

**HB107 ENROLLED**



1 HB107  
2 CCPLWJ-2  
3 By Representatives Clouse, Paramore (Constitutional Amendment)  
4  
5 RFD: Local Legislation  
6 First Read: 06-Feb-24



## HB107 Enrolled

1 Enrolled, An Act,

2           Relating to Dale County; to propose an amendment to  
3 the Constitution of Alabama of 2022, authorizing a  
4 municipality in the county to permit the limited operation of  
5 golf carts on a municipal street or public road; to provide  
6 limitations; to require the driver to have a driver license;  
7 to require the operator of a golf cart on a municipal street  
8 or public roadway to be covered by liability insurance; and to  
9 authorize the municipality to assess a civil penalty for  
10 violations.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12           Section 1. The following amendment to the Constitution  
13 of Alabama of 2022, is proposed and shall become valid as a  
14 part of the constitution when all requirements of this act and  
15 applicable constitutional provisions are fulfilled:

### PROPOSED AMENDMENT

17           (a) A municipality in Dale County may designate  
18 municipal streets or public roads within the municipality for  
19 use by golf carts. Before making that designation, the  
20 municipality shall first determine that golf carts may safely  
21 travel on or across the street or road. The municipality  
22 making the safety determination shall consider factors  
23 including, but not limited to, the speed, volume, and  
24 character of motor vehicle traffic using the road or street.  
25 Upon a determination that golf carts may be safely operated on  
26 the designated street or road, the municipality shall post  
27 appropriate signs to indicate that the operation of golf carts  
28 is authorized.



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29           (b) A municipality that authorizes the use of golf  
30 carts pursuant to subsection (a) shall inspect any golf cart  
31 that an owner wishes to use pursuant to subsection (a) to  
32 determine if the safety equipment required by subsection (e)  
33 is present on the golf cart and shall verify that the operator  
34 of the golf cart on a municipal street or public road is  
35 covered by a policy of liability insurance held by the owner  
36 of the golf cart. The liability limits for operation of the  
37 golf cart shall be the same as for operation of a motor  
38 vehicle. If the proper safety equipment is present and the  
39 golf cart is covered by liability insurance, the municipality  
40 shall issue a permit to the owner upon payment of a permit  
41 fee. The municipality may designate the appropriate department  
42 of the municipality to inspect and permit golf carts and may  
43 adopt rules for permitting golf carts, including providing for  
44 a permit fee.

45           (c) A municipality may not allow a golf cart to operate  
46 on a municipal street or public road where the posted speed  
47 limit exceeds 25 miles per hour.

48           (d) A municipality may limit the operation of a golf  
49 cart pursuant to this section to only between the hours of  
50 sunrise and sunset.

51           (e) The golf cart shall be equipped with headlights,  
52 brake lights, turn signals, and a windshield.

53           (f) No person may operate a golf cart on a public  
54 street or road without a driver license.

55           (g) A municipality may enact an ordinance regarding  
56 golf cart operation and equipment that is more restrictive



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57 than the restrictions enumerated in this section. Upon  
58 enactment, the municipality shall post appropriate signs or  
59 otherwise inform residents that the ordinance exists and will  
60 be enforced within the jurisdictional limits of the  
61 municipality.

62 (h) All golf carts shall be entitled to full use of a  
63 lane, and no motor vehicle shall be driven in such a manner as  
64 to deprive any golf cart of the full use of a lane.

65 (i) The operator of a golf cart may not overtake and  
66 pass in the same lane occupied by the vehicle being overtaken.

67 (j) A golf cart may not be operated between lanes of  
68 traffic or between adjacent lines or rows of vehicles.

69 (k) Golf carts may not be operated two or more abreast  
70 in a single lane.

71 (l) The unauthorized operation of a golf cart on a  
72 municipal street or public road is a violation for which the  
73 municipality may collect a civil penalty of up to fifty  
74 dollars (\$50).

75 (m) Notwithstanding any other provision of this  
76 amendment, a municipality may enact an ordinance regarding  
77 golf cart operation and equipment that is less restrictive  
78 than the restrictions enumerated in this amendment authorizing  
79 the use of golf carts for periods not to exceed 80 hours by  
80 the municipality or a civic organization in conjunction with  
81 civic events or events to raise funds, promote economic  
82 development, or similar purposes as authorized in the  
83 ordinance.



