

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: Transportation Committee

BILL: SB 1820

SPONSOR: Senator Klein

SUBJECT: Golf Carts

DATE: March 21, 2005

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Evans	Meyer	TR	Favorable
2.	_____	_____	CA	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This bill amends ss. 316.212 and 316.2126, F.S., granting local governmental jurisdictions the authority to enact ordinances governing the use of golf carts which are more restrictive than state law.

This bill substantially amends sections 316.212 and 316.2126 of the Florida Statutes.

II. Present Situation:

Section 316.003(68), F.S., defines a golf cart as a motor vehicle which is designed and manufactured for operation on a golf course for sporting or recreational purposes.

Section 316.212, F.S., prohibits the operation of a golf cart upon public roads or streets, with the following exceptions:

- A county road has been designated by the county or a city street has been designated by the city for use by golf carts; however, safety standards must be met in order for this exception to occur.
- The Florida Department of Transportation determines golf carts may use part of the State Highway System, if certain conditions are met.
- A government entity having jurisdiction over certain roads where a mobile home park is located on both sides of a road can designate such road to be used by golf carts at the crossing.

This section also prohibits the operation of golf carts between sunset and sunrise. Also, any person under the age of 14 may not operate a golf cart on public roads or streets. In addition, the golf cart must be equipped with efficient brakes, reliable steering apparatus, safe tires, a rearview mirror, and red reflectors warning devices in both the front and rear. Violations of provisions in this section are punishable pursuant to chapter 318, F.S., as either moving or nonmoving infractions, as specified.

Pursuant to s. 316.2125, F.S., golf carts may operate on street and highways within a self-contained retirement community unless the county, municipality or the Florida Department of Transportation prohibits the use of golf carts for safety reasons.

Section 316.2126, F.S., authorizes the use of golf carts by municipalities upon any state, county, or municipal roads located within the corporate limits of such municipalities, subject to the following safety conditions:

- Golf carts may only be used by municipal employees who possess valid driver's license in the performance of their official duties and for municipal purposes. Such purposes include, but are not limited to, police patrol, traffic enforcement, and inspection of public facilities.
- Golf carts must be equipped with lighting and turn signal equipment.
- Golf carts may only be operated on state roads having a speed limit of 30 miles per hour or less.

III. Effect of Proposed Changes:

Section 1 amends s. 316.212, F.S., allowing local governmental jurisdictions the authority to enact ordinances governing the use of golf carts which are more restrictive than the current state laws and provides for the enforcement jurisdiction and penalties.

Section 2 amends s. 316.2126, F.S., to require golf carts and utility vehicles must not only comply with the operational and safety requirements in ss. 316.212 and 316.2125, F.S., but also with more restrictive ordinances enacted by a local governmental entity.

Section 3 states the act shall take effect upon becoming law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Golf cart owners and operators may be impacted by the actions of the local governmental entities.

C. Government Sector Impact:

This bill gives local governmental entities authority to enact regulations more restrictive than existing state laws regulating golf carts, and if a local government enacts such ordinances, then the entity is required to post the appropriate signs or otherwise inform the residents of the new ordinances.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.

VIII. Summary of Amendments:

None.

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