

Regulations & Ordinances

TOWN OF SWANSBORO

Effective October 15th, 2010, golf carts may be used on certain streets and public vehicular areas (PVA) within Swansboro if they are properly registered and approved by the Swansboro Police Department. Golf carts may not be operated on Town streets if they are not properly registered.

Legal operation of golf carts will include compliance with the following laws:

- Golf carts must have a valid and current Town registration sticker displayed on the golf cart in order to operate on authorized streets and PVA's.
- Golf cart operators must be at least **16 years of age** and have a valid driver's license in their possession while operating.
- Golf cart operators must obey all North Carolina motor vehicle laws.
- The number of passengers may not exceed that of the vehicle's passenger design and passengers may not ride in areas designed for cargo or storage.
- Open alcoholic beverage containers are not permitted in golf carts and the operator and owner **are** subject to North Carolina's Driving While Impaired laws just as if it were a motor vehicle.
- Proof of adequate liability insurance coverage is required for a cart to pass inspection.
- Basic inspection requirements include the following: (1) rear view mirror; (2) A 12" triangle reflector on the back center of the cart or two 3" reflectors.
- Nighttime operation also requires; (a) two headlights illuminating 200 feet in front of the cart and visible from 500 feet and; (b) two rear operating taillights visible from 500 feet.
- A \$25.00 annual fee for registration and inspection is required; \$10.00 for a re-inspection if the cart initially fails inspection; \$5.00 for a replacement registration sticker.
- Penalties for violations of golf cart regulation can include civil fines, NC traffic citation or arrest, misdemeanor penalties and/or loss of NC driving privileges.

People interested in obtaining proper registration and operating privileges for their golf cart should obtain an application and copy of the Town ordinance explaining all the rules of operation from the Swansboro Police Department located at 609 W Corbett Ave. After completing the application, contact the Police Department to schedule a review of your application and inspection of your golf cart. Additional details can be found in the Town's ordinance that regulates golf cart use.

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CHAPTER 76: GOLF CARTS

76.99 Penalty

§ 76.01 PURPOSE AND AUTHORITY.

The purpose of this chapter is to regulate the operation of golf carts on any public street, road, or highway within the boundaries of the Town of Swansboro, under the authority of G.S. § 160A-300.6, in order to provide certain limited safety protections relating to golf cart operators, golf cart passengers, and other users of streets and highways.

(Ord. 2010-031, passed 9-21-10)

§ 76.02 STATEMENT OF POLICY.

While the town finds that regulations governing the operation of golf carts is necessary to address certain public safety issues, the town notes that golf carts are not designed or manufactured for use on streets and roads and do not possess the same safety features required of motor vehicles. The town does not advocate or endorse their operation on streets and roads, and specifically advises that the adoption of these regulations does not constitute a determination that the use of golf carts on streets or roads is safe or advisable. All persons who operate or ride in golf carts on streets or roads do so at their own risk and peril, are advised to be attentive to motorists, bicyclists, pedestrians, these regulations, and the motor vehicle laws of the state and the town, and are urged to use appropriate personal safety equipment, including seat belts and child restraints.

(Ord. 2010-031, passed 9-21-10)

§ 76.03 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

GOLF CART. A vehicle designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of 20 miles per hour. **GOLF CARTS** do not include “low speed vehicles”, as defined by state law, which are subject to the registration, inspection, and other laws of the state relating to motor vehicles. **GOLF CARTS** also do not include utility vehicles or motorized all-terrain vehicles, which are not eligible for use on public roads or for registration as motor vehicles under state law, or vehicles originally designed as golf carts which have been modified to operate at speeds greater than 20 miles per hour.

Statutory reference:

see G.S. § 20-4.01(12a)

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PUBLIC STREETS, ROADS, AND HIGHWAYS. “Public streets, roads, and highways” include the following roadways and rights-of-way:

- (1) Municipal streets maintained by the town;
- (2) Streets generally open to public use; and
- (3) Public vehicular areas, the last as defined by G.S. § 20-219.4.

