

## ARTICLE III-A. GOLF CARTS\*

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\*Cross references: Golf carts, § 42-31.

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### **Sec. 42-49. Authority to regulate.**

Pursuant to § 46.2-676(F) of the Code of Virginia (1950) as amended, the Town of Cape Charles is authorized, by ordinance, to impose limitations and restrictions on the operation of golf carts upon public highways within the town.

(Ord. No. 031103, 3-11-03)

### **Sec. 42-50. Definitions.**

The following terms, wherever used herein, shall have the respective meanings assigned to them unless a different meaning clearly appears from the context:

*Golf cart* means a self-propelled vehicle having a least four wheels, which is designed to transport persons playing golf and their equipment on a golf course.

(Ord. No. 031103, 3-11-03)

### **Sec. 42-51. Required safety equipment.**

In addition to any safety equipment required by the Code of Virginia for golf carts, such shall have the following safety equipment installed:

- (1) Speed governor if gasoline powered.
- (2) Safety lap belts.

(Ord. No. 031103, 3-11-03)

### **Sec. 42-52. Town safety inspection.**

Golf carts shall pass a safety inspection at least once yearly. Such safety inspection shall be conducted by an official inspection station as such are designated in accordance with § 46.2-1163 of the Code of Virginia (1950) as amended or by a business which is engaged in the sale of golf carts. Such safety inspection shall only cover the following items:

- (1) Headlights, tail lights and turn signals, if the golf cart is driving between sunset and sunrise.
- (2) Rubber or equivalent tires.
- (3) Windshield wipers if equipped with permanent windshield
- (4) Horn, adequate steering gear, brakes, emergency or parking brake, one mirror, adequately fixed driver's seat.
- (5) All other factory installed safety or mechanical systems, including checking for gasoline or propane leaks.
- (6) Speed governor if gasoline powered.
- (7) Safety lap belts.

(Ord. No. 031103, 3-11-03)

### **Sec. 42-53. Insurance required.**

Every golf cart and driver thereof shall be covered by an insurance policy. Such policy shall meet the minimum liability amounts contained in § 46.2-427 of the Code of Virginia (1950) as amended, and provide coverage during the operation of the golf cart upon public highways.

(Ord. No. 031103, 3-11-03)

### **Sec. 42-54. Operation on public highways.**

It is unlawful to operate a golf cart on a public highway within the Town of Cape Charles unless the following requirements are met.

- (1) Golf carts may be operated on the highways of the Town of Cape Charles that allow a maximum speed of 25 m.p.h.

- (2) Golf carts must display a slow-moving vehicle emblem in conformity with § 46.2-1081 of the Code of Virginia (1950) as amended.
  - (3) Golf carts shall be operated only between sunrise and sunset unless equipped with such light as are required in Article 3 of Chapter 10 of Title 46.2 of the Code of Virginia (1950) as amended.
  - (4) No person may operate a golf cart unless that person is licensed to drive upon highways of the Commonwealth of Virginia and then, only in accordance with such driver's license.
  - (5) Golf carts must be operated in accordance with all applicable state and local laws and ordinances, including all laws, regulations and ordinances pertaining to the possession and use of alcoholic beverages.
  - (6) Only the number of people the golf cart is designed to seat may ride on a golf cart. Additionally, passengers shall not be carried on the part of a golf cart designed to carry golf bags.
  - (7) Golf carts must be operated to the extreme right of the roadway and must yield to all vehicular and pedestrian traffic.
  - (8) Golf carts may be operated in bicycle lanes provided they do not impede bicycle traffic.
  - (9) Golf carts shall not be operated during inclement weather; nor when visibility is impaired by weather, smoke, fog or other conditions.
  - (10) The chief of police, or his designee, may prohibit the operation of golf carts on any highway if the chief determines that the prohibition is necessary in the interest of safety.
- (Ord. No. 031103, 3-11-03; Ord. No. 2008-06-12A, 6-12-08)

**Sec. 42-55. Local vehicle license.**

No golf cart shall be used on the public highways unless it has obtained a Cape Charles Vehicle License under article II. No vehicle license shall be issued until the owner of the golf cart presents evidence that the golf cart is insured in accordance with the requirements of § 42-52 and the golf cart has been received and passed a safety inspection required by § 42-51.

(Ord. No. 031103, 3-11-03)

**Sec. 42-56. Liability disclaimer.**

This chapter is adopted to address the interest of public safety. Golf carts are not designed or manufactured to be used on the public streets and the Town of Cape Charles in no way advocates or endorses their operation on public streets or roads. The Town of Cape Charles "assumes" no liability for permitting golf carts to be operated on public streets and roads under special legislation granted by the Virginia General Assembly. The Town of Cape Charles, by regulating such operation is merely trying to address obvious safety issues, and adoption of or advisable if done in accordance with the chapter. All persons who operate or ride upon golf carts upon public streets or roads do so at their own risk and peril, and must be observant of bicyclists and pedestrians. Any person who operates a golf cart is responsible for procuring liability insurance sufficient to cover the risk involved in using a golf cart on the public streets and roads.

(Ord. No. 031103, 3-11-03; Ord. No. 2008-06-12A, 6-12-08)