

By Senator Klein

43-1568-05

1                                   A bill to be entitled  
2           An act relating to golf cart regulations;  
3           amending s. 316.212, F.S.; granting local  
4           jurisdictions the authority to enact ordinances  
5           governing the use of golf carts which are more  
6           restrictive than state law; amending s.  
7           316.2126, F.S.; requiring that the use of golf  
8           carts upon any state, county, or municipal road  
9           located within a local jurisdiction be in  
10          compliance with local ordinances governing the  
11          use of golf carts; providing an effective date.

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

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

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

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

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

5 (a) To cross a portion of the State Highway System  
6 which intersects a county road or municipal ~~city~~ street that  
7 has been designated for use by golf carts if the Department of  
8 Transportation has reviewed and approved the location and  
9 design of the crossing and any traffic control devices needed  
10 for safety purposes.

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

16 (c) A golf cart may be operated on a state road that  
17 has been designated for transfer to a local government unit  
18 pursuant to s. 335.0415 if the Department of Transportation  
19 determines that the operation of a golf cart within the  
20 right-of-way of the road will not impede the safe and  
21 efficient flow of motor vehicular traffic. The department may  
22 authorize the operation of golf carts on such a road if:

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

26 2. The speed, volume, and character of motor vehicular  
27 traffic using the road is considered in making such a  
28 determination.

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

4 (3) Any other provision of this section to the  
5 contrary notwithstanding, a golf cart may be operated for the  
6 purpose of crossing a street or highway where a single mobile  
7 home park is located on both sides of the street or highway  
8 and is divided by that street or highway, provided that the  
9 governmental entity having original jurisdiction over such  
10 street or highway shall review and approve the location of the  
11 crossing and require implementation of any traffic controls  
12 needed for safety purposes. This subsection shall apply only  
13 to residents or guests of the mobile home park. Any other  
14 provision of law to the contrary notwithstanding, if notice is  
15 posted at the entrance and exit to any mobile home park that  
16 residents of the park utilize golf carts or electric vehicles  
17 within the confines of the park it shall not be necessary that  
18 the park have a gate or other device at the entrance and exit  
19 in order for such golf carts or electric vehicles to be  
20 lawfully operated in the park.

21 (4) A golf cart may be operated only during the hours  
22 between sunrise and sunset, unless the responsible  
23 governmental entity has determined that a golf cart may be  
24 operated during the hours between sunset and sunrise and the  
25 golf cart is equipped with headlights, brake lights, turn  
26 signals, and a windshield.

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

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

3           (7) A local governmental entity may enact an ordinance  
4 regarding golf cart operation and equipment which is more  
5 restrictive than those enumerated in this section. Upon  
6 enactment of any such ordinance, the local governmental entity  
7 shall post appropriate signs or otherwise inform the residents  
8 that such an ordinance exists and shall be enforced within its  
9 jurisdictional territory.

10          ~~(8)(7)~~ A violation of this section is a noncriminal  
11 traffic infraction, punishable pursuant to chapter 318 as  
12 ~~either~~ a moving violation for infractions of subsection (1),  
13 subsection (2), subsection (3), ~~or~~ subsection (4), or a local  
14 ordinance corresponding thereto and enacted pursuant to  
15 subsection (7), or punishable pursuant to chapter 318 as a  
16 nonmoving violation for infractions of subsection ~~subsections~~  
17 (5), subsection and (6), or a local ordinance corresponding  
18 thereto and enacted pursuant to subsection (7).

19           Section 2. Section 316.2126, Florida Statutes, is  
20 amended to read:

21           316.2126 Use of golf carts and utility vehicles by  
22 municipalities.--In addition to the powers granted by ss.  
23 316.212 and 316.2125, municipalities are hereby authorized to  
24 utilize golf carts and utility vehicles, as defined in s.  
25 320.01, upon any state, county, or municipal roads located  
26 within the corporate limits of such municipalities, subject to  
27 the following conditions:

28           (1) Golf carts and utility vehicles must comply with  
29 the operational and safety requirements in ss. 316.212 and  
30 316.2125, and with any more restrictive ordinances enacted by  
31 the local governmental entity pursuant to s. 316.212(7), and

1 shall only be operated by municipal employees for municipal  
2 purposes, including, but not limited to, police patrol,  
3 traffic enforcement, and inspection of public facilities.

4 (2) In addition to the safety equipment required in s.  
5 316.212(5) and any more restrictive safety equipment required  
6 by the local governmental entity pursuant to s. 316.212(7),  
7 such golf carts and utility vehicles must be equipped with  
8 sufficient lighting and turn signal equipment.

9 (3) Golf carts and utility vehicles may only be  
10 operated on state roads that have a posted speed limit of 30  
11 miles per hour or less.

12 (4) A municipal employee operating a golf cart or  
13 utility vehicle pursuant to this section must possess a valid  
14 driver's license as required by s. 322.03.

15 Section 3. This act shall take effect upon becoming a  
16 law.

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19 SENATE SUMMARY

20 Grants local jurisdictions the authority to enact  
21 ordinances governing the use of golf carts which are more  
22 restrictive than state law. Requires the use of golf  
23 carts by local jurisdictions to comply with local  
24 golf-cart-use ordinances.  
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