be limited to a maximum of three (3) rows of seats.

(B) Additionally. Golf carts registered for nighttime operation shall also have the following equipment installed on them and the equipment shall be visible and/or operational while operating before sunrise and after sunset;

- (1) Headlamps which comply with N.C.G.S. § 20-129(b);
- (2) Rear lamps which comply with N.C.G.S. § 20-129(d);
- (3) Brake lights which comply with N.C.G.S. § 20-129(g);
- (4) Front and rear turn signals which comply with N.C.G.S. § 20-125.1; and
- (5) One white or clear flashing LED or strobe light, which shall be mounted at the top and facing to the rear of the golf cart.

§ 75.076 REGISTRATION AND PERMIT REQUIREMENTS

(A) No golf cart shall be operated on any public street within the town or on any property owned or leased by the town unless the golf cart has first been permitted with the Town as required herein.

(B) All golf cart owners must complete a golf cart registration application and submit it to the Police Chief or designee prior to being eligible for an inspection.

(C) In order to register a golf cart and secure an annual permit for the Town, the owner and golf cart must meet the following basic requirements:

- (1) The owner must be at least sixteen (16) years old and possess a valid driver's License;
- (2) The owner must possess and maintain liability insurance in an amount not less than required by state law for traditional motor vehicles operated on public streets in the state;
- (3) The owner must provide proof of said liability insurance;

- (4) The owner must provide proof of ownership;
- (5) The owner must pay a one-time application and registration fee of \$50.00 for the first registration. The owner must pay an annual registration fee of \$25.00 for each subsequent registration;
- (6) The owner must have completed a Waiver of Liability, releasing the Town from liability;
- (7) The golf cart must not have been modified to exceed a speed of 20 mph; and
- (8) The golf cart must have an identifiable identification number;

(D) In order to register a golf cart with the Town, a golf cart must have all of the required equipment and safety features listed in subsection § 75.075.

(E) The owner must pay a one-time application and registration fee of \$50.00 for the first registration. The owner must pay an annual registration fee of \$25.00 for each subsequent registration. The application and registration fees may be amended with notice by the Town of Wallace. Registration fees will not be prorated.

(F) All fees will be submitted to the police department prior to the issuance or renewal of the permit, along with the permit application itself. The golf cart shall be inspected by the Police Chief or designee for compliance with the provisions of this Ordinance. The registration and permit shall be renewed annually thereafter in accordance with the provisions of this article.

(G) Upon successfully passing an inspection, the golf cart will be assigned a registration card along with a decal or plate, which is valid for no more than one (1) year. All owners of registered golf carts are required to schedule annual inspections between May 01 and June 30 of each year. All permits will expire on June 30 of each year, provided however, it shall be lawful to operate a registered golf cart until July 15 of the year of expiration.

(H) Prior to the issuance of an initial permit or annual renewal the owner and will also sign an acknowledgment that he/she has read, understands, and will abide by the provisions of this article.

(I) Once registered, the registration card, along with the registration decal or plate, must be located on the golf cart, and available for review, at all times.

(J) All golf cart operators must present a valid driver's license while operating a golf cart on a public road.

(K) Lost or stolen permits are the responsibility of the owner and must be replaced before the golf cart is operated on a public road.

§ 75.077 RULES AND REGULATIONS FOR OPERATION.

1. Golf carts shall not be operated on or alongside a public road, street, or highway with a posted speed limit greater than 25 miles per hour (mph).
2. Golf carts may cross a road with a posted speed limit greater than 25 mph. However, once this segment of road has been transversed, the golf cart is still required to travel only on or along a roadway with a speed limit of 25 mph or less. Golf carts must cross in a manner that is the most direct route in order to decrease crossing distance, i.e., no riding along a road or crossing at an angle. Golf carts must also cross the road only at controlled intersections.
3. Any person who operates a golf cart must be responsible for all liability associated with operation of the golf cart and must have liability insurance coverage which will cover the use of a golf cart in an amount not less than required by North Carolina law for moto vehicles operated on public highways in the State of North Carolina.
4. Each golf cart operator must at all times have the following documents on the golf cart while it is in operation on public roads, streets, or highways:
 - a. Golf cart registration card;
 - b. Proof of liability insurance;
 - c. Proof of ownership; and
 - d. A completed Waiver of Liability, releasing the Town from liability that may arise as a result of operation of a golf cart inside the Town.
5. Any person who operates a golf cart must be at least sixteen (16) years of age or older. No person may operate a golf cart unless that person is licensed to drive upon the public streets, roads, and highways of North Carolina and then, only in accordance with such valid driver's license. Golf cart operators must carry their driver's license on their person at all times while operating a golf cart on public roads.
6. Any person who operates a golf cart on public streets, roads, or highways must adhere to all applicable State and local laws, regulations and ordinances, including but not limited to those banning the possession and use of alcoholic beverages, and all other illegal drugs. In addition, no golf cart containing any open container of alcohol shall be operated on public roads.
7. The operator of the golf cart shall comply with all applicable state and local laws, including all applicable traffic laws, which governs the operation of the motor vehicle.
8. An operator may not allow the number of people in the golf cart at any one time to exceed the maximum capacity specified by the manufacturer. The operator shall not allow passengers to ride on any part of the golf cart not designed to carry passengers, such as the part of the golf cart designed to carry golf bags.

