

## ARTICLE XI. - MOTORIZED CARTS

### Sec. 110-319. ~~Applicability.~~

~~The provisions of this article shall apply to all motorized carts operated upon a public street or public cart path within the City of League City except:~~

- ~~(1) The operation of golf carts is not subject to the provisions of this article under the following circumstances:~~
  - ~~a. The operation of golf carts at golf courses, private clubs or on private property, with the consent of the owner, or the operation of golf carts within gated or limited access communities unless the streets of the community are dedicated for public use and maintained by the city, or the use of a golf cart in connection with a parade, a festival or other special event provided the consent of the sponsor is obtained and provided such vehicle is only used during such event.~~
  - ~~b. The use of golf carts by the City of League City on official police business or the use of golf carts by city personnel for official business on city owned property and city leased property.~~

### ~~Sec. 110-320.~~ Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this article, except where the context clearly indicates a different meaning.

*Cart path* means an improved path designed for the sole movement of a golf cart. A cart path shall be designed and constructed as designated by the city engineer.

*Driver* means the person driving and having physical control over the motorized cart.

*Driver's license* means an authorization issued by a state for the operation of a motor vehicle. The term includes a temporary license or an occupational license.

*Golf cart* means a motor vehicle designed by the manufacturer primarily for use on a golf course~~(1) A temporary license or instruction permit; and~~ has a maximum speed of 25 miles per hour.

~~(2) An occupational license.~~

*Motorized cart* means golf carts, recreational off-highway vehicles, and utility vehicles as herein defined.~~those electric and gasoline powered carts, commonly referred to as golf carts, but which must have a minimum of four wheels and which have an attainable top speed not greater than 25 miles per hour on a paved level surface and which is manufactured in compliance with those federal motor vehicle safety standards for low speed vehicles. Specifically excluded from this definition are those motorized conveyances commonly referred to as ATVs, four wheelers, mules, and gators.~~

*Multi-use cart path* means a path used, designed and constructed to facilitate the movement of motorized carts and pedestrian traffic. The multi-use path is designated by a sign at the entrance and exit of the path and further designated by multi-use path signs placed at 150-foot intervals in each direction. The multi-use path shall be designed and constructed in accordance with generally accepted engineering practices and approved by the city engineer.

*Owner* means the person holding title to the motorized cart.

*Parking area* means those areas accessible to the public by motor vehicular traffic and which are designated for temporary parking of motor vehicles, usually in places referred to as parking lots.

~~*Permit* means a certificate/decal of authorization issued to the applicant authorizing the operation of the golf cart for which the permit was issued. The decal will display the month and year of expiration.~~

~~*Permit holder* means the person to whom a golf cart permit has been issued.~~

*Public cart path* means an improved path designed for the sole movement of a golf cart which is available for use by the general public.

*Public Highway* includes a road, street, way, thoroughfare, or bridge that is for the use of vehicles, is not privately owned or controlled, and over which the state has legislative jurisdiction.

*Recreational off-highway vehicle* means a motor vehicle that is equipped with side-by-side seating for the use of the operator and one or more passengers, designed to propel itself with four or more tires in contact with the ground, designed by the manufacturer for off-highway use only, and not designed by the manufacturer primarily for farming or lawn care.

*Sidewalk* means the portion of a street that is between a curb or lateral line of a roadway and the adjacent property line and intended for pedestrian use.

~~*Slow-moving vehicle emblem* means a triangular emblem that conforms to standards and specifications adopted by the director under § 547.104 and displayed in accordance with V.T.C.A., Transportation Code § 547.703.~~

~~*Street* means the public roadways of the City of League City by whatever name, e.g., road, alley, avenue, highway, route, boulevard, etc., that:~~

- ~~(1) Has a posted speed limit of 35 miles per hour or less; or~~
- ~~(2) Provides for no more than two lanes of vehicular traffic per direction; or~~
- ~~(3) Is not designated as part of either the state or federal highway system.~~

*Trafficway* is any land way open to the public as a matter of right or custom for moving persons or property from one place to another. The trafficway includes all property, both improved and unimproved, between the property lines of a roadway system.

