

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 1157*

Short Title: Allow Municipalities to Regulate Golf Carts. (Public)

Sponsors: Representatives Martin; K. Alexander and Lucas.

Referred to: Local Government II, if favorable, Finance.

April 8, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW MUNICIPALITIES TO REGULATE GOLF CARTS.
3 The General Assembly of North Carolina enacts:

4 SECTION 1. G.S. 160A-300.5 reads as rewritten:

5 "§ 160A-300.5. Regulation of golf carts on streets in certain localities.

6 (a) Notwithstanding the provisions of G.S. 20-50 and G.S. 20-54, a ~~city-municipality~~
7 may, by ordinance, regulate the operation of golf ~~earts-carts~~, as defined in G.S. 20-4.01(12a),
8 on any public street or highway where the speed limit is 35 miles per hour or less within the
9 ~~city-municipal~~ limits, or on any property owned or leased by the ~~city-municipality~~.

10 (b) By ordinance, a ~~city-municipality~~ may require the registration of golf carts, charge a
11 fee for the registration, specify who is authorized to operate golf carts, and specify the required
12 equipment, load limits, and the hours and methods of operation of golf carts. No person less
13 than 16 years of age may operate a golf cart on a public street or highway.

14 (c) ~~This section applies to the County of New Hanover, to the Cities of Locust, Saluda,~~
15 ~~and Wilmington, to the Towns of Badin, Beulaville, Butner, Carolina Beach, Emerald Isle,~~
16 ~~Erwin, Faison, Fremont, Hobgood, Indian Beach, Kings Mountain, Kure Beach, Mayodan,~~
17 ~~Morrisville, Mount Olive, Oakboro, Oriental, Pineville, Shelby, and Wrightsville Beach, and to~~
18 ~~the Village of Pinchurst only.~~

19 (d) For purposes of this section, the term "~~city~~"municipality" shall include a city, a
20 town, a village, or a county. For purposes of this section, the term "county" shall mean any
21 unincorporated areas within that county boundary."

22 SECTION 2. Section 1(a) of S.L. 2001-132 reads as rewritten:

23 "~~SECTION 1.(a) With the exception of any provisions prohibiting or regulating the~~
24 ~~operation of private golf carts, the~~The provisions of Chapter 20 of the General Statutes relating
25 to the use of the highways of the State and the operation of motor vehicles are applicable to the
26 streets, roadways, and alleys on the properties owned by or under the control of the West Side
27 Landowners Association, Inc., or the members of the West Side Landowners Association, Inc.
28 For purposes of this act, streets, roadways, and alleys in the Seven Lakes West Community
29 shall have the same meaning as highways and public vehicular areas pursuant to G.S. 20-4.01."

30 SECTION 3. Section 6 of S.L. 2001-356 is repealed.

31 SECTION 4. Section 3 of Chapter 33 of the 1995 Session Laws, as amended by
32 Section 2 of S.L. 2002-82, reads as rewritten:

33 "Sec. 3. This act shall not be construed as in any way interfering with the ownership and
34 control of the streets, roadways, and alleys of the Seven Lakes Landowners Association, Inc.,
35 or its members as is now vested by law in that association or its members. The speed limits
36 within the Seven Lakes Community shall be the same as those in effect at the time of
37 ratification of this act. Any proposed change in the speed limit shall be submitted to and



1 approved by the Moore County Board of Commissioners. Pursuant to G.S. 20-141, the Moore
2 County Board of Commissioners may authorize by ordinance higher or lower speeds.
3 ~~Notwithstanding the provisions of G.S. 20-50 and G.S. 20-54, the Moore County Board of~~
4 ~~Commissioners may, by ordinance, regulate the operation of electric golf carts on streets and~~
5 ~~roads within the confines of the Seven Lakes Community as recommended by the Directors of~~
6 ~~the Seven Lakes Landowners Association, Inc. By ordinance, the Moore County Board of~~
7 ~~Commissioners may require the registration of golf carts, specify the persons authorized to~~
8 ~~operate golf carts, and specify required equipment, load limits, and the hours and methods of~~
9 ~~operation of the golf carts."~~

10 **SECTION 5.** Section 1 of S.L. 2003-124, as amended by S.L. 2004-58, S.L.
11 2007-204, and S.L. 2007-259, reads as rewritten:

12 "SECTION 1. Notwithstanding the provisions of G.S. 20-50 and G.S. 20-54, the Towns of
13 Beech Mountain, North Topsail Beach, and Seven Devils, and the City of Conover may, by
14 ordinance, regulate the operation of ~~golf carts and~~ utility vehicles on any public street or road
15 within the City or Town. By ordinance, the City or Town may require the registration of ~~golf~~
16 ~~carts and~~ utility vehicles, specify the persons authorized to operate ~~golf carts and~~ utility
17 vehicles, and specify required equipment, load limits, and the hours and methods of operation
18 of the ~~golf carts and~~ utility vehicles."

19 **SECTION 6.** Section 1 of S.L. 2004-38 reads as rewritten:

20 "SECTION 1. ~~With the exception of any provisions prohibiting or regulating the operation~~
21 ~~of private golf carts, the~~The provisions of Chapter 20 of the General Statutes relating to the use
22 of the highways of the State and the operation of motor vehicles are applicable to the streets,
23 roadways, and alleys on the properties owned by or under the control of the Lake Toxaway
24 Property Owners' Association, Inc., or the members of the Lake Toxaway Property Owners'
25 Association, Inc. For purposes of this act, streets, roadways, and alleys in the Lake Toxaway
26 Community shall have the same meaning as highways and public vehicular areas pursuant to
27 G.S. 20-4.01."

28 **SECTION 7.** Section 1 of S.L. 2005-11, as amended by S.L. 2007-18, is repealed.

29 **SECTION 8.** Section 3 of S.L. 2005-11, as amended by S.L. 2006-149, S.L.
30 2006-152, and S.L. 2007-18, reads as rewritten:

31 "SECTION 3. ~~Section 1 of this act applies only to the Towns of Benson, Bladenboro,~~
32 ~~Chadbourn, Clarkton, Elizabethtown, Four Oaks, Rose Hill and Tabor City. Section 2 of~~
33 ~~this~~This act applies only to Moore County."

34 **SECTION 9.** S.L. 2005-58 is repealed.

35 **SECTION 10.** Section 9.4 of the Charter for the Town of Cary, as enacted by
36 Section 1 of S.L. 2005-117, is repealed.

37 **SECTION 11.** Section 5.2 of the Charter for the Town of Whispering Pines, as
38 enacted by S.L. 2008-105, is repealed.

39 **SECTION 12.** This act becomes effective October 1, 2009.