

Amendment No. 1 to HB2069

Harmon
Signature of Sponsor

AMEND Senate Bill No. 2101

House Bill No. 2069*

By deleting SECTION 3 of the printed bill in its entirety and by substituting instead the following language:

SECTION 3. Tennessee Code Annotated, Title 55, Chapter 8, is amended by adding the following language as a new, appropriately designated section:

§ 55-8-____.

(a) In order to evaluate providing municipalities with the authority to allow the use of certain golf carts on highways within the jurisdiction of the municipality, there is established a pilot program as described in this section.

(b) Until July 1, 2010, the governing body of any municipality having a population of:

<u>not less than</u>	<u>nor more than</u>
1,410	1,420
1,700	1,710
1,900	1,910
2,020	2,030
2,560	2,570
4,020	4,030
6,860	6,870
10,430	10,440
11,525	11,535
40,540	40,550

according to the 2000 federal census or any subsequent federal census, or a municipality having a population of not less than one thousand six hundred sixty (1,660)

nor more than one thousand six hundred seventy (1,670) which is located inside a county having a population of not less than seven thousand nine hundred (7,900) nor more than seven thousand nine hundred seventy (7,970) according to the 2000 federal census or any subsequent federal census, may authorize and regulate the operation of a golf cart on any public roadway within such municipality that is not a part of the county highway system or the state system of highways or the interstate and national defense highway system upon the governing body of such municipality adopting an ordinance by a two-thirds (2/3) vote specifying each roadway that is open for golf cart use.

(c) The ordinance shall require that a golf cart operated on a designated public roadway:

(1) Be issued a permit for the golf cart by the municipality;

(2) Display a sticker or permit that identifies that the golf cart is allowed to be operated on specific roadways within the municipality; and

(3) Be inspected by the chief law enforcement officer of the municipality, or his designee, to ensure that the golf cart complies with the requirements of this section. The inspection fee under this subdivision (c)(3) shall not exceed ten dollars (\$10.00).

(d) Following the adoption of such an ordinance, a person may operate a golf cart on a public roadway pursuant to subsection (b) if:

(1) The posted speed limit of the designated public roadway is thirty miles per hour (30 mph) or less;

(2) The operator of the golf cart does not cross a roadway having a posted speed limit of more than thirty miles per hour (30 mph);

(3) The golf cart is being operated between one-half (1/2) hour after sunrise and one-half (1/2) hour before sunset;

(4) The operator and any passengers in the front seat are restrained by a safety belt at all times the golf cart is in forward motion; and

(5) The golf cart is equipped with the following:

(A) Headlights;

(B) A tail lamp, stop lights, reflectors or an emblem or placard for slow moving vehicles;

(C) A mirror; and

(D) Brakes;

(6) The headlights of the golf cart are displayed during operation; and

(7) The driver possesses a valid driver license.

(e) Any person operating a golf cart on a public roadway under this section shall be subject to this chapter.

(f) The department of transportation may prohibit the operation of a golf cart on a public roadway designated under subsection (b) that crosses a highway which is part of the state system of highways if it determines that such prohibition is necessary in the interest of public safety.

(g) This section shall not apply to a golf cart that is not used on a public roadway except to cross a roadway while following a golf cart path on a golf course.

(h) Each municipality participating in such pilot program shall submit a report to the department of safety and the transportation committees of the house of representatives and the senate no later than the fifth of each month after the governing body enacts the ordinance authorizing golf carts on certain roadways detailing the program in such municipality. In addition to such monthly report, each municipality participating in the pilot program shall submit a cumulative report to the transportation committees of the house of representatives and the senate no later than February 1, 2010, detailing the program in such municipality. Each monthly and cumulative report shall include:

(1) The total number of golf carts approved under this section;

(2) The amount of citations issued to owners or drivers of such golf cars;

(3) The number and severity of any incidents or accidents involving such

golf carts; and

(4) Any unforeseen effects of the pilot project.

(i) This section shall terminate on July 1, 2010, unless re-enacted or extended by the general assembly prior to such date.