*Utility Vehicle* means a motor vehicle that is not a golf cart or a lawn mower and is equipped with side-by-side seating for the use of the operator and passenger, designed to propel itself with at least four tires in contact with the ground, designed by the manufacturer for off-highway use only, and designed by the manufacturer primarily for utility work and not for recreational purposes.

~~*Working days* shall mean Monday through Friday excluding city holidays.~~

#### Sec. 110-320. Operation of Motorized Carts.

(a) An operator may operate a motorized cart on a roadway in the City of League City only as provided below:

- (1) To cross a highway at an intersection, including an intersection with a highway that has a posted speed limit of more than 35 miles per hour; or
- (2) On a highway for which the posted speed limit is not more than 35 miles per hour.

(b) Pursuant to Texas Transportation Code Section 551A.054 and in the interest of safety, all off-highway vehicles, as that term is defined in Texas Transportation Code Section 551A.001, are prohibited from operation on a highway except as provided in Subsection (a).

(c) In addition, the operation of motorized carts is authorized in the following circumstances:

- (1) The operation of golf carts at golf courses, private clubs or on private property, with the consent of the owner, or the use of a motorized cart in connection with a parade, a festival or other special event provided the consent of the sponsor is obtained and provided such vehicle is only used during such event.

- (2) A peace officer or other person who provides law enforcement, firefighting, ambulance, medical, or other emergency services, including a volunteer firefighter, may operate a motorized cart on a highway that is not an interstate or limited-access highway if the operation is in connection with the performance of the operator's official duty;
- (3) The use of motorized carts by City of League City personnel for official business on city owned property and city leased property;
- (4) The operation of a motorized cart bearing license plates issued under Section 551.452 of the Texas Transportation Code for the purpose of picking up or delivering mail, parcels, packages on all or part of a public highway that has a speed limit of not more than 35 miles per hour.

Sec. 110-321. ~~Electric and gasoline~~ motorized cart required equipment.

- (a) A golf ~~Every motorized~~ cart operated on a highway pursuant ~~required to this Article shall be permitted under section 110-325 must be equipped with, as mandated by the safety equipment required by~~ Texas Transportation Code Section, H.B. 2553, § 551.4041, Texas 404(b) and/or required by the City of League City, with the following:
  - ~~(1) Operational headlamps (two required);~~
  - ~~(2) Operational tail lamps (two required);~~
  - ~~(3) Side reflectors (two front: amber in color, and two rear: red in color);~~
  - ~~(4) Operational parking brake; and~~
  - ~~(5) Rearview mirror(s) (capable of a clear unobstructed view of at least 200 feet to the rear);~~
  - ~~(6) Slow moving vehicle emblem;~~
  - ~~(7) Horn (must be audible for a distance of 200 feet in compliance with V.T.C.A., Transportation Code Chapter 547, and shall display a golf cart license plate issued by the Texas Department of Motor Vehicles. § 547.501).~~
- (b) A recreational off-highway vehicle or utility vehicle operated on a highway pursuant to this Article shall be equipped with the safety equipment and display lights as required by Texas Transportation Code Section 551A.071, Texas Transportation Code Chapter 547, and shall display an off-highway vehicle license plate issued by the Texas Department of Motor Vehicles.

~~All required equipment shall meet Texas and federal motor vehicle safety standards.~~

Sec. 110-322. License ~~Gasoline carts.~~

~~Every motorized cart powered by gasoline shall at all times be equipped with an exhaust system in good working order and in constant operation and meeting the following specifications:~~

- ~~(1) The exhaust system shall include the piping leading from the flange of the exhaust manifold to and including the muffler and exhaust pipes or including any and all parts specified by the manufacturer.~~
- ~~(2) The exhaust system and financial responsibility required its elements shall be securely fastened with brackets or hangers, which are designed for the particular purpose of fastening motorized cart exhaust systems.~~

An operator operating a motorized cart as authorized by this Article shall carry on the operator's person a valid driver's license and proof of valid liability insurance covering that operator's operation of said motorized cart and meets the requirements of subchapter D of Texas Transportation Code Chapter 601.

