

**CITY OF CAPE CANAVERAL CODE OF ORDINANCES REGARDING OPERATION OF GOLF CARTS AND LOW-SPEED VEHICLES**

Subpart A - GENERAL ORDINANCES  
Chapter 74 - TRAFFIC AND VEHICLES  
ARTICLE IV. OPERATION OF GOLF CARTS AND LOW-SPEED VEHICLES ON ROADS

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**ARTICLE IV. OPERATION OF GOLF CARTS AND LOW-SPEED VEHICLES ON ROADS**

**Sec. 74-76. Intent; definitions.**

- (a) The city council recognizes that "golf carts" and "low-speed vehicles" are each distinctly defined and their operation on roads and streets are regulated differently under Florida law. Accordingly, pursuant to F.S. § 316.212, it is the intent of the city council to allow and authorize the operation of golf carts only under certain requirements and conditions provided the city council, by resolution, specifically designates a city road and street for use by golf carts. It is also the intent of this article to recognize that low-speed vehicles are allowed on city streets and roads as permitted by F.S. § 316.2122, unless otherwise prohibited by the city council, by resolution, upon a determination that such prohibition is necessary in the interest of safety.
- (b) For purposes of this article, the following words and phrases shall have the following ascribed meaning:
  - (i) *"Golf cart"* shall be as defined in F.S. § 320.01(22), and means a motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of 20 miles per hour.
  - (ii) *"Designated roadways"* means those roads identified by the city council, by resolution, as being safe for operation of golf carts considering factors including speed, volume, and character of motor vehicle traffic using said road in accordance with all requirements for operation set forth in this article.
  - (iii) *"Driver's license"* means a valid license issued to operate a motor vehicle issued by the State of Florida or any other state.
  - (iv) *"Inspection"* shall mean a safety evaluation of each registered golf cart for purposes of confirming that the golf cart meets the minimum requirements of this article performed by the by the city department or sheriff's office as designated by the city manager.
  - (v) *"Low-speed vehicle"* means any four-wheeled vehicle whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour, including, but not limited to, neighborhood electric vehicles. Low-speed vehicles must comply with the safety standards in 49 C.F.R. s. 571.500 and F.S. § 316.2122. For purposes of this article, "golf carts" as defined in F.S. § 320.01(22) or "speed modified golf carts" shall not be considered "low-speed vehicles" and shall be subject to the specific rules and regulations governing golf carts adopted under this article.

( Ord. No. 04-2022 , § 2, 8-16-22)

**Sec. 74-77. Use of golf carts on designated roadways.**

- (a) It shall be unlawful for a person to operate a golf cart on any road or street within the City of Cape Canaveral jurisdictional limits except upon designated roadways expressly authorized by the city council. It shall also be unlawful to operate a golf cart in violation of any provision set forth in this article.
- (b) The city council may, by resolution, designate a city street or road suitable and safe for golf cart use after considering factors including speed, volume, and character of motor vehicle traffic using said street or road in accordance with all requirements for operation set forth in this article.

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- (c) Upon designation by the city council, by resolution, golf carts may be operated on such designated roadway within the city limits of the City of Cape Canaveral where the roadway is posted by the city with appropriate signage to indicate that such operation is allowed.
  - (d) Golf cart use may only be authorized on roadways with a posted speed limit of 30 miles per hour or less. Golf carts shall not be operated on any roadway where the designated speed limit is greater than 30 miles per hour.
  - (e) Golf cart use shall not be allowed on any state or county roadway, except to cross at designated intersections approved by the state or county with jurisdiction over the roadway in accordance with applicable law for the purpose of immediately reaching the next designated roadway. If a crossing is designated on any state or county road or street, it shall be unlawful for a golf cart to cross the state or county road at any other location.
  - (f) This article does not authorize the use of golf carts on private property. Golf carts shall not be operated on private property unless authorized by the property owner.
  - (g) Golf carts shall not be operated on sidewalks, bicycle paths, swales, or trails.
- ( Ord. No. 04-2022 , § 2, 8-16-22)

