
Coates' Canons Blog: Who needs a hybrid? Regulation of golf carts on local streets

By Shea Denning

Article: <https://canons.sog.unc.edu/who-needs-a-hybrid-regulation-of-golf-carts-on-local-streets/>

This entry was posted on August 31, 2009 and is filed under Ordinances & Police Powers, Streets & Parking

In recent years, the General Assembly has enacted numerous local acts authorizing dozens of cities and one county to allow and regulate golf cart use on city and county streets. Absent this authority, golf carts cannot be driven on the streets or highways because state law both requires that a vehicle intended to be operated on the highways be registered and prohibits the registration of golf carts. See G.S. 20-50(a); 20-54(8).

This session, the General Assembly enacted S.L. 2009-459 (H 121), which allows all cities and counties to regulate golf carts. New G.S. 160A-300.6 permits cities to adopt ordinances regulating the operation of golf carts on any public street, road, or highway where the speed limit is 35 miles per hour or less within the city limits or on property owned or leased by the city. New G.S. 153A-245 permits counties to regulate the operation of golf carts on any public street, road, or highway where the speed limit is 35 miles per hour or less within any unincorporated area of the county or on property owned or leased by the county. Cities and counties may adopt ordinances that require the registration of golf carts, charge a fee for registration, specify who is authorized to operate golf carts, and specify the required equipment, load limits, and the hours and method of operation of golf carts. G.S. 160A-300.6(b) and 153A-245(b) specify that no person less than 16 years old may operate a golf cart on a public street, road, or highway.

The act is effective October 1, 2009. Cities and counties are permitted to adopt ordinances pursuant to G.S. 160A-300.6 and G.S. 153A-245, respectively, when the act becomes law, but the ordinances may not become effective before October 1, 2009.

S.L. 2009-459 repeals earlier acts authorizing golf cart regulation by specified local governments, but provides that the repeal does not affect the rights or liabilities of a local government that arose during the time the act was in effect or under any ordinance adopted under such an act. S.L. 2009-459 further provides that if a county or city adopted an ordinance under an act repealed by S.L. 2009-459 and the ordinance would be permitted under G.S. 160A-300.6 and 153A-245, the ordinance remains in effect until amended or repealed by the city or county.

Links

- www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_20/GS_20-50.html
- www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_20/GS_20-54.html
- www.ncleg.net/EnactedLegislation/SessionLaws/HTML/2009-2010/SL2009-459.html