~~(3) — The engine and powered mechanism of every motorized cart shall be so equipped, adjusted and tuned so that the exhaust is in good working order.~~

~~(4) — It shall be unlawful for the owner of any motorized cart to operate or permit the operation of such cart on which any device controlling or abating atmospheric emissions which is placed on a cart by the manufacturer is rendered unserviceable by removal, alteration or which interferes with its operation.~~

Sec. 110-323. - Operational regulations.

Operators~~(a) — All drivers~~ of motorized carts shall obey~~hold a valid driver's license and shall abide by~~ all traffic regulations applicable to vehicular traffic when operating a motorized cart pursuant to this Article~~using the authorized streets and parking areas of the city.~~

Motorized~~(b) — Golf~~ carts shall not be operated on any sidewalk, pedestrian walkway, jogging path, park trail or any location normally used for pedestrian traffic except for official police business or by League City personnel conducting a required job function directly related to their assigned duties.

~~(c) — No person may operate a golf cart upon any portion of a street or trafficway having a posted speed greater than 35 m.p.h.~~

~~(d) — All motorized carts are entitled to full use of a lane on the authorized streets and parking areas of the city and no motor vehicle shall be driven in such a manner as to deprive any motorized cart of the full use of a lane.~~

~~(e) — The driver of a motorized cart shall not overtake and pass in the same lane occupied by the vehicle being overtaken.~~

~~(f) — No driver shall operate a motorized cart between lanes of traffic or between adjacent lines or rows of vehicles.~~

~~(g) — The driver of a motorized cart with a current and valid Texas driver's license operating the cart on a street (as defined herein) may cross a multi-lane or a federal, county or state route only at an intersection controlled by an official traffic control device which stops traffic from all directions. The driver of a motorized cart may cross a multi-lane road, other than a federal, state, or county route, if it is required to cross from one portion of a golf course to another portion of the same golf course. If a cart crossing path is provided for transition between one section of a golf course to another section of the same golf course across a multi-lane road, the operator shall cross at and within the cart crossing path.~~

~~(h) — The number of occupants in a motorizedgolf cart shall be limited to the number of persons for whom factory seating is installed and provided on the motorizedgolf cart. The operator and all passengersoccupants shall be seated upon the seatingseat of the motorizedgolf cart and no part of the body of the operator or any passenger occupant shall extend outside the perimeter of the motorizedgolf cart while the motorizedgolf cart is being operated. The operator shall not permit any person occupant of the cart to ride in the lap of any occupant of the cart while the cart is in motion.~~

~~(i) — Children must be properly seated while a motorized cart is in motion and may not be transported in a reckless or negligent manner. No person younger than eightsix years of age may be transported in a motorizedgolf cart unless restrained by a safety seat system appropriate to the age and size of the child, in accordance with Texas Transportation Code Section 545.412~~belt restraint.~~~~

Motorized(j)—~~Golf~~ carts may only be parked in the same manner and at the same places designated for the parking of motor vehicles. The stopping, standing or parking of ~~motorized~~~~golf~~ carts in areas where parking is not allowed or in any place that impedes the flow of traffic, pedestrian walkways or a passageway is prohibited. No person may~~Golf carts shall not~~ park a motorized cart within any space designated for disabled persons unless a current disabled parking placard is displayed and the person to whom the placard was issued is operating or being transported by the cart.

Motorized(k)—~~Golf~~ carts may not be used for the purpose of towing another cart, trailer or vehicle of any kind including a person on roller skates, skateboard or bicycle. A person employed by a golf course may tow a cart(s) for the purpose ~~[of]~~ relocating the cart(s) from one portion of a golf course to another portion of the same golf course.

Motorized(l)—~~Golf~~ carts shall not be operated during inclement weather or when visibility is impaired by weather, smoke, fog, or other condition, or at any time when there is insufficient light to clearly see persons or vehicles on the roadway at a distance of 500 feet.

Sec. 110-324. Offense.

~~—Liability.~~

(a) Any person who operates a golf cart or off-highway vehicle, as that term is defined in Texas Transportation Code Chapter 551A, in a manner that violates this Article shall be guilty of a misdemeanor and upon conviction fined not more than five hundred dollars.