(Ord. 2010-031, passed 9-21-10)

§ 76.04 REGULATIONS.

Golf carts may be operated on public streets, roads, and highways (as defined herein) within the town and on property owned or leased by the town only in accordance with the following requirements and regulations.

(A) *Driver’s license required.* Golf cart operators must have a valid driver’s license, issued in their name, and the license must be in their possession when operating a golf cart.

(B) *Minimum operator age.* Persons operating a golf cart must be at least 16 years of age.

(C) *Basic safety equipment.* Golf carts must be equipped with a rear view mirror and either (1) triangle reflector at least 12 inches high designed to designate a slow moving vehicle or (2) two reflectors, at least three inches in diameter, mounted on the rear of the vehicle.

(D) *Operating hours.* Golf carts may be operated on public streets, highways, or roadways only from dawn to dusk unless the golf cart is equipped with the following equipment: (1) two operating headlights on each side of the front of the cart, capable of illuminating for a distance of 200 feet and capable of being seen for a distance of 500 feet under normal atmospheric conditions; (2) two operating tail lights, one on each side of the rear of the cart, capable of being seen from 500 feet under normal atmospheric conditions.

(E) *Vehicle laws compliance.* Golf cart operators shall observe and comply with all state and municipal laws and regulations relating to the operation of motor vehicles, including those relating to the possession and use of alcoholic beverages and illegal substances. No golf cart containing any open container of alcohol may be operated on public streets, roads, or highways.

(F) *Operation on roadway.* Golf carts shall be operated at the far right edge of the roadway and shall yield the right-of-way to overtaking motor vehicles at all times.

(G) *Passenger limitations.* The number of persons in a golf cart may not exceed the designed, maximum capacity specified by the manufacturer. No person may, and the operator shall not allow, any person to ride in or on any part of a golf cart not designed to carry passengers, including portions designed for storage or carrying of golf bags or other items. The operator and all occupants shall remain seated while the golf cart is in operation, and no part of an operator or occupant’s body shall extend

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outside the golf cart while it is in motion, other than necessary hand signals by the operator to indicate turns.

(H) *Speed; proper operation.* Golf carts shall not be operated at a speed greater than 20 miles per hours, shall not (in any case) be operated at a speed greater than is reasonable and prudent for existing conditions, shall not be operated in a careless or reckless or in a manner that endangers other persons, and shall at all times be operated in compliance with the instructions of police officers who are controlling traffic.

(I) *No operation on sidewalks.* Golf carts shall not be operated on sidewalks at any time.

(J) *Private property.* Golf carts shall not be operated on private property, including but not limited to parking lots and other private vehicular areas, without the permission of the owner(s).

(K) *Public vehicular areas.* If golf carts are operated within public vehicular areas (as defined by state law), they shall comply with any provisions of state or local law and any posted traffic controls that apply to the operation of motor vehicles within such areas.

(L) *Registration.* Golf carts must be properly registered as required by this section and must display, in the lower corner of the windshield on the driver's side or in the nearest feasible location, a current, valid registration sticker issued by the Town of Swansboro.

(M) *Permitted operational locations.* Golf carts may be operated only on streets with a posted speed limit of 20 miles per hour or less.

(N) *Crossings.* Golf carts may not travel upon or cross streets, roads, or highways with a speed limit greater than 20 miles per hour, provided that golf carts may cross streets with speed limits up to 35 miles per hours if the crossing is a direct crossing, the road being crossed is no more than two lanes in width, and the distance of the crossing is no greater than 30 feet.

(O) *Parking.* Golf carts may be parked in the same manner and in the same places designated for parking of motor vehicles only.

(P) *Special situations.* In special circumstances such as emergency situations, special events, or other unusual circumstances, the Police Chief or his or her designee may temporarily authorize, direct, allow, or prohibit the operation of golf carts in a manner different from the normal regulations of this chapter.