**Sec. 74-78. Licensed use; revocable; claims prohibited and waived.**

- (a) The operation of a golf cart on a roadway designated by the city or a low-speed vehicle on a road not prohibited by the city shall be deemed to be a license to use those roadways and such license shall be revocable by the city council in its legislative capacity based upon its consideration of the public health, safety and welfare of the public arising from such use.
- (b) The authorization to use golf carts on any designated roadway shall not limit or otherwise prohibit the city council from amending or repealing of this article or any resolution adopted in furtherance thereof; contracting or expanding the number of designated roadways on which golf carts can be operated; or designating the crossing points for state or county roads, as may be approved by the state or county. Further, the lack of a prohibition to use low-speed vehicles on roadways shall not prohibit the same by city council relative to low-speed vehicles. All persons operating golf carts or low-speed vehicles on city streets or roads, whether designated or prohibited roadways or not, do so on the condition that there shall be no claim for monetary loss or other claim for the loss of allowed golf cart or low-speed vehicle operation on such streets or roads or any monetary claim therefore based on a claim for action in reliance on the provisions of this article. The city council retains the unlimited legal authority to revoke, amend or to otherwise legislate as to the operation of golf carts or low-speed vehicles on streets without liability of any kind arising from its legislative decisions.
- (c) Any person operating a golf cart or low-speed vehicle enjoying a license hereunder for such purpose and all persons who are passengers in such golf cart or low-speed vehicle shall be deemed to have waived any claim against the city for its legislative decision to allow the operation of such golf carts on designated city streets or low-speed vehicles on streets in compliance with this article, and this article is declared by the city council to be a legislative act of the city pursuant to the authority granted by Florida Statutes.
- (d) Any person operating a golf cart or low-speed vehicle on any road or street within the City of Cape Canaveral does so at their own risk and must operate such a vehicle with due regard for the safety and convenience of other motor vehicles, bicyclist(s) and pedestrians. The city, in extending operating privileges to golf carts or low-speed vehicles, does so on the express condition that the operator undertakes such operation at their own risk and assumes sole responsibility for operating said vehicle, and shall be deemed to defend, release, indemnify and hold harmless the City of Cape Canaveral, its officials, attorneys and employees from any and

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all claims, demands, damages, or causes of action, known or unknown, of any nature arising from such operation by any person against the City of Cape Canaveral and its officials, attorneys and employees.

( Ord. No. 04-2022 , § 2, 8-16-22)

### **Sec. 74-79. Restrictions.**

Golf carts operating on designated roadways shall be subject to the following restrictions:

- (a) *Hours of operation.* Golf carts may be operated on designated roadways only during the hours between sunrise and sunset. However, the operation of golf carts on designated roadways between sunset and sunrise is allowed as long as the golf carts operating during this time are equipped with headlights, brake lights, turn signals, and a windshield in addition to the other equipment required under section 74-80. Such lights must be on when the golf cart is operating on streets and roads between sunset and sunrise.
- (b) *Licensed driver.* Golf carts operating on designated roadways must be operated by a person who is at least 16 years of age, and who possesses a valid driver's license. Persons who possess a valid learner's permit may operate a golf cart on designated roadways when accompanied by a licensed driver of at least 18 years of age. No person may operate a golf cart on city streets and roads who has a suspended driver's license or whose driver's license has been revoked.
- (c) *Maximum speed.* Golf carts operating on designated roadways shall not exceed 20 miles per hour.
- (d) *Compliance with traffic laws.* Golf carts shall be operated in accordance with all applicable local and state traffic regulations. Golf carts shall not be operated at such a slow speed as to impede, obstruct or block the normal or reasonable movement of traffic, except when reduced speed is necessary for safe operation or compliance with law. Golf carts shall stay to the far right of any designated roadway, and shall yield the right-of-way to overtaking drivers.
- (e) *Parking.* Golf carts shall comply with all applicable parking regulations in the same manner as any other motor vehicle.
- (f) *Occupants.* The number of occupants in a golf cart operated on designated roadways shall be limited to the number of seats on the golf cart provided by the golf cart manufacturer. No occupants of a golf cart shall stand at any time while the golf cart is in motion.
- (g) *Alcohol.* All state regulations governing the use and possession of alcoholic beverages while operating a motor vehicle shall apply to the operation of golf carts on designated roadways.