Any owner of a golf cart or off-highway vehicle that allows another to operate said golf cart or off-highway vehicle in a manner that violates this Article shall be guilty of a misdemeanor and upon conviction fined not more than five hundred dollars. ~~Nothing in this section shall be construed as an assumption of liability by the City of League City for any injuries to persons, pets or property which may result from the operation of a motorized cart by an authorized driver.~~

~~Owners are fully liable and accountable for the actions of any individual that they provide permission to operate and drive said motorized cart, both on personal and/or city and public properties. This described liability responsibility especially applies to personal injuries or property damage resulting from motorized cart drivers who are minors under the age of 21 with or without a current and valid Texas driver's license.~~

~~Sec. 110-325. —Permit required.~~

~~No person shall operate, cause to be operated, or allow the operation of a golf cart on a public roadway unless a valid permit has been issued for that golf cart or otherwise allowed by law. A permit is not required for golf carts owned or leased by the golf course and used entirely on the golf course or crossing from one section of a golf course to another section of the same course. A permit is not required for a privately owned golf cart used entirely on the golf course or crossing from one section of a golf course to another section of the same course. No golf cart exempted from permitting under this section may be operated on a public roadway for any other purpose.~~

~~(1) —Application for a permit authorizing the operation of a golf cart shall be made by a person who owns, leases, or otherwise uses a golf cart. Such application shall be made in writing to the chief of police or his designee on a form designated for that purpose. On such application shall be set forth the following:~~

- ~~a. —The application shall include the name, address, telephone number and state driver's license number, if applicable, of the permit holder.~~
- ~~b. —The application shall include the street address where the golf cart is kept, including the particular suite or apartment number if applicable.~~
- ~~c. —The application shall include any business name used for the premises where the golf cart is kept.~~

- ~~d.—The application shall include year, make, model, color, vehicle identification number or serial number if no V.I.N. has been issued to the golf cart, electric or gasoline.~~
- ~~e.—The motorized cart shall be inspected by a person(s) and at a location designated by the chief of police to ensure compliance with requirements of this article before the issuance of a permit.~~
- ~~f.—The permit shall be permanently affixed on the left side of the cart in such a manner that it is clearly visible from 50 feet. The permit must not be damaged, altered, obstructed, or otherwise made illegible. The permit holder shall apply for replacement permit and pay all applicable cost associated with the issuance and inspection of the cart.~~
- ~~g.—The permit shall only be placed upon the cart for which it was issued.~~
- ~~h.—A permit issued to a motorized cart shall become invalid if the motorized cart is altered in any manner that fails to comply with any requirement of this article.~~

~~(2) Permits/stickers are valid for a period of two years. The following fees shall apply:~~

- ~~a.—Inspection by police department: \$50.00 (includes permit/sticker).~~
- ~~b.—Re-inspection by police department: \$10.00 (if a cart fails the initial inspection).~~

~~The permit holder shall notify the League City Police Department within ten working days if the motorized cart transfers ownership, or the address of the normal storage location has changed. The information shall be submitted on a form designated by the chief of police.~~

~~Lost or stolen permit/stickers are the responsibility of the owner. A police report must be filed in the event of a lost or stolen permit/sticker. If no record can be found of a previous application, or the receipt of a permit/sticker, the chief of police may direct the applicant to reapply, and also resubmit any and all fees necessary, before a replacement permit/sticker is issued.~~

~~Any person who operates a cart and fails to receive and properly display a City of League City permit/sticker will be subject to all applicable state laws, in addition to being in violation of this article.~~

~~A permit may be revoked at any time by the chief of police or designee if there is evidence that the permit holder cannot safely operate a motorized golf cart on the roadway of streets within the City of League City or the motorized cart fails to comply with the requirement of this article. For purposes of this section, the commission of any of the violations described in section 110-323 constitutes evidence that the permit holder cannot safely operate a motorized golf cart on the streets within the City of League City.~~

#### ~~Sec. 110-326. Penalties.~~

~~Any person who violates the terms of this section shall be penalized as follows:~~

~~The maximum penalty allowed by law for such misdemeanor and in addition to traffic violations the driver of the motorized cart may be subject to pursuant to Texas law, the owner of the motorized cart shall be subject to the following civil penalties:~~

- ~~(1) For the first offense, a fine of not less than \$25.00;~~
- ~~(2) For the second and any subsequent offense, a fine of not less than \$50.00.~~