

ALLOW LOCAL GOVERNMENTS TO AUTHORIZE GOLF CARTS ON STATE TRUNK LINE HIGHWAYS

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House Bill 4945 as enacted
Public Act 139 of 2018
Sponsor: Rep. Aaron Miller
House Committee: Transportation and Infrastructure
Senate Committee: Transportation
Complete to 7-6-18

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 4945 amends Section 657a of the Michigan Vehicle Code to specify certain conditions that would allow a local government to request the Department of Transportation (MDOT) to authorize the operation of golf carts on state trunk line highways within its jurisdiction.

Local Government Request

The bill allows a local government to request that MDOT authorize it to adopt an ordinance allowing golf cart operation on state trunk line highways, other than interstate highways, located within the local unit. The request must demonstrate how it would meet specific requirements outlined under “MDOT Authorization,” below.

MDOT is required to solicit comments on the request from local governments where the state trunk line highway is located and consider comments before making a decision. MDOT must grant or deny the request within 60 days after receiving it. If the request is granted, the local government may adopt an ordinance authorizing the operation of golf carts on state trunk lines subject to the request. In addition, a county may also submit a request for authorization on behalf of one or more local units located in that county.

MDOT Authorization

MDOT must authorize operation of a golf cart on a state trunk line highway if: 1) the state trunk line highway is not an interstate highway, 2) the local government has already adopted an ordinance allowing golf carts to be used on its streets under Section 657a of the Michigan Vehicle Code, 3) the state trunk line highway serves as a connector between portions of the local government that connect only through the state trunk line highway, and 4) the state trunk line highway meets one or more of the following:

- Provides access to tourist attractions, food service, fuel, motels, or other services.
- Serves as a connector between two segments of the same county road running along discontinuous town lines.
- Includes a bridge or culvert allowing it to cross a river, stream, wetland, or gully that is not crossed by a street or county road on which golf carts are authorized to operate under the adopted ordinance.

MDOT may permanently or temporarily close a state trunk line highway to golf carts after written notice to the clerk of the local unit that requested authorization for the ordinance to allow them. The notice must be in writing and be sent by first-class United States mail or

personally delivered no less than 30 days before adoption of the rule closing the state trunk line highway. The notice must include specific reasons for the closure. MDOT is not required to develop a plan for an alternate route for a state trunk line highway that has been temporarily closed to the operation of golf carts.

Other Provisions

Section 657a defines a golf cart as a vehicle designed for transportation while playing the game of golf. House Bill 4945 adds language to this definition that allows a village, city, or township to require a golf cart registered within its jurisdiction to meet, for approval under Section 657a, any or all of the following vehicle safety requirements that comply with specific sections of the Code or federal rules for low-speed vehicles:

- At least two headlamps.
- At least one tail lamp.
- At least one brake-activated stop lamp and one lamp or mechanical signal device to signal or warn a driver approaching from the rear.
- At least one red reflector on each side of the golf cart as far to the rear as practicable and one red reflector on the rear of the golf cart.
- One exterior mirror mounted on the driver's side of the golf cart and either one exterior mirror mounted on the passenger side or one interior mirror.
- Brakes and a parking brake.
- A horn.
- A windshield.
- A manufacturer's identification number permanently affixed to the frame of the golf cart.
- Safety belts.
- Crash helmet requirements applicable to low-speed vehicles.

House Bill 4945 further requires a person operating a golf cart on a state trunk line highway to "ride as near to the right side of the roadway as possible."

MCL 257.657a

BRIEF DISCUSSION:

Public Act 491 of 2014 amended the Michigan Vehicle Code to authorize cities, villages, and townships with a population of less than 30,000 to allow licensed drivers to drive golf carts on local streets during daylight hours under certain conditions.¹ According to news reports, at least 24 local units of government had adopted such an ordinance as of November 2017.²

The Village of Constantine, in St. Joseph County, has allowed golf carts on village streets since June 2017. However, the St. Joseph River runs through the middle of the village, and the only bridge across it is a state trunk line highway, which golf carts could not use under PA 491 of 2014. House Bill 4945 allows the village to request that MDOT authorize golf carts to use the bridge, as described above, and would apply to other local units that are similarly divided into geographical areas connected only by a state trunk line highway.

¹ See <https://www.legislature.mi.gov/documents/2013-2014/billanalysis/House/pdf/2013-HLA-5045-243CE5A6.pdf>

² See https://www.mlive.com/news/index.ssf/2017/11/dozens_of_michigan_governments.html

House Bill 4945 also authorizes cities, villages, and townships to require golf carts to have certain equipment or safety features in order to be operated on local streets under Section 657a. Reportedly, in adopting ordinances to allow golf carts on local streets, some local officials would have wanted to provide more stringent requirements for the golf carts than Public Act 491 of 2014 explicitly authorized. HB 4945 amends the definition of golf cart to allow local units to approve equipment and safety requirements as they consider appropriate.

FISCAL IMPACT:

In requiring MDOT to consider local government requests regarding the use of golf carts on state trunk line highways, House Bill 4945 would create additional program responsibilities for the department and additional administrative costs. Those additional costs would depend on the number of requests to MDOT from local units of government and cannot be readily estimated at this time. The bill would have no fiscal impact on local governments.

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