

SENATE BILL 2101

By Watson

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 1, Part 1 and Title 55, Chapter 8, relative to golf carts on certain public roadways.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-1-123, is amended by deleting the section in its entirety and by substituting instead the following language:

§ 55-1-123. "Golf cart" means a motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes and equipped with safety belts installed for use in the left front and right front seats and that is not capable of exceeding speeds of twenty miles per hour (20 mph);

SECTION 2. Tennessee Code Annotated, Section 55-8-101, is amended by adding the following language as a new, appropriately designated subdivision:

( ) "Golf cart" means a motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes and equipped with safety belts installed for use in the left front and right front seats and that is not capable of exceeding speeds of twenty miles per hour (20 mph);

SECTION 3. Tennessee Code Annotated, Title 55, Chapter 8, is amended by adding the following language as a new, appropriately designated section:

§ 55-8-\_\_\_\_.

(a) The governing body of any municipality having a population of:

not less than

1,410

2,020

nor more than

1,420

2,030

11,525

11,535

according to the 2000 federal census or any subsequent federal census, may authorize and regulate the operation of a golf cart on any public roadway within such municipality that is not a part of the state system of highways or the interstate and national defense highway system upon the governing body of such municipality adopting an ordinance by a two-thirds (2/3) vote specifying each roadway that is open for golf cart use.

(b) The ordinance shall require that a golf cart operated on a designated public roadway:

(1) Be issued a permit for the golf cart by the municipality;

(2) Display a sticker or permit that identifies that the golf cart is allowed to be operated on specific roadways within the municipality; and

(3) Be inspected by a certified inspector designated by the chief law enforcement officer of the municipality and certified through the department of safety to ensure that the golf cart complies with the requirements of this section.

The inspection fee under this subdivision (b)(3) shall not exceed ten dollars (\$10.00).

(c) Following the adoption of such an ordinance, a person may operate a golf cart on a public roadway pursuant to subsection (a) if:

(1) The posted speed limit of the designated public roadway is thirty-five miles per hour (35 mph) or less;

(2) The operator of the golf cart does not cross a roadway having a posted speed limit of more than thirty-five miles per hour (35 mph);

(3) The golf cart is being operated between one-half (1/2) hour after sunrise and one-half (1/2) hour before sunset;

(4) The operator and any passengers in the front seat are restrained by a safety belt at all times the golf cart is in forward motion; and

(5) The headlights of the golf cart are displayed during operation.

(d) Any person operating a golf cart on a public roadway under this section shall be subject to this chapter.

(e) The department of transportation may prohibit the operation of a golf cart on a public roadway designated under subsection (a) that crosses a highway which is part of the state system of highways if it determines that such prohibition is necessary in the interest of public safety.

(f) This section shall not apply to a golf cart that is not used on a public roadway except to cross a roadway while following a golf cart path on a golf course.

SECTION 3. This act shall take effect July 1, 2009, the public welfare requiring it.