

PROPOSED LANGUAGE FOR GOLF CART ORDINANCE DISCUSSION

Section 1: Definitions

- (a) "Motorized Cart" means every motor vehicle having not less than three (3) wheels and which cannot operate at more than twenty-five (25) miles per hour and which is designed to carry not more than four (4) persons, including the driver. This includes golf carts and similar types of self-propelled vehicles.
- (b) "Low Speed Vehicle" means any motor vehicle licensed by the State of Georgia which carries a Low Speed Vehicle tag and permit.
- (c) Electric Personal Assistive Mobility Device or EPAMD means a self-balancing, two non-tandem wheeled device designed to transport only one person and having an electric propulsion system with average power of 750 watts (one horsepower) and a maximum speed of less than 20 miles per hour on a paved level surface when powered solely by such propulsion system and ridden by an operator.
- (d) "All Terrain Vehicle" means any motorized vehicle designed for off-road use which is equipped with three or more low pressure tires and with a seat to be straddled by the operator and with handlebars for steering control.

Section 2: Operation Regulations; Equipment Requirements

- (a) A license is not required for the operation of an Electric Personal Assistive Mobility Devices within the City. Motorized carts, and Low Speed Vehicles may be operated within the city only by:
 - (1) Those persons who are 16 years of age and older and have a valid motor vehicle driver's license.
 - (2) Those persons who are 15 years of age, who have in his or her possession a valid instructional permit issued by the state pursuant to O.C.G.A. § 40-5-24, as may be amended, and has not had his or her instructional permit suspended or revoked, if accompanied in the front seat by a person at least 18 years of age who holds a valid motor vehicle drivers license.
 - (3) No person under the age of 15 years of age shall be permitted to operate a motorized cart or Low Speed Vehicle on any public street within the corporate limits of the city.
- (b) Before any motorized cart or Low Speed Vehicle may be operated within the City, the cart or vehicle must be registered and receive a decal from the clerk of the City signifying its registration. A person desiring to register a motorized cart or Low Speed Vehicle shall bring documentation setting forth a description of the cart or vehicle to the clerk's office and complete an application for registration of the cart or vehicle as provided by the City Clerk.

(c) Every gasoline-powered motorized cart or Low Speed Vehicle shall at all times be equipped with an exhaust system in good working order and in constant operation, meeting the following specifications:

(1) The exhaust system shall include the piping leading from the flange of the exhaust manifold to and including the muffler and exhaust pipes or include any and all parts specified by the manufacturer.

(2) The exhaust system in its own shall be securely fastened, including the consideration of missing or broken brackets or hangers.

(3) The engine and power mechanism of every gasoline-powered cart or Low Speed Vehicle shall be so equipped, adjusted, and tuned, as to prevent the escape of excessive smoke or fumes.

(4) All carts or vehicles shall be maintained in such conditions so that they are incapable of "backfiring", or otherwise operating so as to make loud noises; or create noise as a result of an operator equipping the cart or vehicle with devices designed to increase noise.

(5) Motorized carts and Low Speed Vehicles must comply with all applicable noise regulations of the City of Dunwoody.

(d) Electric Motorized carts, Low Speed Vehicles and EPAMDs shall be equipped with, at a minimum, all factory installed safety systems and a charge indicator for low battery.

(e) Upon registration, the clerk shall issue a decal to be applied to the rear of such cart or Low Speed Vehicle so as to be plainly visible. The registration application shall be made on a form supplied by the City and shall contain the following information:

a. Name and address of owner.

b. Model, make, name and motorized cart or Low Speed Vehicle identification number.

c. Such other information which the City may require so long as such information is also required to register a motor vehicle pursuant to State Law.

The registration application shall be accompanied by a fee of \$10.00. The issued registration shall be nontransferable from the cart or Low Speed Vehicle for which it is issued.

(f) Before any motorized cart or Low Speed Vehicle may be operated within the City, the cart or Low Speed Vehicle must have affixed thereto an emblem as required by O.C.G.A. § 40-8-4.

