

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 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.

19 (2) To cross a part of a public road or street where a golf course is
20 constructed on both sides of the public road or street if the Department of

1 Transportation and Development has reviewed and approved the location and design
2 of the crossing and installed any traffic control devices needed for safety purposes.

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

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

10 E. No golf cart shall be operated by an unlicensed driver.

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

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

20 (2) Nothing contained in this Section shall be construed to prohibit parish or
21 municipal governments from prohibiting the operation of any golf cart on any parish
22 or municipal road or highway under its jurisdiction if such parish or municipal
23 government determines that such prohibition is necessary for the safety of the
24 motoring public.

25 H. The Department of Public Safety and Corrections, public safety services,
26 shall promulgate rules and regulations in accordance with the Administrative
27 Procedure Act, subject to oversight by the House and Senate committees on
28 transportation, highways and public works, as necessary to implement the provisions

1 of this Section. Such rules and regulations shall become effective no later than
 2 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 Engrossed

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 prohibits operation by an unlicensed driver. 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 specifies that proposed law shall not restrict parish or municipal governments from prohibiting the operation of golf carts on parish or municipal roads or highways 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 Dept. of Transportation and Development (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 Department of Public Safety and Corrections, office of motor vehicles 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 office of motor vehicles 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 Department 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.