

FAQs for Golf Cart Ordinance

- Do we really have to do this? I thought we were covered under the Master Planned Community provisions of the law. *We could perhaps have made that argument long ago when we were much smaller but definitely not now. One characteristic of a Master Planned Community in the law is having one uniform set of restrictive covenants for the community. The last time I talked with Al McDavid, who is our resident expert on this from FORHA, I believe there were about 85 different restrictive covenants. We also don't meet the provisions that assume everyone is not more than two miles from the golf course and that we use the carts just to get to the course.*
- What is the downside of not doing anything? *We are out of compliance with state law. This creates an unacceptable liability risk for the city and our police officers. If we want to enforce the law properly, including underage and unlicensed drivers, we need to have an ordinance in place that conforms to state law. The downside of liability risk falls on all of our citizens. We are just doing the right thing and addressing an issue that has been kicked down the road for years.*
- Will you allow time to phase this in? *Certainly. We will do the second reading on this at our evening meeting on the third Thursday in November. We will publish requirements on our website and Facebook page as soon as the ordinance is approved. Inspections will be set up at the police station and additionally, we plan to set up a couple of events in the city for inspections. We anticipate enforcement of the new rules will begin on January 1, 2018.*
- Is there anything else driving this interest in having an ordinance? *Yes. Public safety is not being served properly if we do not require the minimum safety equipment required by the state. Our council members are also of the opinion that we should require seat belts/car seats that are age appropriate for young children. This is a common requirement in other communities that we researched.*
- Does any of this impact the golf carts for the Club? *No. The Club is private property and the ordinance does not apply to their equipment operated on private property. State law allows Club golf carts to cross public streets at marked crossings to connect from one part of the course to another and allows Club employees to tow carts as needed. Our proposed ordinance allows for all of these uses.*
- Is there going to be any impact on speed limits on our city streets as a result of this? *Yes, on a couple of streets. State law prohibits golf carts on any street with a speed limit higher than 35 mph. For us to continue legal use of golf carts on Fair Oaks Parkway and the part of Dietz-Elkhorn going from Fair Oaks Parkway toward I 10, we would have to lower the speed limits. The council members spoke in favor of adopting a uniform 30 mph speed limit on these two streets within our city limits.*

- Are there some streets in the city where golf cart use would not be allowed? *Yes. Part of Ammann Road is within our city limits and has a higher speed limit. We are not proposing to lower that speed limit so golf cart traffic would not be allowed.*
- What if I have a really old golf cart? *Sorry, you will have to upgrade your cart to the state required safety equipment if you want to drive it on our streets.*
- Can the council approve money to retrofit older carts? *No, that would be a use of public funds for a private purpose which violates the state Constitution.*
- What is the safety equipment the state law requires?
 - Two operational headlamps
 - Two operational tail lamps
 - Side reflectors (2 front in amber; 2 rear in red)
 - Operational parking brake (all kinds as long as it serves as parking brake)
 - Rearview mirror(s) capable of a clear unobstructed view of at least 200 feet to the rear
 - Slow Moving Vehicle Emblem (yes we know this is a pain; there was no legal way around this)
 - All required equipment shall meet Texas and Federal Motor Vehicle Safety Standards
- See beautiful drawing of cart Chief Rubin did with assistance of Lt. Moring
- Is any equipment required beyond minimum state requirements? *Yes, if you are transporting youngsters under 6 years old they must be restrained by a safety belt or a car seat restrained by a safety belt if appropriate for their size.*
- Do I have to carry a driver's license with me in the golf cart? *Yes, it is a motor vehicle under the transportation code and you should have a driver's license to operate. It is not the end of the world if you forget it. It will just cause you a delay while the police officer runs your name and address through dispatch.*
- Does everyone have to be properly seated in a seat provided? *Yes*
- Can I tow another golf cart, trailer, or other vehicle or person on roller skates, etc.? *No. If you are an employee of the club driving a club vehicle or towing carts, the ordinance does not apply.*
- If there are faster moving cars behind me, can I move over toward the curb to let them by? *Yes and you should. This is commonly referred to as a "Texas Courtesy Pass." As Chief Rubin points out, we have ordinances to encourage safe behaviors, not to look for excuses to issue citations.*
- Do I have to prove liability insurance coverage to get a permit? *Yes. How do I do that? Your golf cart is a motorized vehicle and is insured just like a car. Check with your insurance company for how to do that. One of my golf cart owning friends just insured his with USAA and it cost \$77 per year.*
- Will there be a form to apply for a permit? *Yes. After the ordinance is approved, we will post forms on our city website. We will have paper forms available at the police department.*
- Will there be a fee for the permit? *Yes. We will do a one-time charge of \$20 to pay for the permits and to defray the police officer time required to do inspections. We will not repeat the charge unless the cart changes ownership.*

- If I sell my cart to someone else, do we have to report the change of ownership? *Yes. If the ownership changes or the normal storage location of the cart changes, you have to report that to the Police Department within 10 days.*
- If I am driving a club owned cart on the golf course and have to go on a public street to get to the next part of the golf course, is that allowed? *Yes. State law provides for golf course owned carts to cross public streets in designated cart paths. Our ordinance provides for that use on club owned vehicles.*
- If I own one of the large acre lots and just use my golf cart to get around on my private property does my cart have to comply with the ordinance? *No. The ordinance only applies to use on public streets.*
- If I live in a gated community, does the ordinance apply to me? *Yes, if your community has requested our police department to enforce traffic ordinances. See your HOA. Yes, also, if you leave your gated community and get on public streets to drive to the course or anywhere else.*
- When will this ordinance go into effect? *January 1, 2018*
- How large is the fine for a violation? *The municipal court judge can levy a fine anywhere between \$0 and \$500. The maximum is set by state law.*
- Is this ordinance like other communities with golf carts? *Yes. Councilwoman Koerner surveyed 14 other communities and we are in the mainstream of those communities with our ordinance.*