

1 A bill to be entitled
 2 An act relating to regulation of golf carts and utility
 3 vehicles; amending s. 316.212, F.S.; authorizing local
 4 governments to enact more restrictive golf cart equipment
 5 and operation regulations; requiring public notification;
 6 providing for enforcement jurisdiction; providing
 7 penalties; amending s. 316.2126, F.S.; providing for
 8 application of local golf cart equipment and operation
 9 regulations to golf cart and utility vehicle use by
 10 municipalities; providing an effective date.

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 12 Be It Enacted by the Legislature of the State of Florida:

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 14 Section 1. Section 316.212, Florida Statutes, is amended
 15 to read:

16 316.212 Operation of golf carts on certain roadways.--The
 17 operation of a golf cart upon the public roads or streets of
 18 this state is prohibited except as provided herein:

19 (1) A golf cart may be operated only upon a county road
 20 that has been designated by a county, or a municipal ~~city~~ street
 21 that has been designated by a municipality ~~city~~, for use by golf
 22 carts. Prior to making such a designation, the responsible local
 23 governmental entity must first determine that golf carts may
 24 safely travel on or cross the public road or street, considering
 25 factors including the speed, volume, and character of motor
 26 vehicle traffic using the road or street. Upon a determination
 27 that golf carts may be safely operated on a designated road or

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28 street, the responsible governmental entity shall post
29 appropriate signs to indicate that such operation is allowed.

30 (2) A golf cart may be operated on a part of the State
31 Highway System only under the following conditions:

32 (a) To cross a portion of the State Highway System which
33 intersects a county road or municipal ~~city~~ street that has been
34 designated for use by golf carts if the Department of
35 Transportation has reviewed and approved the location and design
36 of the crossing and any traffic control devices needed for
37 safety purposes.

38 (b) To cross, at midblock, a part of the State Highway
39 System where a golf course is constructed on both sides of the
40 highway if the Department of Transportation has reviewed and
41 approved the location and design of the crossing and any traffic
42 control devices needed for safety purposes.

43 (c) A golf cart may be operated on a state road that has
44 been designated for transfer to a local government unit pursuant
45 to s. 335.0415 if the Department of Transportation determines
46 that the operation of a golf cart within the right-of-way of the
47 road will not impede the safe and efficient flow of motor
48 vehicular traffic. The department may authorize the operation of
49 golf carts on such a road if:

50 1. The road is the only available public road along which
51 golf carts may travel or cross or the road provides the safest
52 travel route among alternative routes available; and

53 2. The speed, volume, and character of motor vehicular
54 traffic using the road is considered in making such a
55 determination.

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57 Upon its determination that golf carts may be operated on a
58 given road, the department shall post appropriate signs on the
59 road to indicate that such operation is allowed.

60 (3) Any other provision of this section to the contrary
61 notwithstanding, a golf cart may be operated for the purpose of
62 crossing a street or highway where a single mobile home park is
63 located on both sides of the street or highway and is divided by
64 that street or highway, provided that the governmental entity
65 having original jurisdiction over such street or highway shall
66 review and approve the location of the crossing and require
67 implementation of any traffic controls needed for safety
68 purposes. This subsection shall apply only to residents or
69 guests of the mobile home park. Any other provision of law to
70 the contrary notwithstanding, if notice is posted at the
71 entrance and exit to any mobile home park that residents of the
72 park utilize golf carts or electric vehicles within the confines
73 of the park it shall not be necessary that the park have a gate
74 or other device at the entrance and exit in order for such golf
75 carts or electric vehicles to be lawfully operated in the park.

76 (4) A golf cart may be operated only during the hours
77 between sunrise and sunset, unless the responsible governmental
78 entity has determined that a golf cart may be operated during
79 the hours between sunset and sunrise and the golf cart is
80 equipped with headlights, brake lights, turn signals, and a
81 windshield.

82 (5) A golf cart must be equipped with efficient brakes,
 83 reliable steering apparatus, safe tires, a rearview mirror, and
 84 red reflectorized warning devices in both the front and rear.

85 (6) A golf cart may not be operated on public roads or
 86 streets by any person under the age of 14.

87 (7) Regulations regarding golf cart operation and
 88 equipment that are more restrictive than those enumerated in
 89 this section may be enacted by the responsible local
 90 governmental entity. Upon enactment of any such regulation, the
 91 responsible local governmental entity shall post appropriate
 92 signs or otherwise inform the citizens that such regulations
 93 exist and shall be enforced within its jurisdictional territory.

94 (8)(7) A violation of this section, or local regulations
 95 corresponding to this section enacted pursuant to subsection
 96 (7), is a noncriminal traffic infraction, punishable pursuant to
 97 chapter 318 as either a moving violation for infractions of
 98 subsection (1), subsection (2), subsection (3), or subsection
 99 (4); or local regulations corresponding to subsection (1),
 100 subsection (2), subsection (3), or subsection (4); or as a
 101 nonmoving violation for infractions of subsection ~~subsections~~
 102 (5) or subsection ~~and~~ (6) or local regulations corresponding to
 103 subsection (5) or subsection (6).

104 Section 2. Subsections (1) and (2) of section 316.2126,
 105 Florida Statutes, are amended to read:

106 316.2126 Use of golf carts and utility vehicles by
 107 municipalities.--In addition to the powers granted by ss.
 108 316.212 and 316.2125, municipalities are hereby authorized to
 109 utilize golf carts and utility vehicles, as defined in s.

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110 320.01, upon any state, county, or municipal roads located
111 within the corporate limits of such municipalities, subject to
112 the following conditions:

113 (1) Golf carts and utility vehicles must comply with the
114 operational and safety requirements in ss. 316.212 and 316.2125
115 and any more restrictive regulations enacted by the local
116 governmental entity, and shall only be operated by municipal
117 employees for municipal purposes, including, but not limited to,
118 police patrol, traffic enforcement, and inspection of public
119 facilities.

120 (2) In addition to the safety equipment required in s.
121 316.212(5) and any more restrictive safety equipment required by
122 the local governmental entity, such golf carts and utility
123 vehicles must be equipped with sufficient lighting and turn
124 signal equipment.

125 Section 3. This act shall take effect July 1, 2005.