



Louisville Metro Government

Legislation Text

File #: O-491-14, Version: 1

ORDINANCE NO. _____, SERIES 2015

AN ORDINANCE CREATING CHAPTER 77 OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES [LMCO] RELATING TO GOLF CARTS.

SPONSORED BY:

WHEREAS, by enactment of the Kentucky Legislature, KRS 189.286, the operation of golf carts on certain roadways in Kentucky may be authorized by local government where such operation is deemed by the legislative body to be appropriate; and

WHEREAS, the commercial use of golf carts instead of other delivery mechanisms in certain neighborhoods and residential areas is expected to reduce negative environmental impact and promote economic growth; and

WHEREAS, Metro Council seeks to expand the lawful use of golf carts on designated roadways to delivery personnel engaged in the delivery of goods, if the golf cart is properly inspected, equipped and permitted.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (THE "COUNCIL") AS FOLLOWS:

Section 1: LMCO section 77.01 is hereby created to read as follows:

§ 77.01 DEFINITIONS.

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

DAYTIME DRIVING means driving in the period of time between thirty (30) minutes after sunrise and thirty (30) minutes before sunset.

DELIVERY PERSONNEL means employees of a commercial business engaging in the delivery of goods to consumers.

GOLF CART means 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 on a golf course;
2. Has a minimum of four (4) wheels;
3. Is designed to operate at a speed of not more than thirty-five (35) miles per hour;
4. Is designed to carry not more than six (6) persons, including the driver;
5. Has a maximum gross vehicle weight of two thousand five hundred (2,500) pounds;
6. Has a maximum rated payload capacity of one thousand two hundred (1,200) pounds;
7. Meets the federal motor vehicle safety standards for low-speed vehicles set forth in 49 C.F.R. sec. 571.500 and shall also be equipped with the following:
 - a. A twelve (12) volt horn system; and
 - b. An equipment number, no less than three (3) inches in height, to be installed on both the front and back of the vehicle by the Sheriff's Office at the time of the vehicle's inspection. The Sheriff's Office will also record that number in any and all files relating to that specific vehicle; and
 - c. A slow-moving vehicle emblem in compliance with KRS 189.820.

Section 2: LMCO section 77.02 is hereby created to read as follows:

§ 77.02 DESIGNATION OF PUBLIC ROADWAYS FOR GOLF CARTS

Louisville Metro Council identifies the roadways subject to the provisions of this ordinance as those portions of any public road in Jefferson County under the jurisdiction of Louisville Metro Government so long as the posted speed limit is twenty-five (25) miles per-hour or less.

Section 3: LMCO section 77.03 is hereby created to read as follows:

§ 77.03 GOLF CARTS INSPECTION AND PERMITTING

Golf carts may operate on a designated public roadway; provided:

1. The Jefferson County Sheriff's Department has established a system for the annual inspection and permitting of

golf carts pursuant to this ordinance *and* a permit for operation of the golf cart has been issued by the Sheriff's Department;

2. The golf cart displays a permit that identifies that the golf cart is within compliance of this ordinance and is thereby allowed to operate upon the roadways identified herein. The permitting fee shall be fifty dollars (\$50.00) per cart, per year;
3. The golf cart has been inspected by a certified inspector designated by the Jefferson County Sheriff and certified through the Department of Vehicle Regulation to ensure that the golf cart complies with the requirements of this section. The inspection fee shall be five dollars (\$5.00) per cart, per year. Persons wishing to have their golf carts inspected for issuance of any permits under this section shall bring same to the sheriff's inspection area during times and days as established by the Jefferson County Sheriff. If at any time the Sheriff's Department authorizes the inspection and permitting of golf carts under this ordinance may take place at locations other than the Sheriff's Department, an additional fee of ten dollars (\$10.00) per cart may be imposed for remote inspection;
4. Proof of valid insurance shall be provided at the time of inspection by the Jefferson County Sheriff's Office;
5. Utility golf carts designed with a built-in flatbed or cargo bed may be used if they comply with the other requirements of this section and meet the definition of a golf cart;
6. The golf cart is marked in a conspicuous manner with reflective material and the name of the delivery service.

Section 4: LMCO section 77.04 is hereby created to read as follows:

§ 77.04 OPERATION OF GOLF CARTS

Delivery personnel may operate a golf cart on a public roadway pursuant to subsection three (3) of this section if:

1. The posted speed limit of the designated public roadway is twenty-five (25) miles per hour or less;
2. The operator of the golf cart does not cross a roadway with a speed limit of more than thirty-five (35) miles per hour;
3. The operator has a valid driver's license in his or her possession;
4. The golf cart is being operated during daytime driving hours as defined above;

5. The golf cart displays a slow-moving vehicle emblem in compliance with KRS 189.820; and
6. The sole occupants of the golf cart are delivery personnel employed by the business for which they are making seasonal deliveries.
7. No person under the age of sixteen (16) years old shall ride in or upon any golf cart while the cart is moving.
8. Every person riding upon or operating a golf cart must have a designated seat. A two (2) person golf cart must have no more than two (2) persons on board while in operation. A four (4) person golf cart must have no more than four (4) persons on board while in operation. A six (6) person golf cart must have no more than six (6) persons on board while in operation. No person may sit in the flatbed or cargo bed of a golf cart while it is in motion.

Section 5: LMCO section 77.05 is hereby created to read as follows:

§ 77.05 INSURANCE

A golf cart operating on a public roadway under subsection three (3) of this section shall be insured in compliance with KRS 304.39-080 by the business using the golf carts, and the proof of insurance shall be inside the golf cart at all times of operation on a public roadway. The insurance policy must include no less than one and a half million dollars in public liability coverage.

Section 6: LMCO section 77.06 is hereby created to read as follows:

§ 77.06 TRAFFIC REGULATIONS

Any person operating a golf cart on a public roadway under the provisions of this section shall be subject to the traffic regulations of KRS Chapter 189.

Section 7: LMCO section 77.07 is hereby created to read as follows:

§ 77.07 GOLF CART EXEMPTIONS

- A. A golf cart operating on a public roadway designated by a local government under subsection three (3) of this section is not considered to be a motor a vehicle and is exempt from:
 1. Title requirements of KRS 186.020;
 2. Vehicle registration requirements of KRS 186.050; and
 3. Emissions compliance certificates pursuant to KRS 224.20-720.

B. Golf carts used when playing golf or maintaining a golf course and golf carts not operated on a public roadway, except to cross a roadway while following a golf cart path on a golf course, are not subject to any requirements or restrictions on use of golf carts imposed by this ordinance.

Section 8: LMCO section 77.08 is hereby created to read as follows:

§ 77.08 PENALTY

Any person operating a golf cart on public roadways in a manner not complying with the provisions of this ordinance shall be subject to a \$500.00 fine. This penalty shall apply for each cart operating in violation of this ordinance. This penalty shall be exclusive of any fines and/or penalties resulting from violations of KRS. Violation of this ordinance may also result in revocation or non-renewal of the golf cart permit, seizure of the golf cart, and seizure of any trailer or motor vehicle transporting the golf cart at the time of the offense. The owner and/or operator is responsible for any and all towing and storage charges incurred by Louisville Metro Government or any contracted vendor.

Section 9: This Ordinance shall take effect upon its passage and approval.

H. Stephen Ott Metro Council Clerk

President of the Council

Approved: _____
Greg Fischer Mayor

Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By: _____

Golf Cart Ordinance LMCO 77 CM James ROCsjm 24 Sep 2014