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84           Upon ratification of this constitutional amendment, the  
85 Code Commissioner shall number and place this amendment as  
86 appropriate in the constitution omitting this instructional  
87 paragraph and may make the following nonsubstantive revisions:  
88 change capitalization, hierachy, spelling, and punctuation for  
89 purposes of style and uniformity; correct manifest  
90 grammatical, clerical, and typographical errors; revise  
91 internal and external citations and cross-references; and  
92 translate effective date.

93           Section 2. An election upon the proposed amendment  
94 shall be held in accordance with Sections 284, 284.01, and 285  
95 of the Constitution of Alabama of 2022, and the election laws  
96 of this state.

97           Section 3. The appropriate election official shall  
98 assign a ballot number for the proposed constitutional  
99 amendment on the election ballot and shall set forth the  
100 following description of the substance or subject matter of  
101 the proposed constitutional amendment:

102           "Relating to Dale County, proposing an amendment to the  
103 Constitution of Alabama of 2022, to (a) A municipality in Dale  
104 County may designate municipal streets or public roads within  
105 the municipality for use by golf carts. Before making that  
106 designation, the municipality shall first determine that golf  
107 carts may safely travel on or across the street or road. The  
108 municipality making the safety determination shall consider  
109 factors including, but not limited to, the speed, volume, and  
110 character of motor vehicle traffic using the road or street.  
111 Upon a determination that golf carts may be safely operated on



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112 the designated street or road, the municipality shall post  
113 appropriate signs to indicate that the operation of golf carts  
114 is authorized.

115 (b) A municipality that authorizes the use of golf  
116 carts pursuant to subsection (a) shall inspect any golf cart  
117 that an owner wishes to use pursuant to subsection (a) to  
118 determine if the safety equipment required by subsection (e)  
119 is present on the golf cart and shall verify that the operator  
120 of the golf cart on a municipal street or public road is  
121 covered by a policy of liability insurance held by the owner  
122 of the golf cart. The liability limits for operation of the  
123 golf cart shall be the same as for operation of a motor  
124 vehicle. If the proper safety equipment is present and the  
125 golf cart is covered by liability insurance, the municipality  
126 shall issue a permit to the owner upon payment of a permit  
127 fee. The municipality may designate the appropriate department  
128 of the municipality to inspect and permit golf carts and may  
129 adopt rules for permitting golf carts, including providing for  
130 a permit fee.

131 (c) A municipality may not allow a golf cart to operate  
132 on a municipal street or public road where the posted speed  
133 limit exceeds 25 miles per hour.

134 (d) A municipality may limit the operation of a golf  
135 cart pursuant to this section to only between the hours of  
136 sunrise and sunset.

137 (e) The golf cart shall be equipped with headlights,  
138 brake lights, turn signals, and a windshield.

139 (f) No person may operate a golf cart on a public



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140 street or road without a driver license.

141 (g) A municipality may enact an ordinance regarding  
142 golf cart operation and equipment that is more restrictive  
143 than the restrictions enumerated in this section. Upon  
144 enactment, the municipality shall post appropriate signs or  
145 otherwise inform residents that the ordinance exists and will  
146 be enforced within the jurisdictional limits of the  
147 municipality.

148 (h) All golf carts shall be entitled to full use of a  
149 lane, and no motor vehicle shall be driven in such a manner as  
150 to deprive any golf cart of the full use of a lane.

151 (i) The operator of a golf cart may not overtake and  
152 pass in the same lane occupied by the vehicle being overtaken.

153 (j) A golf cart may not be operated between lanes of  
154 traffic or between adjacent lines or rows of vehicles.

155 (k) Golf carts may not be operated two or more abreast  
156 in a single lane.

157 (l) The unauthorized operation of a golf cart on a  
158 municipal street or public road is a violation for which the  
159 municipality may collect a civil penalty of up to fifty  
160 dollars (\$50).

161 (m) Notwithstanding any other provision of this  
162 amendment, a municipality may enact an ordinance regarding  
163 golf cart operation and equipment that is less restrictive  
164 than the restrictions enumerated in this amendment authorizing  
165 the use of golf carts for periods not to exceed 80 hours by  
166 the municipality or a civic organization in conjunction with  
167 civic events or events to raise funds, promote economic



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168 development, or similar purposes as authorized in the  
169 ordinance.

170 Proposed by Act \_\_\_\_."

171 This description shall be followed by the following  
172 language:

173 "Yes( ) No( )."





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Speaker of the House of Representatives

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President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 21-Feb-24.

John Treadwell  
Clerk

Senate

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**30-Apr-24**

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Passed