

Chapter 8-3 Motorized Carts, Electric Bicycles And Other Low Speed Motorized Vehicles

Sections:

- 8-3-1 Findings; Definitions
- 8-3-2 Registration/Transfer Requirements
- 8-3-3 Operation Regulations
- 8-3-4 Authorized Recreation Path Users
- 8-3-5 Prohibited Uses
- 8-3-6 Liability
- 8-3-7 Penalties
- 8-3-8 Enforcement

Sec. 8-3-1 FINDINGS; DEFINITIONS.

- (a) The Mayor and City Council find that certain streets and paved recreational paths located within the territorial boundaries of the City and under its jurisdiction are designed and constructed so as to safely permit their use by operators of motorized carts, electric bicycles, and Low Speed Motor Vehicle ("LSMV"), except as stated elsewhere in this article.
- (b) The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section:

All-terrain vehicle means any motorized vehicle designed for off-road use which is equipped with three or more low pressure tires and with a seat to be straddled by the operator and with handlebars for steering control.

Bicycle means every device propelled by human power upon which any person may ride, having only two wheels which are in tandem and either of which is more than 13 inches in diameter.

Dealer means a person engaged in the business of buying, selling, or exchanging vehicles that has an established place of business in this state.

Electric bicycle means a device with two or three wheels which has a saddle and fully operative pedals for human propulsion and also has an electric motor. For such a device to be considered an electric assisted bicycle, it shall meet the requirements of the Federal Motor Vehicle Safety Standards, as set forth in 49 C.F.R. Section 571, et seq., and shall operate in such a manner that the electric motor disengages or ceases to function when the brakes are applied. The electric motor in an electric assisted bicycle shall:

1. Have a power output of not more than 1,000 watts;
2. Be incapable of propelling the device at a speed of more than 20 miles per hour on level ground; and
3. Be incapable of further increasing the speed of the device when human power alone is used to propel the device at or more than 20 miles per hour.

Electric Personal Assistive Mobility Device or EPAMD means a self-balancing, two non-tandem wheeled device designed to transport only one person and having an electric propulsion system with average power of 750 watts (one horsepower) and a maximum speed of less than 20 miles per hour on a paved level surface when powered solely by such propulsion system.

Golf Car or Golf Cart means any motorized vehicle designed for the purpose and exclusive use of conveying one or more persons and equipment to play the game of golf in an area designated as a golf course. Reference O.C.G.A. 40-1-1.

Gross Weight means the weight of a vehicle without load plus the weight of any load thereon.

Low-Speed Motor Vehicle or LSMV means any four-wheeled electric vehicle whose top speed attainable in one mile is greater than 20 miles per hour but 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 set forth in 49 C.F.R. Section 571.500 and in effect on January 1, 2001. LSMVs must be registered and operated in accordance with Georgia State Law.

Moped means a motor driven cycle equipped with two or three wheels, with or without foot pedals to permit muscular propulsion, and an independent power source providing a maximum of two brake horsepower. If a combustion engine is used, the maximum piston or rotor displacement shall be 3.05 cubic inches (50 cubic centimeters) regardless of the number of chambers in such power source. The power source shall be capable of propelling the vehicle, unassisted, at a speed not to exceed 30 miles per hour (48.28 kilometers per hour) on level road surface and shall be equipped with a power drive system that functions directly or automatically only, not requiring clutching or shifting by the operator after the drive system is engaged.

Motorcycle means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor, all-terrain vehicle, dirt bike, and moped.

Motor Driven Cycle means every motorcycle, including every motor scooter, with a motor which produces not to exceed five brake horsepower, every bicycle with a motor attached, and every moped.

Motorized Cart means every motor vehicle having no less than three wheels and an unladen weight of 1,300 pounds or less and which cannot operate at more than 20 miles per hour.

Motorized Play Vehicle means a coaster, scooter, pocket bike, any other alternatively fueled device, or other motorized vehicle that is self-propelled by a motor engine, gas or electric, and is not otherwise defined in this Code as a "motorized cart", "Low Speed Motor Vehicle (LSMV)" "motor vehicle", "motorcycle", "electric bicycle", "motorized skateboard", "electric personal assistive mobility device" or "motorized wheelchair".

Motorized Skateboard means a self-propelled device, including Segways, that has a motor, gas or electric, a deck upon which a person may ride, not equipped with a seat, and at least two tandem wheels in contact with the ground and which is not otherwise defined in this code as a

motor vehicle", "motorcycle", "motorized play vehicle", "motor scooter", "electric personal assistive mobility device" or "motorized wheelchair".

Motorized Wheelchair means a self-propelled wheelchair that is used by a physically disabled person for mobility.

Sec. 8-3-2 REGISTRATION/TRANSFER REQUIREMENTS.

