



# ADAIRSVILLE POLICE DEPARTMENT

Chief Mike S. Jones



## GOLF CART and PTV CHECKLIST

Ordinance No. 2020-0007

Vehicle weighs less than 1,375 pounds? YES NO

If not, how much does it weigh? \_\_\_\_\_

Vehicle's maximum travel speed less than 20 mph? YES NO

If not, what is the maximum ground speed? \_\_\_\_\_

Vehicle is equipped with the following? (check all that apply)

A minimum of 4 wheels;

Seating for a maximum of eight passengers;

A braking system sufficient for the weight and passenger capacity of the vehicle, including a parking brake;

A reverse warning device functional at all times when the directional control is in the reverse position;

A main power switch. When the main power switch is in the "off" position, or the key or other device that activates the switch is removed, the motive power circuit shall be inoperative. If the switch uses a key, it shall be removable only in the "off" position;

Head lamps;

Reflex reflectors; (4 inch length, attached to the side of PTV)

Tail lamps;

Front and rear turn signals;

A horn;

A rearview mirror;

Safety warning labels; and

Hip restraints and hand holds or a combination thereof

FOR OFFICIAL USE ONLY:

Registration Number: \_\_\_\_\_ Date: \_\_\_\_\_

Official Name: \_\_\_\_\_ Badge#: \_\_\_\_\_



# ADAIRSVILLE POLICE DEPARTMENT

Chief Mike S. Jones



## Golf Cart Registration Form

Ordinance No. 2020-0007

*\*Form must be completed in full and copy of valid insurance provided before decal assigned*

### Owner Information

Name: \_\_\_\_\_

Email: \_\_\_\_\_

Street Address: \_\_\_\_\_

State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

State: \_\_\_\_\_ ZIP: \_\_\_\_\_

(If different than street address)

Phone Number: \_\_\_\_\_ (Home) \_\_\_\_\_ (Cell)

### Vehicle Information

Make: \_\_\_\_\_ Model: \_\_\_\_\_

Serial Number: \_\_\_\_\_ Color: \_\_\_\_\_

Insurance Information (Copy of valid insurance must be provided)

Company: \_\_\_\_\_ Policy Number: \_\_\_\_\_

Applicant/Owner Signature

\_\_\_\_\_

FOR OFFICIAL USE ONLY:	
Registration Number: _____	Date: _____
Official Name: _____	Badge #: _____

FIRST READ: JULY 14, 2020

**ORDINANCE No. 2020-0007**

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF ADAIRSVILLE, GEORGIA, UNDER THE AUTHORITY GRANTED TO THEM BY LAW FOR THE PURPOSE OF ADDING A NEW ARTICLE III OF CHAPTER 43 OF THE CODE OF ORDINANCES OF THE CITY OF ADAIRSVILLE, GEORGIA, PROVIDING FOR PERSONAL TRANSPORTATION AND OTHER LOW SPEED VEHICLES AND FOR OTHER PURPOSES AT THE REGULAR MEETING OF THE CITY COUNCIL OF ADAIRSVILLE, GEORGIA, HELD ON JULY 16, 2020.**

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WHEREAS, the Mayor and Council of the City of Adairsville, Georgia, wish to provide for personal transportation vehicle, moped, and low speed vehicle use on certain designated public roads and other public property; and

WHEREAS, the Mayor and Council of the City of Adairsville, Georgia, wish to designate public roads, rights-of-way, and other public property to be used by such motor vehicles; and

WHEREAS, the Mayor and Council of the City of Adairsville, Georgia, wish to provide registration requirements, licensing requirements, and rules of operation for said vehicles; and

WHEREAS, the Mayor and Council wish to adopt said changes to better protect the public health, safety and welfare;

**NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ADAIRSVILLE, GEORGIA:**

**SECTION ONE**

There shall be adopted a new Article III of Chapter 43 of the Code of the City of Adairsville, Georgia, which shall state as follows:

**ARTICLE III**

Sec. 43-61. Short Title.

This Article shall be known as the "Adairsville Community Personal Transportation Vehicle Ordinance."

Sec. 43-62. Definitions.

The following words and phrases when used in this Article shall have the definitions respectively ascribed to them in this Article.

*All-Terrain Vehicle* means a motorized vehicle originally manufactured for off-highway use which is equipped with three or more nonhighway tires, is 80 inches or less in width with a dry weight of 2,500 pounds or less, and is designed for or capable of cross-country travel on or immediately over land, water, snow, ice, marsh, swampland, or other natural terrain. O.C.G.A. § 40-1-1(3).

*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. O.C.G.A. § 40-1-1(6).