( Ord. No. 04-2022 , § 2, 8-16-22)

### **Sec. 74-80. Required minimum equipment.**

All golf carts operated on designated roadways shall maintain the following minimum equipment in good working order:

- (a) Efficient brakes;
- (b) Reliable steering apparatus;
- (c) Safe tires;
- (d) Rearview mirrors;
- (e) Red reflectorized warning devices, both in the front and the rear;

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- (f) Headlights if operated between sunset and sunrise;
  - (g) Brake lights if operated between sunset and sunrise;
  - (h) Turn signal if operated between sunset and sunrise; and
  - (i) Horn meeting the standards of F.S. § 316.271.

( Ord. No. 04-2022 , § 2, 8-16-22)

### **Sec. 74-81. Inspection and registration of golf carts required.**

All golf carts operating on designated roadways in the City of Cape Canaveral shall be registered and inspected in a manner administratively determined by the city manager as follows:

- (a) Golf carts shall be registered by the owner of the golf cart on a form prescribed by the city. The owner shall pay an annual registration fee established by resolution of the city council, and shall be issued a registration decal which shall be affixed to the back driver's side of the golf cart in a location easily visible to law enforcement. Decals shall be issued annually, and are valid for one year.
- (b) Prior to issuance of a registration decal, golf cart owners shall be required to provide proof of ownership and liability insurance, a valid driver's license and sign an affidavit of compliance. The insurance and license must remain in full force and effect at all times the golf cart is operated on city streets or roads.
- (c) At the time of registration, the city shall inspect the golf cart to verify road worthiness and to ensure the required equipment is installed and working properly.
- (d) Lost or stolen registration decals are the responsibility of the golf cart owner. A police report shall be filed in the event of a lost or stolen decal. The police chief or the police chief's designee shall have the discretion to determine whether a replacement decal may be issued. If no existing registration information is available, the police chief may direct the golf cart owner to reapply and to repay any required fees prior to a replacement decal being issued.
- (e) No registration is required for golf carts which are not operated on city streets or roads.

( Ord. No. 04-2022 , § 2, 8-16-22)

### **Sec. 74-82. Insurance required.**

All golf cart owners are required to purchase and maintain liability insurance insuring against personal injury and property damage. Minimum required insurance shall be the same as for motor vehicles registered in the State of Florida for personal use and as designated by Florida Statutes. Proof of insurance must be presented at time of golf cart registration, and must be possessed at all times by the golf cart operator while operating the golf cart on designated roadways.

( Ord. No. 04-2022 , § 2, 8-16-22)

### **Sec. 74-83. Low-speed vehicles.**

- (a) *Authorization to operate low-speed vehicles.* Low-speed vehicles may be operated within the city limits where the posted speed limit is 35 miles per hour or less. Pursuant to F.S. § 316.2122(1), this does not prohibit a low-speed vehicle from crossing a road or street at an intersection where the road or street has a posted speed limit of more than 35 miles per hour. However, the city council may in its legislative discretion,

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by resolution, prohibit the operation of low-speed vehicles on any city street or road under its jurisdiction if the city council determines that such prohibition is necessary in the interest of safety.

- (b) *Equipment and minimum standards.* According to the requirements set forth in F.S. § 316.2122, a low-speed vehicle must be equipped with headlamps, stop lamps, turn signal lamps, tail lamps, reflex reflectors, parking brakes, rearview mirrors, windshields, seat belts and vehicle identification numbers. A low-speed vehicle must be registered and insured in accordance with F.S. § 320.02. Any person operating a low-speed vehicle must have in his or her possession a valid driver's license.
- (c) *Hours of operation.* Low-speed vehicles may be operated at any time.
- (d) *Compliance with traffic laws.* Low-speed vehicles shall comply with all local and state traffic laws, and may be ticketed for traffic violations in the same manner as motor vehicles.

( Ord. No. 04-2022 , § 2, 8-16-22)

### **Sec. 74-84. Enforcement.**

A violation of this article shall constitute a non-criminal infraction enforceable pursuant to the provisions of F.S. § 316.212(9), and city ordinances by a law enforcement officer or city code enforcement officer as such officer's legal authority and jurisdiction allows. In addition, other avenues for the enforcement of violations of this article may be enforced by city code enforcement officers as a code violation pursuant to chapter 2, Article VI, Code Enforcement of the City Code. The Uniform Traffic Citations shall only be used for violations that are also violations of the Florida Uniform Traffic Control Law.

( Ord. No. 04-2022 , § 2, 8-16-22)