(a) **Motorized Carts.** It shall be the duty of every owner of an electric or gasoline-powered motorized cart that is operated over the City's recreation paths and streets and those areas accessible by the public to register the cart with the City of Williamson within ten business days of the date of purchase. Two numerical decals shall be issued upon registration; and a record of each motorized cart number, along with the name and address of the owner, shall be maintained by the city clerk's office. The decals must be affixed to the sides of the cart in such a manner as to be fully visible at all times. The failure to have a current registration decal on a motorized cart shall be a violation of this section and subject the owner of such cart to the general penalties set forth in section 1-1-5 of the City of Williamson Code of Ordinances.

1. Registration Fee. The registration fee for motorized carts shall be set by the Mayor and Council and listed in the schedule of fees. The registration shall be effective until the next regular registration period. Registration periods shall occur every calendar year, beginning in January, 2019.
2. Registration requirement. If a cart is not registered within ten business days of purchase, and is found in violation of any section of this ordinance, a penalty will be applied in addition to the registration fee; and the cart shall be considered an unregistered cart after the ten business-day period following the day the use of the cart is determined to be cause for a violation. Penalty amounts are set by the Mayor and Council and included in the schedule of fees.
3. Transfers. Upon occurrence of a sale of the cart to another person who shall operate the cart over the recreation paths and streets of the City, the registration must be transferred to the new owner within ten business days of the change in ownership. The resident/nonresident registration/user fee for the balance of the year shall be due from the new owner. If the registration is not transferred within ten business days, a penalty as listed in the schedule of fees will be applied in addition to the appropriate transfer charge; and the cart shall be considered an unregistered cart after the ten business-day period following the day the use of the cart is determined to be cause for a violation. Dealers acquiring a registered cart exclusively for resale (non-rental) shall not be required to pay the transfer charge, but shall notify the City of the transfer within ten business days of receiving the cart, and of the ultimate disposition of the cart within ten business days of sale

(b) **Gasoline carts.**

1. Every gasoline powered motorized cart shall at all times be equipped with an exhaust system in good working order and in constant operation, meeting the following specifications:
 - (a) The exhaust system shall include the piping leading from the flange of the exhaust manifold to and including the muffler and exhaust pipes or include any and all parts specified by the manufacturer.
 - (b) The exhaust system and its elements shall be securely fastened, including the consideration of missing or broken brackets or hangers.
 - (c) The engine and powered mechanism of every cart shall be so equipped, adjusted and tuned as to prevent the escape of excessive smoke or fumes.
 2. It shall be unlawful for the owner of any gasoline powered 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, to render the device unserviceable by removal, alteration or which interferes with its operation.
- (c) **Rental carts.** Cart dealers and distributors, as well as other commercial establishments, may rent carts to the public for use on the recreation paths and streets and those areas accessible by the public of the city. Each such establishment renting carts shall be required to register each such rental cart in accordance with subsection (a) of this section and shall maintain a written record of each person who rents each cart. Renters shall be required to furnish positive identification, shall be provided a copy of this article to read, and must be at least 16 years of age. The registration fee and transfer fees and regulations shall be the same as those in subsection 8-3-2 (a).
- (d) **Age, number of registrants limited.** Only those persons 18 years of age or older may register a motorized cart. Cart registration may be in one person's name only, and the registration form must be signed by that person.
- (e) **Low Speed Motor Vehicle or LSMV.** No LSV shall be operated on the paved recreational paths or streets located within the territorial boundaries of the city unless it is legally registered and insured according to laws of the state.

Sec. 8-3-3 OPERATION REGULATIONS.

- (a) Those persons who are 16 years of age and older may drive a Motorized Cart on recreation paths and/or streets designated for the use of motorized carts and those areas accessible by the public of the city unless such person has had his or her license to operate a motor vehicle suspended or revoked by the state which issued said license in which case such person shall not be permitted to operate a motorized cart on the recreation paths and/or streets and those areas accessible by the public of the city during the time of suspension or revocation.
- (b) All operators shall abide by all traffic regulations applicable to vehicular traffic when using the recreation paths, streets and those areas accessible by the public in the city. Where cart paths exist, they must be used in preference to parallel city streets.