9. No golf cart may be operated in a careless or reckless manner. In no instance shall a golf cart be operated at a speed greater than reasonable and prudent for the existing conditions and in no instance at a speed of greater than 20 mph.
10. Golf carts must be operated at the right edge of the roadway and must yield to all vehicular and pedestrian traffic.
11. Golf carts must park in designated spaces in such a manner that multiple golf carts can utilize the space. All parking rules and limits apply. No parking on sidewalks is allowed.
12. Seatbelts must be worn by all golf cart drivers and passengers while the golf cart is in motion.
13. Golf carts without lights may be operated only during daylight hours. Golf carts meeting the requirements set forth above in § 75.075(C) and registered for nighttime operation may operate from 5:00 a.m. to 11:00p.m.
14. Operators of golf carts registered for limited use, i.e. for clear visibility day time use only, and lacking stop and turn signal indicators must follow N.C.G.S. § 20-154 and use proper hand signals to indicate the intention to start, stop, or turn by extending the hand and arm from and beyond the left side of the vehicle as hereinafter set forth:
 - (1) Left turn—Hand and arm horizontal, forefinger pointing.
 - (2) Right turn—Hand and arm pointed upward.
 - (3) Stop—Hand and arm pointed downward.All hand and arm signals shall be given from the left side of the vehicle and all signals shall be maintained or given continuously for the last 100 feet traveled prior to stopping or making a turn.
15. The operation of golf carts in the following circumstances is exempt, and is not subject to the provisions of this article:
 - (1) The operation of golf carts on private property, with the consent of the owner;
 - (2) The operation of golf carts on private streets;
 - (3) The use of a golf cart in connection with a parade, a festival, or other special event provided the consent of the sponsor is obtained, the Chief of Police or designee is notified, and provided the golf cart is only used during such event; and
 - (4) The use of golf carts by town personnel, other governmental agencies, and/or public service agencies on official business.

§ 75.999 PENALTY.

- (A) Any person violating the motor vehicle laws of the state, which shall also apply to golf carts registered under this article, shall be charged accordingly and shall be subject to

the penalties prescribed in state law for any such violation. *See* Chapter 20 of the North Carolina General Statutes

- (B) Any person who knowingly allows a driver less than 16 years of age to operate a golf cart shall be charged and subject to the penalties prescribed in state law for contributing to the delinquency of a minor.
- (C) Any person violating the provisions of this article or failing to comply with any of its requirements shall be required to pay a civil violation in the amount of \$50.00.
- (D) Any person violating the town's parking ordinances shall be subject to the penalties outlined for parking violations in this chapter.
- (E) Operating a golf cart under the influence of an impairing substance (i.e., alcohol or drugs) on a public street is a violation of state law, and is punishable as provided therein. *See* Chapter 20 of the North Carolina General Statutes
- (F) The Police Chief or designee may refuse to register and issue a permit for the operation of a golf cart, or may immediately revoke a previously issued permit, if the registered golf cart and/or the owner of the golf cart is involved in three or more violations of this ordinance and/or violations of state law within a three-year time period. Said revocation and/or denial of a permit shall be effective for one year.
- (G) The Police Chief or designee may refuse to register and issue a permit for the operation of a golf cart, or may immediately revoke a previously issued permit, if the registered golf cart and/or the owner of the golf cart is charged with operating a golf cart under the influence of an impairing substance, aiding and abetting the operation of the golf cart under the influence of an impairing substance, or operating a golf cart in a careless and reckless manner. Said revocation and/or denial of a permit shall be effective for one year, unless the charge is dismissed or the owner and/or operator is acquitted, in which event the permit shall either be immediately reinstated or the application for the permit shall be approved if the conditions of the ordinance have been met.
- (H) All revocation periods shall be effective from the date of the notification of revocation letter, provided that the revoked registration decal or plate has been removed within fourteen (14) days of the date of notification. If the revoked registration decal is not removed within fourteen (14) days, then the revocation shall be effective, however the one (1) year period shall not begin until the date the registration decal/plate is surrendered to, or seized by, the police department.