*Dealer* means a person engaged in the business of buying, selling, or exchanging vehicles who has an established place of business in this state. O.C.G.A. § 40-1-1(11).

*Electric personal assistive mobility device (EPAMD)* shall have the same definition as set forth in O.C.G.A. § 40-1-1(15.4).

*Gross Weight* means the weight of a vehicle without load plus the weight of any load thereon. O.C.G.A. § 40-1-1(18).

*Low-Speed Vehicle (LSV)* 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. O.C.G.A. § 40-1-1(25.1).

*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. O.C.G.A. § 40-1-1(28).

*Motor Vehicle* means every vehicle which is self-propelled other than an electric assisted bicycle or an electric personal assistive mobility device (EPAMD). O.C.G.A. § 40-1-1(33).

*Pedestrian* means any person afoot. O.C.G.A. § 40-1-1(42).

*Personal Transportation Vehicle or PVT* means any motor vehicle:

- (a) With a minimum of four wheels;

- (b) Capable of a maximum level ground speed of less than 20 miles per hour;
- (c) With a maximum gross vehicle unladen or empty weight of 1,375 pounds; and
- (d) Capable of transporting not more than eight persons.

The term does not include mobility aids, including electric personal assistive mobility devices, power wheelchairs, and scooters, that can be used indoors and outdoors for the express purpose of enabling mobility for a person with a disability. The term also does not include any all-terrain vehicle or multipurpose off-highway vehicle. O.C.G.A. § 40-1-1(43.1).

*Public Road* means the entire width between the boundary lines of every right-of-way or place open to the use of the public for purposes of vehicular travel within the boundaries of the City of Adairsville, including streets and alleys.

*Sidewalk* means that portion of a street between the curb lines, or the lateral lines of a railway, and the adjacent property lines, intended for use by pedestrians. O.C.G.A. § 40-1-1(57).

*Unladen Weight* means the weight of a vehicle without load as per the manufacturer's specifications for such vehicle.

*Valid Motor Vehicle Driver's License* means any current and valid certificate issued by the state, other state of the United States of America, or international agency which permits persons to operate motor vehicles on the public roads of the state.

*Vehicle* means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices used exclusively upon stationary rails or tracks. O.C.G.A. § 40-1-1(75).

#### Sec. 43-63. PTV Vehicle Standards and Equipment.

Each PTV shall meet the following design standards and shall be equipped with the following operational equipment:

- (a) A braking system sufficient for the weight and passenger capacity of the vehicle including a parking brake;
- (b) A reverse warning device functional at all times when the directional control is in the reverse position;
- (c) A main power switch. When the switch is in the "off" position or the key or other device that activates the switched is removed, the motive power circuit shall be inoperative. If the switch uses a key, it shall be removable only in the "off" position;

- (d) Head lamps;
- (e) Reflex reflectors;
- (f) Tail lamps;
- (g) Front and rear turn signals;
- (h) A horn;
- (i) A rearview mirror;
- (j) Safety warning labels; and
- (k) Hip restraints and hand holds or a combination thereof.

Each PTV shall be maintained in working order and kept in good condition and shall be subject to inspection by city officials and/or the Adairsville Police Department at reasonable times and intervals.

Sec. 43-64. PTV Registration.

- (a) A fee of \$15.00 to register each and every PTV for use on public roads will be charged by the City of Adairsville to cover the costs of implementing and maintaining this Article. It shall be the duty of every owner of a PTV that is operated on public roads, rights-of-way or other public property in the jurisdiction of the City of Adairsville to register the PTV with the city within ten (10) business days of the date of purchase. Registration is valid for five (5) years from date of issue. PTVs owned by golf courses, country clubs, and other such organized entities which own such PTVs and make them available to or for use by members or the public on a rental or licensed basis, provided that such PTVs are used only on the premises of such golf courses, country clubs, or other such organized entities shall not require registration.
- (b) Registration with the City of Adairsville shall include a record of the model, make, any vehicle identification number or serial number on such PTV, the name and address of the owner, a contact phone number, and any other such information as the city shall require, all of which shall be maintained by the Police Department of the city.
- (c) Upon registration with the City of Adairsville each PTV shall be issued a license decal from the city signifying such registration. The decals must be affixed to the driver's side of the PTV in such a manner as to be visible at all times and shall remain permanently with such PTV unless the PTV is sold or the license is destroyed.
- (d) The failure to have a current registration license decal affixed to a PTV for use on public roads, rights-of-way or other public property in the City of Adairsville shall be a violation

of this Article and subject the owner of such PTV to the penalties set forth in Section 43-77.

