

## Chapter 6

# GOLF CARTS, NEIGHBORHOOD VEHICLES, AND RECREATIONAL OFF HIGHWAY VEHICLES

### 6-6-1: DEFINITIONS:

#### A. Terms Defined:

**CITY STREETS:** Only those city streets designated on exhibit A attached to the ordinance codified herein and incorporated herein by reference, located within the boundaries of the city.

**COUNTY ROADS:** Include any roads outside the boundaries of the city limits.

**GOLF CART:** Defined in 625 Illinois Compiled Statutes 5/1-123.9 and means a vehicle specifically designed and intended for the purposes of transporting one or more persons and their golf clubs or maintenance equipment while engaged in the playing of golf, supervising the play of golf, or maintaining the condition of the grounds on a public or private golf course. See also subsection B of this section.

**NEIGHBORHOOD VEHICLE:** A self-propelled, electric powered, four (4) wheeled motor vehicle (or a self-propelled, gasoline powered, 4 wheeled motor vehicle with an engine displacement under 1,200 cubic centimeters) that is capable of attaining in one mile a speed of more than twenty (20) miles per hour, but not more than twenty five (25) miles per hour, and which conforms to federal regulations under title 49 CFR part 571.500. See also subsection B of this section.

**RECREATIONAL OFF HIGHWAY VEHICLE:** Shall be defined as provided in 625 Illinois Compiled Statutes 5/1-168.8 and shall mean any motorized off highway device designed to travel primarily off highway, sixty four inches (64") or less in width, having a manufacturer's dry weight of two thousand (2,000) pounds or less, traveling on four (4) or more nonhighway tires, designed with a nonstraddle seat and a steering wheel for steering control, except equipment such as lawn mowers. See also subsection B of this section.

**STATE ROADS:** Include Illinois Route 1 and Illinois Route 14.

**B. Exclusions:** For purposes of this chapter, a "golf cart", a "recreational off highway vehicle" and a "neighborhood vehicle" specifically does not include all-terrain vehicles, off highway motorcycles and any other vehicle which is not described within the foregoing definitions of "golf carts", "neighborhood vehicles" or "recreational off highway vehicles". (Ord. 1461, 9-17-2012, eff. 9-27-2012)

### 6-6-2: REQUIREMENTS:

All persons operating a golf cart, neighborhood vehicle or recreational off highway vehicle on the designated streets of the city must comply with the following requirements:

- A. Proof of ownership.
- B. Proof of liability insurance.
- C. Must display city registration on rear of vehicle.
- D. Must be inspected by city police chief or his designated representative.
- E. Must be equipped with seat belts, a windshield, horn, brakes, turn signals, a steering wheel apparatus, tires, a rearview mirror, red reflectorized warning devices in the rear, red reflectorized warning devices in front, a slow moving vehicle emblem on the rear of the vehicle<sup>1</sup>, a headlight that emits a white light visible from a distance of five hundred feet (500') to the front, a taillamp that emits a red light visible from at least one hundred feet (100') from the rear, and brake lights. When operated on a roadway, a golf cart, neighborhood vehicle or a recreational off highway vehicle shall have its headlight and taillamps lighted.
- F. Must obey all traffic laws of the state of Illinois and the city of Carmi.
- G. Must be eighteen (18) years of age or older.
- H. Can be driven on only those streets designated on exhibit A attached to the ordinance codified herein.
- I. Must have a valid driver's license.
- J. Must not exceed twenty five (25) miles per hour.
- K. Crossing of state highways will only be allowed at Main and Main Cross Street, Main and Walnut Street, Main and Church Street, and Main and Plum Street.
- L. Golf carts, neighborhood vehicles and recreational off highway vehicles shall not be operated in inclement weather nor when visibility is impaired by weather, smoke, fog, or other conditions, or at any time when there is insufficient light to clearly see persons and vehicles on the roadway at a distance of five hundred feet (500').

- M. Each driver and passenger of a golf cart, neighborhood vehicle or recreational off highway vehicle shall wear a properly fastened and adjusted seat safety belt. Children must be secured in a child restraint system as required pursuant to the child passenger protection act<sup>2</sup>.
  
- N. A person who drives or is in actual physical control of a golf cart, neighborhood vehicle or recreational off highway vehicle on a roadway while under the influence of alcohol or drugs is subject to sections 11-500 through 11-502 of Illinois Compiled Statutes<sup>3</sup>.
  