- (c) Motorized carts and LSMVs shall not be operated on sidewalks at any time.
- (d) Motorized carts may be operated only over those certain residential streets where the speed limit is 25 mph or less only during daylight hours unless such motorized carts are equipped with functional headlights and taillights.
- (e) No Motorized Cart shall be permitted to operate over or along US Highway 362 or Williamson-Zebulon Road within the boundaries of the city except where authorized cart crossings are provided.
- (f) It shall be unlawful for the owner of an Motorized Cart or LSMV or any other person operating, employing, permitting the use of or otherwise directing the use of such Motorized Cart or LSMV to operate or permit the operator of any Motorized Cart or LSMV to drive over the recreational paths, streets or those areas accessible to the public in the City of Williamson in violation of this article.
- (g) LSMV. Only persons possessing a valid license issued by the State of Georgia, other state of the United States of America, or international agency which permits such person to operate a motor vehicle on the highways of the state may operate a LSMV on the paved recreational paths or streets located within the territorial boundaries of the City of Williamson.
- (h) No LSMV or Motorized Cart shall be permitted to operate on, over, along, those portions of US Highway 362 or Williamson-Zebulon Road within the boundaries of the city or across any street that has a posted maximum speed limit in excess of 25 miles per hour, except where authorized crossings are provided. No LSMV shall be permitted to operate on any City street of which the posted speed limit exceeds 35 miles per hour. Except as prohibited above, LSMV's shall be permitted to cross over city streets on which the posted speed limit exceeds 35 miles per hour, but only at authorized, marked cart crossings.
- (i) No all-terrain vehicle described within this article shall be permitted to operate on any city streets, county roads or state highways located within the limits of the City of Williamson. Violations will be charged under O.C.G.A. tit. 40, ch. 7 pertaining to the operation of all-terrain vehicles.

Sec. 8-3-4 AUTHORIZED RECREATION PATH USERS.

- (a) Authorized users of asphalt recreation paths are as follows:
 1. Pedestrians;
 2. Non-motorized vehicles;
 3. Roller skates, roller blades and skateboarders (daylight only);
 4. Registered electric-powered golf carts;
 5. Registered gasoline-powered golf carts;
 6. Emergency and authorized maintenance vehicles;
 7. Bicycles, traditional and electric (as defined in section 8-3-1(b));

8. Electric and conventional wheelchairs;
9. Electric vehicles designed to carry one person at a speed not to exceed 20 miles per hour; and
10. LSMV provided that the vehicle is operated only in a mode or other restriction which does not allow the vehicle to exceed 20 miles per hour.

(b) Authorized users of concrete sidewalks are as follows:

1. Pedestrians;
2. Non-motorized vehicles;
3. Roller skates, roller blades, and skateboards (daylight only).

Sec. 8-3-5 PROHIBITED USES. Prohibited uses of recreation paths and sidewalks are as follows:

1. Automobiles and trucks (except authorized maintenance vehicles);
2. Motorcycles;
3. Street and trail motorized bikes or vehicles (not to include electric bicycles);
4. Mini-bikes and mopeds;
5. Horses;
6. Go-carts;
7. Un-registered electric-powered golf carts or motorized carts;
8. Un-registered gasoline-powered golf carts or motorized carts;
9. Electric or gasoline powered scooters;
10. Motorized play vehicles;
11. Un-registered LSMV;

Sec. 8-3-6 LIABILITY AND INSURANCE.

Each person using the recreation paths is liable for his own actions. Liability insurance coverage varies, and each person operating a motorized cart on the recreation paths and public streets and those areas accessible by the public should verify their coverage.

Sec. 8-3-7 PENALTIES.

- (a) Any person who violates the terms of this section shall be cited to appear before the municipal court or other court of appropriate jurisdiction and, upon conviction, punished as provided by Code and Charter of the City of Williamson, Georgia.
- (b) In addition to enforcing sanctions against the operator, any violation of subsection 8-3-3(f) shall be charged against the registered owner of the motorized cart as follows:

1. For the first offense, a fine not to exceed \$250.00;
 2. For the second offense committed within one year of a conviction of a first offense, a fine not to exceed \$500.00; and
 3. For the third offense committed within one year of conviction for a second offense for a motorized cart, a fine not to exceed \$1,000.00, and the registered owner's motorized cart registration shall be revoked. The registered owner or immediate family member residing in the same household cannot thereafter register a motorized cart for use in the city for a period of two years following the third conviction.
- (c) Any violation by an operator of an LSMV shall be charged against the operator according to the provisions of O.C.G.A. tit. 40 and this Code. Any violation by an owner of an LSMV shall be charged against the owner according to the provisions of O.C.G.A. tit. 40 and this Code.

Sec. 8-3-8 ENFORCEMENT. All violations of Title 8 of the Municipal Code of the City of Williamson are enforceable by the State of Georgia, the Georgia Highway Patrol, Pike County, the Pike County Sheriff's Office, the City of Williamson, and the Williamson Director of Public Safety. Cases may be heard at the Municipal Court of the City of Williamson or other applicable Courts considering the nature of the violation and the enforcing agency.

Sec. 8-3-9 EFFECTIVE DATE. This Chapter, 8-3 Motorized Carts, Electric Bicycles And Other Low Speed Motorized Vehicles, shall become effective 1 March, 2019.