(Q) *Handicapped parking.* Golf carts may park in handicapped parking spaces only if the operator or at least one passenger has a valid handicapped parking authorization issued by the state.

(Ord. 2010-031, passed 9-21-10) Penalty, see § [76.99](#)

§ 76.05 AREAS PROHIBITED FOR USE.

(A) The use or operation of golf carts along all streets, roads, and highways with speed limits higher than 20 miles per hour, except for those road crossings specifically permitted, is prohibited.

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(B) The use or operation of golf carts on the following streets, roads, or highways within the Town of Swansboro is specifically prohibited:

- (1) NC Highway 24 (Corbett Avenue)
- (2) Main Street Extension
- (3) Mount Pleasant Road
- (4) Swansboro Loop Road
- (5) Old Hammocks Beach Road
- (6) Hammocks Beach Road
- (7) Queen's Creek Road
- (8) Norris Road
- (9) Deer Island Road
- (10) Phillips Road
- (11) Dr. Corbett Road
- (12) Richard Riggs Road
- (13) School Road

(C) The use or operation of golf carts in festival areas without police permission is prohibited.

(Ord. 2010-031, passed 9-21-10) Penalty, see § [76.99](#)

§ 76.06 REGISTRATION.

(A) *Applications.* All golf cart owners must annually complete a registration application in a proper manner, pay any applicable application, inspection, and/or registration fees, provide the required proof of liability insurance, and submit their golf carts for inspection by the Police Department. The registration application shall also include signed confirmation that the applicant has read, understands, and agrees to comply with town regulations regarding the operation of golf carts. Upon a determination that the application and the cart meet town requirements, the Police Department shall issue a registration sticker to the owner, accompanied by a copy of the requirements and regulations of this section.

(B) *Insurance and liability.* All golf cart owners shall provide proof of ownership, required proof of liability insurance, and a waiver of liability (in terms prepared by the town) releasing the town from any and all liability that may arise from the operation of the golf cart within the town. The required liability insurance coverage shall be in an amount not less than that required by North Carolina law for motor vehicles operated on public highways.

(C) *Fees.* Fees for golf cart applications, inspections, and/or registrations shall be as determined annually by the Board of Commissioners. Such fees shall be non-refundable and shall not be prorated for partial years.

(D) *Registration period.* Golf cart registrations shall be valid for no more than one year and shall expire on June 30 of each year. Registrations may be issued at any time during the year, but all registrations shall expire on the following June 30.

(Ord. 2010-031, passed 9-21-10)

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§ 76.07 ENFORCEMENT.

Any act constituting a violation of this chapter or a failure to comply with any of its requirements shall constitute an infraction under the provisions of G.S. Chapter 20. Notwithstanding the foregoing, persons who, while operating golf carts on streets, roads, and highways within the town, violate the “rules of the road” applicable to motor vehicles under the North Carolina General Statutes shall be subject to the same enforcement measures and penalties as those applicable to operators of motor vehicles. Each day that any of the provisions of this chapter is violated shall constitute a separate offense.

(Ord. 2010-031, passed 9-21-10)

§ 76.99 PENALTY.

(A) *Civil penalties.* Any act constituting a violation of this chapter shall subject the offender to a civil penalty of \$50, plus any attorney fees, court costs, or other collection expenses incurred by the town. If the offender fails to pay the penalty within 30 days of receiving written notice of the violation, the amount owed may be recovered by the town in a civil action in the nature of debt, in addition, failure to pay a civil penalty shall constitute grounds for revocation of a golf cart registration.

(B) *Registration revocation.* Three violations of this chapter within any 12-month period shall constitute cause for revocation of a golf cart registration for a period of one year.

(C) *Misdemeanor.* Any person who violates this chapter shall also be guilty of a Class 3 misdemeanor and shall be subject to penalties as set forth in § [10.99](#) of the town code. Notwithstanding the foregoing, violators may be subject to greater penalties if such penalties are provided under the motor vehicle laws of the state.

(Ord. 2010-031, passed 9-21-10)