- (e) If the PTV for use on public roads, rights-of-way or other public property is not registered with the city within ten (10) business days of purchase it shall be considered and unregistered PTV and subject the owner of such PTV to penalties set forth in Section 43-77. Furthermore, any PTV for use on public roads not registered within ten (10) business days of purchase shall be assessed a late registration fee of \$15.00.
- (f) The decal issued by the city shall be non-transferrable from the PTV for which is it was obtained.
- (g) Upon transfer of the PTV to the ownership of another person, the registration must be transferred to the new owner within ten (10) business days of the change in ownership at a cost of \$15.00. If the registration is not transferred within ten (10) business days it shall be considered an unregistered PTV and subject the owner of such PTV to penalties set forth in Section 43-77. Furthermore, any PTV for use on public roads not registered within ten (10) business days of purchase shall be assessed a late registration fee of \$15.00.
- (h) PTV dealers and distributors, along with other commercial establishments, may rent PTVs to the public for use on designated public roads, rights-of-way or other public property. Each such establishment renting PTVs shall be required to register each such PTV in accordance with 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 sixteen (16) years of age. The registration fee and transfer fees and regulations, along with all licensing and operation regulations shall be consistent with the provisions of this Article as pertains to PTVs.
- (i) Any owner or operator registering a PTV with the city agrees to abide by all of the requirements of state law and this code. By registering a PTV with the city, the owner or operator verifies that the vehicle qualifies to be classified as such under state law and this code.
- (j) The City Council may, at its discretion, and by resolution, waive registration requirements for special events of a limited duration to which out-of-city residents may bring PTVs as participants. Such special events shall last no longer than seven calendar days.

Sec. 43-65. PTV Operation Regulations.

- (a) PTVs may only be driven on designated public roads, rights-of-way or other public property of the city.

- (1) The designated public roads shall be those roads included on an Adairsville PTV Street List, which shall be maintained by and available from the city manager, and which shall be comprised of roads which have a speed limit of twenty-five (25) miles per hour or less and have been approved by the City's engineer as appropriate for PTV use.
  - (2) Designated rights-of-way or other public property includes all public rights-of-way and public property of the city except public property excluded by this Article, by this subsection, or by state law, and does not include the following: Recreation Paths.
- (b) PTVs shall not be operated on sidewalks at any time.
  - (c) No person shall operate a PTV on a public road of the City of Adairsville unless that road is designated for PTV use and appropriate signs giving notice are posted along the public road pursuant to O.C.G.A. § 40-6-331(c). The city shall post appropriate signs directing PTVs and other explicitly allowed vehicles to cross only at designated crossings.
  - (d) PTVs may cross streets and highways that are part of the state highway system only at crossings or intersections designated for that purpose and which are constructed as an active grade crossing in accordance with the Manual on Uniform Traffic Control Devices. PTV crossings shall be indicated by warning sign W11-11 of the Standard Highway Signs and be clearly visible in both directions by vehicles traversing the highway which is being crossed or intersected by PTVs.
  - (e) PTVs may cross streets, roads and highways which are part of the City of Adairsville street system and used by other types of vehicles only at crossings or intersections designated for that purpose by the city. The city council may designate such crossings or intersections from time to time on the Adairsville PTV Street list.
  - (f) PTVs may only be operated on public roads, rights-of-way or other public property which are part of the City of Adairsville street system during daylight hours unless the PTV complies with equipment regulations which may be promulgated by the Commissioner of Public Safety of the State of Georgia.
  - (g) The maximum occupancy of a PTV traveling on public roads, sidewalks, paths, rights-of-way or other public property shall be one person per designated seat.
  - (h) All operators of PTVs shall abide by all traffic regulations applicable to vehicular traffic when using the designated public roads, rights-of-way or other public property of the city.

Sec. 43-66. PTV Operator Licensing Regulations.

All operators of PTVs on the designated public roads, rights-of-way and other public property of the City shall be required to possess a valid driver's license.



Sec. 43-67. Moped Operation Regulations.

- (a) Every person operating a moped within the City shall be granted all the rights and shall be subject to all the duties applicable to the driver of any other vehicle under the Uniform Rules of the Road as defined in O.C.G.A. § 40-6 except that operators of mopeds shall not be required to keep headlights and taillights illuminated at all times. Operators of mopeds shall also not be required to wear protective eyewear as is mandatory under O.C.G.A. § 40-6-315(b).
- (b) All persons operating or riding as a passenger on a moped located within the city shall wear protective headgear in compliance with the standards established by the commissioner of public safety. Such standards established by the commissioner of public safety are defined in 49 C.F.R. § 571.218 and may be updated on occasion.

Sec. 43-68. Moped Operator Licensing Regulations.