- O. Golf carts, neighborhood vehicles and recreational off highway vehicles may not be operated on sidewalks or other public property not accessible to or authorized to vehicular traffic.
  
- P. Golf carts, neighborhood vehicles or recreational off highway vehicles may not be operated on streets and highways and roads under the jurisdiction of the Illinois department of transportation (Illinois Routes 1 and 14) or the county highway department.
  
- Q. Anyone in paid status as a camper at the city campground in Burrell's Woods may, at their own risk operate a golf cart in the camping area only. As persons camping may be from outside the Carmi area, and may have no desire to operate a golf cart outside the campground location, no registration would be required. Any roadway in the city property of Burrell's Woods would be restricted to registered vehicles, just as any other city street. (Ord. 1461, 9-17-2012, eff. 9-27-2012)

### **6-6-3: PERMITS:**

- A. No person shall operate a motorized golf cart, neighborhood vehicle or a recreational off highway vehicle without obtaining a permit from the city clerk as provided herein. Permits shall be granted for a period of one year and may be renewed annually. The cost of a permit is thirty five dollars (\$35.00). Insurance coverage is to be verified in effect by the city clerk when renewing the permits.
  
- B. Every application for a permit shall be made on a form supplied by the city and shall contain the following information:
  - 1. The name and address of applicant.
  - 2. Name of liability insurance carrier.
  - 3. The serial number, make, model and description of the golf cart, neighborhood vehicle or recreational off highway vehicle.
  - 4. Proof of ownership.

5. Signed waiver of liability by applicant releasing the city from any and all future claims resulting from the operation of their golf cart, neighborhood vehicle or recreational off highway vehicle pursuant to this chapter or any other ordinance of the city of Carmi.
6. Photostatic copy of applicable liability insurance coverage card specifically for the golf cart, neighborhood vehicle or recreational off highway vehicle to be operated on city streets.
7. Such other information as the city may require.

C. No permit shall be granted unless the following conditions are met:

1. The golf cart, neighborhood vehicle or recreational off highway vehicle must be inspected by the chief of police (or designee) to ensure that the vehicle is safe to operate on city streets and is in compliance with the requirements of this chapter.
2. Any handicapped applicant must submit a certificate signed by a physician that he is a handicapped applicant and is able to safely operate a motorized golf cart, neighborhood vehicle or recreational off highway vehicle on the roadways designated.
3. The applicant must provide evidence of insurance in compliance with the provisions of Illinois statutes regarding minimum liability insurance for passenger motor vehicles to be operated on the roads of the state of Illinois.

D. A golf cart, neighborhood vehicle or recreational off highway vehicle will be allowed to be driven to the police department to have the vehicle inspected and permitted, if the requestor has called ahead and arranged with the chief of police (or designee) a specific meeting time. (Ord. 1461, 9-17-2012, eff. 9-27-2012)

#### **6-6-4: ENFORCEMENT:**

- A. The city may suspend or revoke a permit granted hereunder upon a finding that the holder thereof has violated any of the provisions of this chapter or if there is evidence that the permit holder cannot safely operate the motorized golf cart, neighborhood vehicle or recreational off highway vehicle on the designated roadways.
- B. Every person operating a golf cart, neighborhood vehicle or recreational off highway vehicle pursuant to permit hereunder on designated city streets has all the rights and duties applicable to a driver of any other vehicle pursuant to the state highway traffic laws and regulations except when those provisions cannot reasonably be applied to motorized golf carts, neighborhood vehicles or recreational off highway vehicles.
- C. Any person who violates any provision of this chapter shall upon conviction be subject to a fine of not less than seventy five dollars (\$75.00) nor more than seven hundred fifty dollars (\$750.00) and the

costs of prosecution. A second conviction shall result in suspension of permit, to be reinstated only by the city council.

- D. Upon conviction of operating a golf cart, neighborhood vehicle or recreational off highway vehicle on a state highway, other than crossing at the designated locations, shall result in a fine no less than two hundred fifty dollars (\$250.00) nor more than seven hundred fifty dollars (\$750.00) plus court costs. A first conviction shall result in the suspension of permit for the remainder of the calendar year. (Ord. 1461, 9-17-2012, eff. 9-27-2012)