

ORDINANCE NO. 8-20-09(B)

**AN ORDINANCE TO PERMIT AND REGULATE
THE USE OF GOLF CARTS ON TOWN STREETS**

WHEREAS, the State of Indiana has by House Enrolled Act No. 1483 added a new section Indiana Code 9-13-2-69.7, a definition of “Golf Carts” which vehicles may be allowed to operate on Town streets and cross state highways, provided the Town has adopted appropriate ordinances which do not violate State law; and,

WHEREAS, the Town does wish to provide for limited use of golf carts on Bristol Town streets.

NOW, THEREFORE, BE IT RESOLVED, ESTABLISHED AND ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRISTOL, INDIANA AS FOLLOWS:

The Town Ordinances, Title VII, Traffic Code, is hereby amended by adding the following:

Chapter 77 - Golf Carts.

§ 77.01 DEFINITIONS

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

(a) “Golf Cart” shall have the definition provided in Indiana Code 9-13-2-69.7. As it now exists, that term means: a four wheeled motor vehicle originally and specifically designed and intended to transport one (1) or more individuals and golf clubs for the purpose of playing the game of golf on a golf course.

(b) “Driver’s License” – A valid current license to operate a motor vehicle issued by Indiana or any other state.

(c) “Financial Responsibility” – Liability insurance coverage on a golf cart in an amount not less than required by Indiana law for motor vehicles operated on public highways in the State of Indiana.

§ 77.02 OPERATION OF GOLF CART

The operation of a golf cart on Town streets within the Town of Bristol is strictly prohibited unless the golf cart is operated and equipped in full compliance with this Chapter.

§ 77.03 OPERATOR

Only persons over sixteen (16) years of age and holding a valid, current driver's license may operate a golf cart.

§ 77.04 FINANCIAL RESPONSIBILITY PROOF

The operator of a golf cart must show financial responsibility when operating a golf cart. Written proof of financial responsibility must be available either on the golf cart or carried by the operator at all times. The owner must obtain and have installed at all times before operating a valid inspection sticker as described in § 77.0 herein.

§ 77.05 TIME OF OPERATION

Golf carts shall not be operated on Town streets during one-half hour after sunset to one-half hour before sunrise unless the golf cart is equipped with two operating headlights (one on each side of the front of the golf cart) and two operating tail lights with brake lights (one on each side of the rear of the golf cart) which are visible from a distance of five hundred (500) feet, and an amber flashing lamp visible from the side, front, and rear for five hundred (500) feet.

§ 77.06 PLACE OF OPERATION

Golf carts may be operated on Town streets which have a posted speed limit of thirty (30) miles per hour or less. Golf carts may not be operated on sidewalks or State Road 120 or State Road 15 and may only cross State Road 15 and State Road 120 at designated and marked golf cart crossings.

§ 77.07 OCCUPANTS

The number of occupants in a golf cart shall be limited to the number of persons for whom factory seating is installed and provided on the golf cart. The operator and all occupants shall be seated in the golf cart and no part of the body of the operator or occupant shall extend outside the perimeter of the golf cart while the golf cart is being operated. Operator and passengers must wear seat belts at all times the vehicle is in motion.

§ 77.08 TRAFFIC RULES

The operator of the golf cart shall comply with all traffic rules and regulations adopted by the State of Indiana and the Town of Bristol which govern the operation of motor vehicles.

§ 77.09 SLOW MOVING VEHICLE SIGN

All golf carts must display on the back of the golf cart a “slow moving vehicle” emblem in accordance with Indiana Code 9-21-1-3 and, if operated after dark or before dawn, the equipment described herein under “Time of Operation”.

§ 77.10 SPEED LIMIT

No golf cart shall be operated at a speed in excess of twenty (20) miles per hour irrespective of posted speed limit. In the event any posted speed limit is less than twenty (20) miles per hour, the posted speed limit shall be the maximum.

§ 77.11 PENALTY

A violation of any provision of this chapter shall constitute a violation of the Bristol Town Code. An owner, lessee or operator may be cited to appear in a court of competent jurisdiction by issuance of an Indiana Uniform Traffic Ticket. Upon a finding by such court that an owner, lessee or operator of a golf cart has violated any provision of this chapter, such person shall be subject and determined to have committed a Class C infraction subject to a fine not to exceed \$200.00 for each offense along with court costs in the amount same now exists or may hereafter be determined by ordinance or statute. Fine proceeds shall be deposited into the general fund of the Town of Bristol. Specific violations unique to golf carts include failure to have and display current inspection sticker; failure to have or malfunctioning safety equipment or required after sunset before sunrise lighting equipment.

§ 77.12 SAFETY EQUIPMENT

All golf carts shall be equipped with:

- (a) Seat belts installed for each designated seating position;
- (b) Brakes as specified in Indiana Code 9-19-3-1;
- (c) Turn signal lamps, front and rear;
- (d) Rear view mirror for operation.

§ 77.13 PARKING.

Parking of golf carts shall be in designated area for parking of golf carts or motor vehicles. No parking on sidewalks or tree lawns.

§ 77.14 REGISTRATION AND INSPECTION FEE

A valid, current registration/inspection sticker must be affixed to a golf cart at all times while operating on Town streets.

(A) An annual golf cart inspection shall occur for an annual registration, and an inspection fee of Twenty-Five Dollars (\$25.00) shall be paid to the Town Marshal. At time of payment, the Marshal before issuing annual registration/inspection sticker shall inspect the golf cart's safety equipment and confirm that it is operational and satisfactory to comply with the Town Ordinance and shall further confirm at time of inspection the existence of financial responsibility . The annual inspection sticker must display on the front of the golf cart in a visible location.

(B) A temporary registration sticker may be obtained for a period of ten (10) days beginning on and including the day of issuance for a fee of Ten Dollars (\$10.00), provided the applicant for said temporary permit certifies; (i) financial responsibility on the application, and (ii) the golf cart is equipped with all equipment described in § 77.12 above and that all said equipment is operational and will remain such during the term of the temporary permit. Only one temporary permit per year may be issued for any one golf cart.

IN WITNESS WHEREOF, the above-stated Ordinance has been duly adopted this _____ day of _____, 2009.

BRISTOL TOWN COUNCIL

By: _____
Thomas Stutsman

By: _____
Barbara Long

By: _____
Daniel Watson

By: _____
Floyd Lynch

ATTEST:

Mary Ryman, Clerk/Treasurer