

Public Works Department

Work Session
Golf Carts on Public
Rights of Way

April 23, 2019



Presentation Overview

- **Background**
- **Florida Statutes**
- **Local Government Ordinances**
- **Considerations**
- **Board Direction**



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Background

- Since 1994, several communities have asked County to allow golf carts on public roads, including:
 - Hunter's Creek (District 1)
 - Rio Pinar (District 3)
 - Eastwood (District 4)
 - Bay Hill (District 1)
- Historically, staff has not supported requests due to safety and operational concerns



Background

- In 2009, staff drafted criteria for operation of golf carts in Bay Hill:
 - Establishment of a pilot project
 - Preparation of a traffic study by a professional engineer with safety certification
 - If County found traffic engineer's study acceptable, Bay Hill would hold community meetings to determine support
 - Development of an agreement between the HOA, Sheriff's Office, and County to address requirements
- Bay Hill did not pursue



Background

- **Following Open Discussion at the January 8, 2019 Board meeting, the Mayor directed staff to schedule a Work Session to discuss the use of golf carts on County roads**
- **Staff were requested to:**
 - Gather information of existing golf cart communities in Florida
 - Present information on existing laws
 - Discuss options for implementation including guidelines, policy and ordinance



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Florida Statutes

■ Golf Cart Definition

F.S. 316.003 (27) and F.S. 320.01 (22)

—A motor vehicle designed and manufactured for operations on a golf course for sporting or recreational purposes that is not capable of exceeding speeds of 20 MPH.





Florida Statutes

- **F.S. 316.212 (1) provides that operation of golf carts on public roads is prohibited, except when:**
 - Local government determines that golf carts may safely travel on or cross the public road or street, and designates the public road for use by golf carts and posts appropriate signs
 - Local government must consider factors such as speed, volume, and character of motor vehicles using the road before determining may be operated on the road
- **F.S. 316.2125 permits golf carts to be operated within any self-contained retirement community unless the local government prohibits such operation in the interest of safety**



Florida Statutes

- **F.S. 316.212 (5), (6), and (7) sets forth general operational requirements for a golf cart:**
 - May be operated only between sunrise and sunset, unless the local government has determined that a golf cart may be operated between sunset and sunrise and the golf cart is equipped with headlights, brake lights, turn signals and windshield
 - A golf cart must be equipped with brakes, steering apparatus, safe tires, a rear view mirror, and red reflectorized devices in front and rear
 - A golf cart may not be operated on public roads by anyone under the age of 14



Florida Statutes

- **F.S. 316.212 (8) says that a local government may enact an ordinance relating to:**
 - Golf cart operation and equipment that is more restrictive than enumerated in F.S.316.212 (5), (6) and (7)
 - Golf cart operation on sidewalks





Florida Statutes

■ General Summary:

—A golf cart is a “motor vehicle”

Pursuant to F.S. 316.003 and 320.01

—No Vehicle title certificate is required

Pursuant to F.S. Ch. 319

—No vehicle registration is required

Pursuant to F.S. Ch. 320

—No driver’s license is required

Pursuant to F.S. Ch. 322



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Local Government Ordinances

- In addition to powers granted to a local government for operation of golf carts on public roads and within a self-contained retirement community, F.S. 316.2126 provides that,
 - A municipality is authorized to use golf carts upon any public roads within the corporate limits of the municipality, subject to conditions described in F.S. 316.2126



Nassau County

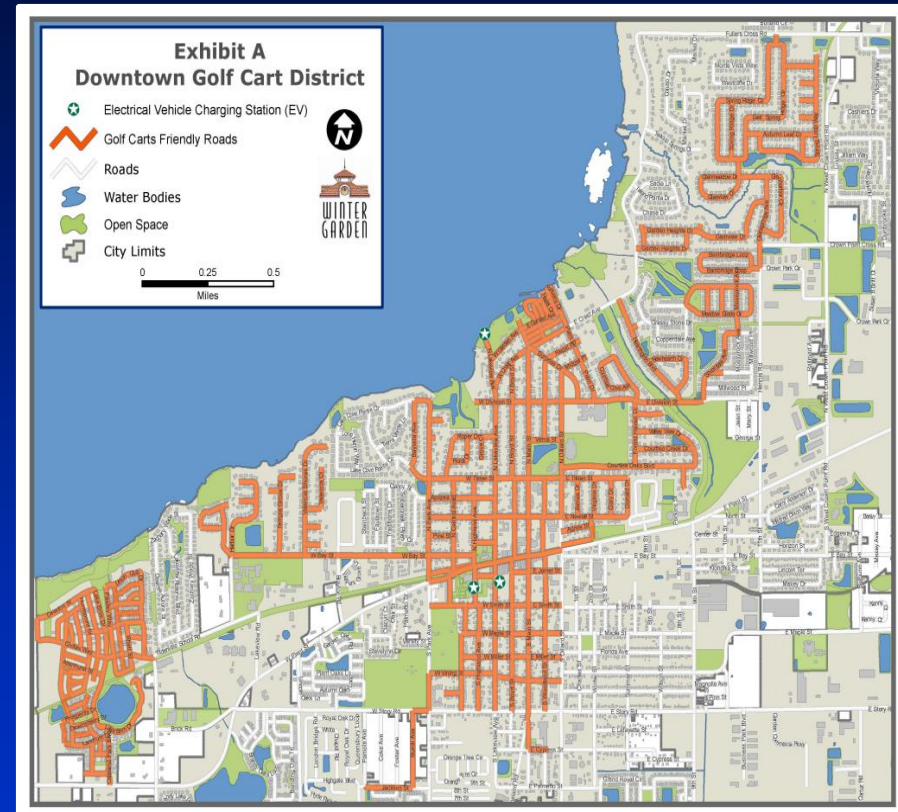
- Adopted Nov. 2008
- Travel on designated roads only
- Driver must be at least 16
- Only during daylight hours
- Must have rear view mirror and red reflectorized warning devices front and rear
- Golf carts must be registered with the Nassau County Engineering Services Department
- Hold Harmless provision





