

**CHAPTER 53****(HB 79)**

AN ACT relating to the operation of golf carts on public roads.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

➔Section 1. KRS 189.286 is amended to read as follows:

- (1) As used in this section:
  - (a) "Golf cart" means any self-propelled vehicle that:
    1. Is designed for the transportation of players or maintaining equipment on a golf course, while engaged in the playing of golf, supervising the play of golf, or maintaining the condition of the grounds on a golf course;
    2. Has a minimum of four (4) wheels;
    3. Is designed to operate at a speed of not more than thirty-five (35) miles per hour;
    4. Is designed to carry not more than six (6) persons, including the driver;
    5. Has a maximum gross vehicle weight of two thousand five hundred (2,500) pounds;
    6. Has a maximum rated payload capacity of one thousand two hundred (1,200) pounds; and
    7. Meets the federal motor vehicle safety standards for low-speed vehicles set forth in 49 C.F.R. sec. 571.500; and
  - (b) "Local government" means a city, county, charter county government, urban-county government, consolidated local government, unified local government, or special district.
- (2) The governing body of a local government may authorize and regulate the operation of a golf cart on any public roadway under its jurisdiction ~~that lies within five (5) road miles of an entrance to a golf course~~ if the local government adopts an ordinance specifying each roadway that is open for golf cart use.
- (3) An ordinance created under subsection (2) of this section shall require that a golf cart operated on a designated public roadway:
  - (a) Be issued a permit for the golf cart by the local government;
  - (b) Display a sticker or permit that identifies that the golf cart is allowed to be operated on specific roadways within the local government; and
  - (c) Be inspected by a certified inspector designated by the county sheriff and certified through the Department of Vehicle Regulation to ensure that the golf cart complies with the requirements of this section. The inspection fee under this paragraph shall not exceed five dollars (\$5) with an additional fee not to exceed ten dollars (\$10) per trip charged if it becomes necessary for the certified inspector to travel to the site of the golf cart rather than having the golf cart brought to the sheriff's inspection area.
- (4) A person may operate a golf cart on a public roadway pursuant to subsection (2) of this section if:
  - (a) The posted speed limit of the designated public roadway is thirty-five (35) miles per hour or less;
  - (b) The operator of the golf cart does not cross a roadway at an intersection where the roadway being crossed has a posted speed limit of more than thirty-five (35) miles per hour;
  - (c) The operator has a valid operator's license in his or her possession;
  - (d) The golf cart is being operated between sunrise and sunset; and
  - (e) The golf cart displays a slow-moving vehicle emblem in compliance with KRS 189.820.
- (5) A golf cart operating on a public roadway under subsection (2) of this section shall be insured in compliance with KRS 304.39-080 by the owner or operator, and the proof of insurance shall be inside the golf cart at all times of operation on a public roadway.

- (6) Any person operating a golf cart on a public roadway under the provisions of this section shall be subject to the traffic regulations of KRS Chapter 189.
- (7) A golf cart operating on a public roadway designated by a local government under subsection (2) of this section is not considered to be motor a vehicle and is exempt from:
  - (a) Title requirements of KRS 186.020;
  - (b) Vehicle registration requirements of KRS 186.050; and
  - (c) Emissions compliance certificates pursuant to KRS 224.20-720.
- (8) A local government may adopt more stringent local ordinances governing golf cart safety equipment and operation than specified in this section.
- (9) The Transportation Cabinet may prohibit the operation of a golf cart on a public roadway designated under subsection (2) of this section that crosses a state-maintained highway under its jurisdiction if it determines that such prohibition is necessary in the interest of public safety.
- (10) The provisions of 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.

**Signed by Governor March 31, 2010.**