Any person operating a moped upon a public street of the City must be at least fifteen (15) years of age and in possession of a valid driver's license, instruction permit, or limited permit issued pursuant to O.C.G.A. § 40-5.

Sec. 43-69. Low Speed Vehicle Operation Regulations

- (a) All low speeds vehicles are entitled to full use of a lane, and no motor vehicle shall be driven in such a manner as to deprive any low-speed vehicle of the full use of a lane.
- (b) The operator of a low speed vehicle shall not overtake and pass in the same lane occupied by the vehicle being overtaken.
- (c) No person shall operate a low speed vehicle between lanes of traffic or between adjacent lines or rows of vehicles.
- (d) Low speed vehicles shall not be operated two or more abreast in a single lane.
- (e) Low speed vehicles shall not be operated on any public road where the posted speed limit exceeds 35 miles per hour.

Sec. 43-70. Insurance.

- (a) The owner or operator of a PTV, moped, or low speed vehicle is liable for his or her own actions. Any person who operates or owns a PTV, moped, or low speed vehicle is responsible for procuring liability insurance and verifying coverage in terms enough to

cover risk involved in using such PTV, moped, or low speed vehicle on designated public roads, rights-of-way or other public property of the city.

- (b) The owner or operator of a PTV, moped, or low speed vehicle shall keep proof or evidence of required minimum insurance coverage in the PTV, moped, or low speed vehicle at all times during the operation of the motor vehicle as required by state law.

Sec. 43-71. Hazardous Activities and Special Rules.

- (a) Blocking of public access to any public roads, sidewalks, recreation paths, rights-of-way or other public property of the city shall be prohibited, except for permitted events.
- (b) Persons crossing recreation paths should always give due consideration and reasonable right of way to other users of the recreation path to ensure safe passage for all parties.
- (c) A warning or announcement shall be given by persons crossing recreation paths when approaching slower moving parties from the rear. The warning or announcement may be verbal, but it is recommended that users operating vehicles utilize an audible warning device, such as a horn or bell.
- (d) All operators and passengers of PTVs, mopeds, and low-speed vehicles shall remain seated at all times during the operation of said vehicles.

Sec. 43-72. Penalties.

- (a) Any person who violates the terms of this Article shall be cited to appear before the municipal court or other court of appropriate jurisdiction and, upon conviction, punished as provided in the Code of Ordinance of the City of Adairsville, Georgia.
- (b) In addition to enforcing sanctions against the operator, any violation of this Article shall be charged against the registered owner of the vehicle, and all fines and penalties shall be levied against the registered owner of the vehicle as follows:
  - (1) For the first offense, a fine of not to exceed \$100.00;
  - (2) For the second offense committed within one year of conviction for a first offense, a fine of not to exceed \$250.00; and
  - (3) For a third offense committed within one year of conviction for a second offense for a vehicle, a fine of not to exceed \$1,000.00, and if a PTV the registered owner's PTV city registration shall be revoked. The registered owner cannot thereafter register a PTV for use in the city for a period of two years following the third conviction. Additionally, such person shall be prohibited from operating a

PTV or personal transportation vehicle on the public roads, rights-of-way, or other public property for a period of two years.

- (c) Any violation by an operator of a low-speed vehicle shall be charged against the operator according to the provisions of Title 40 of the Official Code of Georgia and this Code. Any violation by an owner of a low-speed vehicle shall be charged against the owner according to the provisions of Title 40 of the Official Code of Georgia and this Code.
- (d) Any violation by and operator of a personal transportation vehicle, EPAMD, or other motor vehicle may be charged against the operator according to this Code or according to the provisions of Title 40 of the Official Code of Georgia.

SECTION TWO  
Legal status provisions

- A. Severability Clause. It is the express intention of the Mayor and City Council that each independent provision of this Ordinance should be adopted, and the Mayor and City Council would have adopted each such independent provision even if the others had not been adopted. In the event that a court of competent jurisdiction finds any provision of this amendment be unlawful, invalid or unenforceable, and not amenable to a narrowing construction, it is the intent of the Mayor and City Council that the offending provision be severed, and all lawful provisions remain in force.
- B. General Repealer. Any ordinance not expressly addressed by this Ordinance that is inconsistent with the provisions herein is expressly repealed to the extent that it conflicts with the provisions of this amending ordinance.
- C. Effective Date. This ordinance shall be in effect when the City's Engineer certifies the designated streets, required signs are erected and the registration system is in place

Approved this 16<sup>th</sup> day of July, 2020.

Kenneth Carson  
Kenneth Carson, Mayor

Lisa Donald  
Lisa Donald, City Clerk