City of Winter Garden

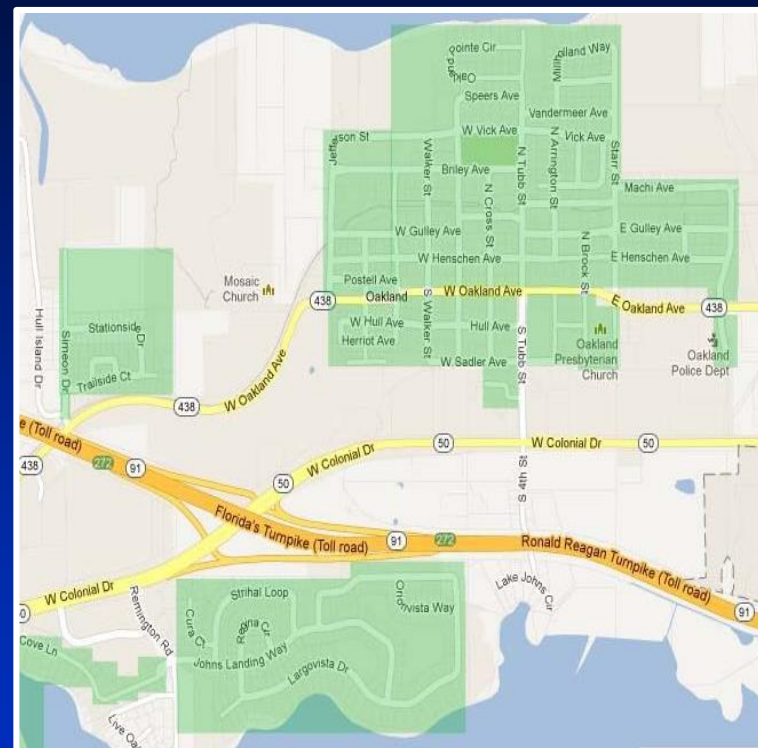
- Adoption of downtown golf cart district on April 28, 2011
- Travel on identified streets only
- Golf carts must be registered through the City's Police Dept.
- There are no license requirements, but drivers must be 18 years or older





Town of Oakland

- Adoption on July 2005
- Cannot be speed modified
- Allowed on permitted streets only
- Operation from 8 AM to 6 PM
- Must have head/brake lights, turn signals & windshields
- Registered through Oakland Police Department





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Considerations

- **Determination of community support**
- **Preparation of Traffic Engineering Report**
 - Funded and initiated by community
 - Accepted by County
 - Determination what roads may be safely used by golf carts
 - Speed, volume, traffic control, pavement markings
 - Appropriate golf cart signage





Considerations

- **Adoption of ordinance establishing standards relating to operation and equipment that are stricter than F.S. 316.212**
 - Identification of allowed communities and roadways
 - Hours of operation
 - Registration & administration process
 - Requirements for liability insurance
 - Minimum driver age and license requirements
 - Minimum safety and equipment standards for golf carts



Considerations

▪ Enforcement

- County will need to adopt enforcement provisions in its ordinance
- Any violation shall be cited as a non-criminal traffic infraction punishable as a moving or nonmoving violation
- OCSO will enforce traffic violations
 - Moving violation fine - \$164.00
 - Other violation fine - \$114.00
- HOA/entity may employ off-duty officers to supplement OCSO



Considerations

- **Requirements of HOAs/Entities/Owners**
 - Complete Traffic Engineering Report
 - Pay application fee and fund roadway signage
 - HOA/entity to register and issue decals for all golf carts operating within the community
 - Owners to carry liability insurance & enter into a hold harmless agreement
 - Supplement enforcement issues with OCSO, if needed
- **Requirements of County**
 - Review and accept Report
 - Install signs and pavement markings



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Board Direction

- 1. Do not allow**
- 2. Allow via Ordinance with restrictions**
 - Allowed only in specific communities and roadways**
 - Hours of operation**
 - Golf cart safety requirements**
 - Driver and passenger requirements**
 - Registration**
 - Insurance**
 - Enforcement**