

2015 Regular Session

HOUSE BILL NO. 248

BY REPRESENTATIVE LAMBERT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

MOTOR VEHICLES: Authorizes the use of "golf carts" on certain roads

1 AN ACT

2 To enact R.S. 32:299.3, relative to off-road vehicles; to provide relative to "golf carts" as

3 "off-road vehicles"; to provide relative to safety equipment required for golf carts;

4 to provide for restrictions on speed and eligible roadways to be used by golf carts;

5 and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 32:299.3 is hereby enacted to read as follows:

8 §299.3. Golf carts; safety equipment requirements; exemptions; registration

9 A. "Golf cart" means an electric four-wheeled vehicle originally intended for

10 use off-road on golf courses and other green spaces whose maximum speed is

11 twenty-five miles per hour.

12 B. The operation of a golf cart upon the public roads or streets of this state

13 is prohibited, except as otherwise provided in this Subsection:

14 (1) A golf cart may be operated only upon a parish road that has been

15 designated by a parish or a municipal street that has been designated by a

16 municipality for use by a golf cart. Upon a designation that a golf cart may be

17 operated on a designated road or street, the responsible governmental entity shall

18 post appropriate signage indicating that such operation is authorized.

1 (2) A golf cart may be used to cross a part of a public road or street where
2 a golf course is constructed on both sides of the public road or street if the
3 Department of Transportation and Development has reviewed and approved the
4 location and design of the crossing and installed any traffic control devices needed
5 for safety purposes.

6 C. A golf cart operated on a parish road or municipal street shall be equipped
7 with efficient brakes, a reliable steering apparatus, safe tires, a rearview mirror, and
8 red reflectorized warning devices in both the front and rear of the vehicle.

9 D. Any golf cart operated upon a parish road or municipal street shall be
10 registered with the state of Louisiana through the Department of Public Safety and
11 Corrections, office of motor vehicles, as an off-road vehicle and shall display a decal
12 issued by the office of motor vehicles.

13 E. No person shall operate a golf cart upon a parish road or municipal street
14 without a valid driver's license.

15 F. Any golf cart operated upon a parish road or municipal street shall have
16 liability insurance with the same minimum limits as required by the provisions of
17 R.S. 32:900(B).

18 G.(1) A parish or municipal government may enact an ordinance relating to
19 golf cart operation and require equipment which is more extensive than those
20 enumerated in this Section. Upon enactment of such ordinance, the parish or
21 municipal government shall post appropriate signage or otherwise inform residents
22 that such an ordinance exists and that it will be enforced within the parish or
23 municipal government's jurisdictional territory.

24 (2) Notwithstanding any provision of law to the contrary, any parish or
25 municipal ordinance that was in effect prior to January 1, 2015, shall be exempt from
26 the requirements of this Section.

27 (3) Nothing contained in this Section shall be construed to prohibit parish or
28 municipal governments from prohibiting the operation of any golf cart on any parish

1 road or municipal street under its jurisdiction if such parish or municipal government
2 determines that such prohibition is necessary for the safety of the motoring public.

3 H. The Department of Public Safety and Corrections, public safety services,
4 shall promulgate rules and regulations in accordance with the Administrative
5 Procedure Act, subject to oversight by the House and Senate committees on
6 transportation, highways and public works, as necessary to implement the provisions
7 of this Section. Such rules and regulations shall become effective no later than
8 January 15, 2016.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 248 Reengrossed

2015 Regular Session

Lambert

Abstract: Authorizes the use of "golf carts" on certain roads.

Proposed law defines a "golf cart" as an electric four-wheeled vehicle originally intended for use off-road on golf courses and other green spaces whose maximum speed is 25 mph.

Proposed law prohibits the operation of golf carts on public roads, except as follows: (1) the operation of golf carts on parish and municipal roads if designated by a parish or municipal government and (2) golf carts used to cross public roads where there is a golf course constructed on both sides of the public road if Dept. of Transportation and Development (DOTD) approved the location and installed any traffic control devices needed for public safety.

Proposed law requires certain minimum safety equipment on golf carts operating on parish or municipal roads such as efficient brakes, a reliable steering apparatus, safe tires, a rearview mirror, and red reflectorized warning devices in both the front and rear of the vehicle.

Proposed law further requires registration of a golf cart with the office of motor vehicles (OMV) as an off-road vehicle and requires display of a decal issued by the OMV.

Proposed law restricts operation to a person with a valid driver's license. Also, requires appropriate liability insurance.

Proposed law authorizes a parish or municipal government to enact an ordinance that may be more restrictive relative to the operation of golf carts on parish or municipal roads and requires notification of the residents of an ordinance permitting the operation of golf carts on a parish or municipal road.

Proposed law creates an exemption, from the requirements of the bill, for municipal ordinances enacted prior to January 1, 2015.

Proposed law specifies that proposed law shall not restrict parish or municipal governments from prohibiting the operation of golf carts on parish roads or municipal streets for safety purposes.

Proposed law requires the promulgation of necessary rules by public safety services. Also, requires the rules and regulations be effective no later than January 15, 2016.

(Adds R.S. 32:299.3)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the original bill:

1. Make technical changes.
2. Change the application of proposed law from neighborhood vehicles to golf carts.
3. Delete a provision that specified that neighborhood vehicles may not operate at a speed exceeding 25 miles per hour on a roadway or street where the posted speed limit is 35 miles per hour or less.
4. Add provisions that proscribe the operation of golf carts on state roads except under the following circumstances: (1) the operation of golf carts on parish and municipal roads if designated by a parish or municipal government and (2) golf carts used to cross public roads where there is a golf course constructed on both sides of the public road if DOTD approved the location and installed any traffic control devices needed for public safety.
5. Add a provision that requires golf carts be safely equipped before operating on a parish or municipal road.
6. Modify a provision that required neighborhood vehicles operating on a public road be registered with the Dept. of Public Safety and Corrections, OMV by changing the application to golf carts.
7. Add a provision that restricts the application of proposed law to parish and municipal roads.
8. Delete a provision that granted DOTD the authority to prohibit the operation of neighborhood vehicles on public roads if necessary for public safety.
9. Add a provision that authorizes a parish or municipal government to enact an ordinance that is more restrictive and to notify residents of the ordinance allowing the operation of golf carts on a parish or municipal road.
10. Delete a provision that allowed the OMV to promulgate rules for operation of neighborhood vehicles on public roads and instead provides such authority to the DOTD, public safety services.
11. Add a provision that requires the Dept. of Public Safety and Corrections, public safety services to promulgate rules for the operation of golf carts on parish and municipal roads by Jan. 1, 2016.

The House Floor Amendments to the engrossed bill:

1. Make technical changes.
2. Clarify a provision that requires a golf cart to be operated on a parish road or municipal street with a valid driver's license.
3. Add an exemption, from the requirements of the bill, for municipal ordinances enacted prior to January 1, 2015.