

Legislative Analysis



GOLF CARTS ON LOCAL STREETS DURING DAYLIGHT HOURS

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House Bill 5045 (Substitute H-3)
Sponsor: Rep. Kevin Cotter
Committee: Local Government

Complete to 6-12-14

A SUMMARY OF HOUSE BILL 5045 (H-3) AS REPORTED FROM COMMITTEE

House Bill 5045 (H-3) would amend the Michigan Vehicle Code (MCL 257.1 et al) to allow licensed drivers to drive golf carts on the local streets of cities, villages, and townships below 30,000 in population, at no more than 15 miles per hour during daylight hours, if approved by local elected officials.

The elected officials of a village, city, or township could allow this by resolution; however, county commissioners could prevent a township resolution from taking effect.

The bill would allow local officials to maintain a list of golf cart drivers and their golf carts, but would prohibit any charge for the listing.

Objection by county commissions

Under the bill, a county board of commissioners, by resolution, could disapprove the operation of golf carts on the streets of a township, if the commissioners conducted a hearing, and determined the operation of golf carts on township streets would cause *environmental damage* and/or *a significant concern of public safety*.

The bill would require the county board of commissioners to provide public notice of its hearing at least 45 days before it was conducted, and also to provide written notice of the hearing to the township.

Golf cart operators' responsibilities

To operate a golf cart on the street an individual would have to be at least 16 years old and a licensed driver.

All golf cart operators would be required to comply with the signal requirements (described in Section 648) that apply to the operation of a vehicle. Further, a person operating a golf cart on a roadway would be required to ride as near to the right side of the roadway as practicable, and to exercise due care when passing a standing or moving vehicle.

The bill would prohibit golf cart drivers from operating on state trunk line highways, although a person could cross a state trunk line when operating a golf cart on a street of a village, city, or township by using the most direct line of crossing.

The bill also specifies that where a usable and designated path for golf carts is provided adjacent to a highway or street, a golf cart operator may, by local ordinance, be required to use that path.

The bill would also prohibit a golf cart operator from passing between lines of traffic (although an operator could pass, in an unoccupied lane, on the left of traffic moving in his or her direction on a two-way street, or on the left or right in the case of a one-way street). A golf cart could not be operated on a sidewalk constructed for the use of pedestrians.

A golf cart could not be operated at a speed exceeding 15 miles per hour, and could operate only on a street or highway with a 30-mile per hour speed limit (except to cross that highway or street). The bill would allow village, city, and township officials to designate roads (or classifications of roads) for golf cart use.

In addition, a golf cart could not be operated on the streets at night, or more specifically, "during the time period from one-half hour before sunset to one-half hour after sunrise."

The bill specifies that neither golf cart drivers nor their passengers need to wear crash helmets.

Police exempt

The bill would not apply to a police officer in the performance of official duties.

Insurance

A golf cart operated on a street of a village, city, or township would not be required to be registered under the Vehicle Code for purposes of Section 3103 of the Insurance Code of 1956 (which requires motorists to carry no-fault automobile insurance).

Definition

The bill defines "golf cart" to mean a vehicle designed for transportation while playing the game of golf. A golf cart is not required to meet the vehicle safety requirements of a low-speed vehicle for approval under this section.

Tie-bar

The bill is tie-barred to House Bill 5636, which would prohibit those injured during cart-on-cart collisions from having the right to auto no-fault insurance claims. Because of the tie-bar, House Bill 5045 could not go into effect, unless House Bill 5636 is also enacted into law.

FISCAL IMPACT:

There appears to be no significant direct fiscal impact. The bill is permissive for local units of government.

POSITIONS:

The Michigan Municipal League supports the bill. (6-5-14)

The Michigan Townships Association supports the bill. (6-5-14)

The Michigan Association of Counties supports the bill. (6-5-14)

The Insurance Institute of Michigan is neutral on the bill. (6-5-14)

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.