

TOWN POLICY STATEMENT

(A) This chapter allows for the operation of golf carts and slow-moving vehicles on designated public streets, roads, pathways and highways within the town's jurisdiction. Golf carts and slow-moving vehicles are defined as motorized pleasure vehicles that **DO NOT EXCEED 28 MPH** on a straight and level surface. This chapter does not pertain to the operation of lawn mowers, tractors, four-wheelers, ATVs or any other conveyance, other than those described herein.

(B) For the purpose of this chapter, John Deere "Gators", Husqvarna "HUVs" and any other Manufacturer's equivalent shall be considered as slow-moving vehicles. This chapter has been adopted in the interest of public safety.

(C) Golf carts, hereinafter referred to as "cart(s)", and slow-moving vehicles, hereinafter referred to as "SMV(s)", are not generally designed to be operated and used on public streets, roads, paths or highways. The town by adopting this chapter is in no way endorsing, nor is it advocating, the use of carts or SMVs on the public streets, road, paths or highways within its jurisdiction.

(D) By adopting this chapter, the town is merely regulating the operation of those vehicles by addressing public safety issues and concerns and all operators and passengers of carts and SMVs, which operate within the town's jurisdiction, do so at their own risk and peril.

(E) This chapter does not imply that operation of these vehicles on the streets, roads, paths and highways, is safe or advisable, even if done so in compliance with this chapter. All operators of the vehicles, and their passengers, must be observant of, and attentive to, the safety of themselves, motorists, pedestrians, bicyclists and the personal and real property of others.

(F) The town has no liability, under any theory of liability, for permitting the operation of carts and SMV s on streets, roads, paths or highways under its jurisdiction as allowed by State General Statutes and special legislation granted by the State Legislature, but governed by this chapter.(Ord. passed 11-3-2008)



PENALTIES UPON VIOLATION OF ORDINANCE

(A) Any person who violates any section or part of this chapter, or fails to comply with any section or part of this chapter shall be held responsible for an infraction and shall be required to pay a penalty in the amount of \$50 pursuant to G.S. § 14-4(b).

(B) The Oakboro Police Department's interpretation of the above sections of this chapter, its rules and regulations, is final. (Ord. passed 11-3-2008)

Any questions concerning Golf Cart and/or Slow Moving Vehicles, please contact
Chief Thomas (TJ) Edwin Smith III
704-485-4214.

Town of Oakboro Rules & Regulations for Golf Cart & SMVs

Effective: July 1, 2020



PO Box 610
Oakboro, NC 28129
www.oakboro.com
(p) 704-485-3351 (f) 485-2439



RULES & REGULATIONS

- Golf Carts and slow-moving vehicles may only be operated on streets, roads, paths and highways within the town in accordance with the following rules and regulations
- (A) Before carts or SMVs can be operated on the designated streets, roads, pathways or highways within the jurisdiction of the town, the owners thereof must purchase and maintain liability insurance in at least the minimum amount required by the state for a licensed motor vehicle which policy insures against personal injury and property damage of any nature, relative to the operation of the vehicles.
- Proof of insurance must be provided to the Oakboro Police Department at the time of application for a permit to operate the vehicles and must be carried by the operator at ALL TIMES that the vehicles are in operation.
- (B) ANY person who operates a cart or SMV in the town takes full responsibility for all liability associated with the operation of the vehicles. Any person who rides or sits as a passenger on a cart or SMV in the town takes full responsibility for all liability associated with the "riding on" or the "sitting on" of the vehicles.
- ***** (C) ANY PERSON THAT OPERATES A CART OR SMV ON THE DESIGNATED STREETS, ROADS, PATHWAYS OR HIGHWAYS WITHIN THE Town of Oakboro's jurisdiction, shall be AT LEAST 16 YEARS OF AGE AND HOLD A VALID DRIVER'S LICENSE ISSUED BY A STATE WITHIN THESE UNITED STATES, and, the OPERATOR SHALL HAVE THIS DRIVER'S LICENSE ON HIS OR HER PERSON AT ALL TIMES WHILE OPERATING THE VEHICLES. *****
- (D) Carts or SMVs may only be operated during daylight hours, between sunrise and sunset, unless the vehicle is equipped with commercially manufactured headlights, brake lights and turn signals that have been approved by the Chief of Police.

