

ORDINANCE NO. 6 , 2025

**AN ORDINANCE AUTHORIZING AND REGULATING UNDER-SPEED,
LOW-SPEED AND UTILITY VEHICLES**

WHEREAS, with the increased popularity of using street-authorized golf carts within suburban municipalities, the Administration has been requested to authorize under-speed and/or low-speed vehicles on the streets within the City of Montgomery; and

WHEREAS, the State of Ohio, under R.C. § 4511.215, permits the local authorization for operation of low-speed, under-speed or utility vehicles on the streets of the local jurisdiction so long as they have been properly inspected, permitted, and registered with the Bureau of Motor Vehicles; and

WHEREAS, to establish a program to authorize these vehicles in the City, Council does desire to pass the regulations as detailed herein.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Montgomery, Hamilton County, Ohio, that:

SECTION 1. Definitions. As used in this Chapter:

LOW-SPEED VEHICLE. A vehicle as the term is defined by R.C. § 4501.01 (WW).

REGULATED VEHICLE. Any under-speed, low-speed or utility vehicle regulated under this Chapter.

UNDER-SPEED VEHICLE. A vehicle as that term is defined under R.C. § 4501.01 (XX).

UTILITY VEHICLE. A vehicle as that term is defined under R.C. § 4501.01 (VV).

SECTION 2. Inspection of Under-Speed, Low-Speed, and Utility Vehicles.

A. No person shall operate a Regulated Vehicle, as defined herein, on the streets within the City unless it has been inspected and approved by the Chief of Police, or his or her designee, for compliance with the applicable safety/equipment requirements of the State of Ohio relative to motor vehicles, including headlights, brakes, brake lights, tail lights, turn signals, horn, rearview mirror, windshield, seatbelts, and appropriate tires. The Montgomery Police Department shall conduct the inspection of such vehicle at the residence of the owner requesting registration of the Regulated Vehicle.

B. If the Chief of Police, or his or her designee, determines that the Regulated Vehicle complies with the State of Ohio's applicable statutory requirements, and includes appropriate seatbelts for the operator and each passenger, the Chief of Police shall issue the owner a Certificate of Compliance entitling the owner, or an authorized operator, to operate the Regulated Vehicle on certain streets within the City. The owner shall also show the Chief of Police, or his or her designee, proof of liability insurance for the Regulated Vehicle before a Certificate of Compliance is issued. The Chief of Police shall keep a copy of each Certificate issued pursuant to this section. The owner and operator of a Regulated Vehicle shall keep a copy of any Certificate issued, pursuant to this section, inside of the Regulated Vehicle to which it pertains at all times as such vehicle is being used within the streets of the City. The Chief of Police shall issue a sticker or similar device to the owner of each Regulated Vehicle once it has been inspected and certified. The sticker shall signify compliance with this section. The owner

of such Regulated Vehicle shall display the sticker in a conspicuous place on the rear of the Regulated Vehicle.

C. The owner of a Regulated Vehicle also shall comply with all requirements of Ohio law regarding proper title, registration and license plates prior to operating the Regulated Vehicle on any street within the City. Compliance with this section shall be in addition to, rather than in lieu of, any applicable provisions of state law relative to the operation of motor vehicles.

SECTION 3. Usage and Restrictions.

A. No Regulated Vehicle shall be permitted to travel on any City street, or a portion of a City street, where the posted speed limit is greater than 35 miles per hour. Such Regulated Vehicles shall be permitted to cross intersections of streets with higher speeds so long as the Regulated Vehicle remains on such street or the continuing intersection of such street that has a speed limit with the permissible Regulated Vehicle speed limit.

B. Consistent with Section 72.58 of the Montgomery Codified Ordinances, Regulated Vehicles may not be operated off of the street, particularly on any sidewalk or bike path, within the City except a path located solely within and servicing private property.

C. The operator of a Regulated Vehicle must be at least 16 years of age and hold a valid driver's license.

D. Regulated Vehicles must be operated in accord with all State of Ohio traffic laws for motor vehicles in addition to all applicable sections of the Montgomery Codified Ordinances.

SECTION 4. Penalty. Whoever violates this Chapter is guilty of a minor misdemeanor upon a first offense, and upon a second offense within one year after the first offense, the person who violates this Chapter is guilty of a misdemeanor of the Fourth Degree. Each subsequent offense within one year after the first offense and second offense, the person is guilty of a misdemeanor of the Third Degree.

SECTION 5. This Ordinance shall take effect the earliest opportunity as allowable by law.

PASSED: June 4 2025

ATTEST: Connie M. Gaylor
Connie M. Gaylor, Clerk of Council

Ronald G. Messer
Ronald G. Messer, Mayor

APPROVED AS TO FORM:

Terrence M. Donnellon
Terrence M. Donnellon, Law Director