(g) All operators shall abide by all traffic regulations applicable to vehicular traffic when using the city streets and other areas accessible to such carts or Low Speed Vehicles by the public in the city, including the uniform rules of the road contained in O.C.G.A. §§ 40-6-2 thru 40-6-395.

- (h) Motorized carts and Low Speed Vehicles which are in compliance with this section may be operated on any street within the City which is not specifically within the jurisdiction of the Georgia Department of Transportation and may only cross streets or roads within the state highway system at intersections or crossings designated for that purpose by the Department of Transportation.

Section 3: Time and Location of Operation

- (a) All vehicles authorized by this Article may be operated only during daylight hours between one-half (1/2) hour before sunrise and one-half (1/2) hour after sunset, unless equipped with two (2) operating headlights, tail lights, and brake lights which are visible from a distance of five hundred (500) feet. Such vehicles shall not be operated at any time when there is insufficient light to clearly see persons or vehicles on the street or roadway at a distance of five hundred (500) feet.
- (b) Motorized Carts and EPAMDs may be operated only on local roads that are within self-contained golf course communities within the city having a posted speed limit of twenty-five (25) miles per hour or less. Such vehicles may not be operated on sidewalks, multiuse trails or on state roads or federal highways.

Section 4: Operation of All Terrain Vehicles.

No person shall operate or drive any All Terrain Vehicle upon any portion of the right-of-way of any public road, street or highway within the City. All Terrain Vehicles (ATVs) shall be operated only on private property with the written consent of the owner of such property to be carried by the riders at all times and displayed to law enforcement officials upon request.

Section 5: Hazardous activities prohibited; special rules.

- (a) No individual or group utilizing motorized carts, Low Speed Vehicles or EPAMDs shall engage in any dangerous, reckless, or hazardous activities on the city streets or other areas accessible by the public. Such activities shall include, but not be limited to, racing in any form, except for special events approved by the City, blocking of any public access, except for special events approved by the City, reckless or aggressive driving, loitering or parking on roads, bridges or in underpasses, and not issuing an audible warning when approaching pedestrians from the rear.
- (b) All laws and ordinances relative to alcohol and its use, including open container laws, which apply to traffic on the streets of the City shall also apply to drivers and occupants of Motorized Carts, All terrain Vehicles, Electric Personal Assistive Mobility Devices and Low Speed Vehicles.
- (c) All operators and passengers must remain seated at all times during the movement and/or operation of the Motorized Cart, All Terrain Vehicles, EPAMDs and Low Speed Vehicles.
- (d) No driver shall operate a motorized cart, EPAMD's or Low Speed Vehicles between lanes of traffic or between adjacent lines of rows of vehicles.

Section 6: Liability.

Every person using motorized vehicles on city streets is liable for his or her own actions. Liability insurance coverage varies, and each person owning or operating a Motorized Card, EPAMD or Low Speed Vehicle on the city streets or in those areas accessible by the public should verify coverage. The City does not require mandatory liability coverage in order to operate any of the vehicles authorized in this Article.

Section 7: Penalties.

A violation of any provision of this Article shall constitute a violation of the City of Dunwoody Code of Ordinances. An owner, lessee or operator may be cited to appear in the Dunwoody Municipal Court. Upon finding by such court that an owner, lessee, or operator of any motorized vehicle authorized by this Article has violated any provision of this Article, such person shall be subject to a fine not to exceed \$200.00 for each offense, along with court costs and all other applicable surcharges.

Section 8: Revoking of permit.

Permits will be revoked if it is found that:

- (a) The permit holder no longer has a valid driver's license.
- (b) Failure to abide by the rules and regulations of this Article.
- (c) Failure to grant right-of-way to pedestrians and bicyclists.

(d) The holder of the permit cannot safely operate the motorized golf cart, EPAMD or Low Speed Vehicle on the designated path or roadway or pose a threat to the safety of others.

Section 9: Exemptions.

The provisions of this Article shall not apply to:

- (1) Public safety officials while in the performance of their official duties.
- (2) The use of such vehicles in a safe and reasonable manner in a parade which has been approved by city officials.