- (E) Carts or SMVs may not be operated during inclement weather, when visibility is reduced or impaired by weather, smoke, fog or other conditions or at any time when there is insufficient light clearly to see a person or a vehicle on the roadway at a distance of 500 feet.
- (F) Carts and SMVs must be equipped with a rear vision mirror capable of providing the operator with a 200 feet clear rear sight picture, and shall also be equipped (on the rear of the vehicle) with a slow-moving vehicle placard that meets ASAE S276.4 standards, and shall be equipped with sufficient brakes, reliable steering and safe tires.
- ***** (G) Carts and SMVs may only be operated on N. C. Highways 205, 138, 742, and Saint Martin Road when NECESSARY to access a town street, road or pathway, or a business or residential access point that is not readily accessible from a town back-street, back-road or pathway. Any continuous travel on these highways is hereby prohibited and shall be subject to civil penalty or fine. The only exceptions to this rule are for July 4 of each year and "Cruise-In" days. At such times, the Chief of Police shall designate those roads or streets which may be used on those occasions and the duration of their use. *****
- (H) Any person who operates a cart or SMV within the town's jurisdiction must adhere to ALL state traffic laws, and all laws governing the use of, or the possession of, alcoholic beverages and controlled substances.
- ***** (I) Cart and SMV operators must yield the right-of-way to pedestrians and overtaking vehicles at all times. *****
- ***** (J) ALL passengers, INCLUDING CHILDREN , must be properly seated while the cart or SMV is in motion and shall not be transported in a negligent manner. *****
- **(K) The maximum occupancy of any cart or SMV shall not exceed the manufacturer's design or recommended seating capacity.**
- **(L) Carts or SMVs SHALL NOT be allowed to operate on any town sidewalks, unless otherwise designated by the Chief of Police.**
- (M) Carts or SMVs shall not be allowed to park in designated "Handicapped Parking Spaces" unless the operator, or one of the passengers of the vehicle, has a valid "Handicapped Placard" or sticker. (Ord. passed 11-3-2008) Penalty, see § 74.99

PERMIT, APPLICATION & REVOCATION

- All carts and SMVs operated within the town's jurisdiction must display, on the left side of the vehicle, a valid "permit of operation" sticker issued by the Oakboro Police Department. The non-refundable annual fee for the sticker shall not exceed \$20 per vehicle, and the fee will be used for implementation and maintenance of this privilege. The Chief of Police shall have the right to refuse to issue and/ or revoke any permit sticker and may remove the sticker from any cart or SMV at any time and for any reason that he or she feels is appropriate to ensure the safety and well-being of the citizens, and the motoring or pedestrian traffic, of the town.
- In all cases, the Chief of Police must approve the use of carts or SMVs on the streets, roads, pathways or highways within the town's jurisdiction. All permits approved shall be valid for one year from the date of issuance.
- Any person wishing to make application for a "permit of operation" for carts or SMVs shall complete the required application form distributed for the Oakboro Police Department by the Town Clerk and shall pay the Town Clerk the annual nonrefundable registration fee at the time of application.
- *Fee.* The fee must be paid even if a "permit of operation" is denied or revoked by the Chief of Police.
- *Permit application form.* The permit application form shall include the full name, address and telephone number of the applicant; the applicant's date of birth; the applicant's driver's license information to include state of issuance and the driver's license number (a photocopy of the applicant's driver's license shall be attached to the application form); the name of the applicant's insurance company and the applicant's insurance policy number, along with the date of expiration of the policy; the date of the application; and the applicants signature attesting to his or her reading and understanding of the town's ordinance governing the operation of carts or SMVs, within the Town of Oakboro's jurisdiction. As a condition to obtaining a "permit of operation", the Chief of Police may require an applicant to submit a certificate signed by a licensed physician to the effect that the applicant is able to safely operate a motorized cart or SMV within the town's jurisdiction.
- Any "permit of operation" may be revoked by the Chief of Police if there is any evidence of material misrepresentation made in the permit application, if liability insurance has been revoked, suspended, expired or is no longer in effect, or if there is any evidence that the permitted cannot safely operate a cart or SMV.
- A permit shall be revoked by the Chief of Police if it is found that the operator's, or any person's that the operator allows to operate the vehicle, driver's license has been suspended, revoked, or has expired. The Chief of Police shall issue a "notice of revocation" in the event that a permit is revoked and shall hand deliver the revocation notice to the permit holder, or the Chief of Police may send the notice by certified mail to the address of the permittee or applicant. The revocation shall be effective immediately upon hand delivery or three days after mailing by certified mail. (Ord. passed 11-3-2008)

