

1 A bill to be entitled
 2 An act relating to operation of a golf cart; amending
 3 s. 316.212, F.S.; prohibiting a person from operating
 4 a golf cart on certain roadways unless he or she
 5 possesses a valid learner's driver license or valid
 6 driver license; removing the authority of a local
 7 governmental entity to enact a specified ordinance;
 8 providing a penalty; amending s. 316.2125, F.S.;
 9 removing the authority of a local governmental entity
 10 to enact a specified ordinance; amending ss. 316.2126
 11 and 322.04, F.S.; conforming provisions to changes
 12 made by the act; providing an effective date.

13
 14 Be It Enacted by the Legislature of the State of Florida:

15
 16 Section 1. Subsections (7) and (8) of section 316.212,
 17 Florida Statutes, are amended, and subsection (9) of that
 18 section is republished, to read:

19 316.212 Operation of golf carts on certain roadways.—The
 20 operation of a golf cart upon the public roads or streets of
 21 this state is prohibited except as provided herein:

22 (7) A golf cart may not be operated on public roads or
 23 streets by a ~~any~~ person who does not possess a valid learner's
 24 driver license or valid driver license ~~under the age of 14.~~

25 (8) A local governmental entity may enact an ordinance

26 relating to:

27 ~~(a) Golf cart operation and equipment which is more~~
 28 ~~restrictive than those enumerated in this section. Upon~~
 29 ~~enactment of such ordinance, the local governmental entity shall~~
 30 ~~post appropriate signs or otherwise inform the residents that~~
 31 ~~such an ordinance exists and that it will be enforced within the~~
 32 ~~local government's jurisdictional territory. An ordinance~~
 33 ~~referred to in this section must apply only to an unlicensed~~
 34 ~~driver.~~

35 ~~(b)~~ golf cart operation on sidewalks adjacent to specific
 36 segments of municipal streets, county roads, or state highways
 37 within the jurisdictional territory of the local governmental
 38 entity if:

39 (a)1. The local governmental entity determines, after
 40 considering the condition and current use of the sidewalks, the
 41 character of the surrounding community, and the locations of
 42 authorized golf cart crossings, that golf carts, bicycles, and
 43 pedestrians may safely share the sidewalk;

44 (b)2. The local governmental entity consults with the
 45 Department of Transportation before adopting the ordinance;

46 (c)3. The ordinance restricts golf carts to a maximum
 47 speed of 15 miles per hour and permits such use on sidewalks
 48 adjacent to state highways only if the sidewalks are at least 8
 49 feet wide;

50 (d)4. The ordinance requires the golf carts to meet the

51 equipment requirements in subsection (6). However, the ordinance
 52 may require additional equipment, including horns or other
 53 warning devices required by s. 316.271; and

54 (e)~~5~~. The local governmental entity posts appropriate
 55 signs or otherwise informs residents that the ordinance exists
 56 and applies to such sidewalks.

57 (9) A violation of this section is a noncriminal traffic
 58 infraction, punishable pursuant to chapter 318 as a moving
 59 violation for infractions of subsections (1)-(5) or a local
 60 ordinance corresponding thereto and enacted pursuant to
 61 subsection (8), or punishable pursuant to chapter 318 as a
 62 nonmoving violation for infractions of subsection (6),
 63 subsection (7), or a local ordinance corresponding thereto and
 64 enacted pursuant to subsection (8).

65 Section 2. Subsection (3) of section 316.2125, Florida
 66 Statutes, is amended to read:

67 316.2125 Operation of golf carts within a retirement
 68 community.-

69 ~~(3) A local governmental entity may enact an ordinance
 70 regarding golf cart operation and equipment which is more
 71 restrictive than those enumerated in this section. Upon
 72 enactment of any such ordinance, the local governmental entity
 73 shall post appropriate signs or otherwise inform the residents
 74 that such an ordinance exists and that it shall be enforced
 75 within the local government's jurisdictional territory. An~~

76 ~~ordinance referred to in this section must apply only to an~~
 77 ~~unlicensed driver.~~

78 Section 3. Paragraphs (a) and (b) of subsection (1) of
 79 section 316.2126, Florida Statutes, are amended to read:

80 316.2126 Authorized use of golf carts, low-speed vehicles,
 81 and utility vehicles.—

82 (1) In addition to the powers granted by ss. 316.212 and
 83 316.2125, municipalities are authorized to use golf carts and
 84 utility vehicles, as defined in s. 320.01, upon any state,
 85 county, or municipal roads located within the corporate limits
 86 of such municipalities, subject to the following conditions:

87 (a) Golf carts and utility vehicles must comply with the
 88 operational and safety requirements in ss. 316.212 and 316.2125,
 89 ~~and with any more restrictive ordinances enacted by the local~~
 90 ~~governmental entity pursuant to s. 316.212(8),~~ and shall be
 91 operated only by municipal employees for municipal purposes,
 92 including, but not limited to, police patrol, traffic
 93 enforcement, and inspection of public facilities.

94 (b) In addition to the safety equipment required in s.
 95 316.212(6) ~~and any more restrictive safety equipment required by~~
 96 ~~the local governmental entity pursuant to s. 316.212(8),~~ such
 97 golf carts and utility vehicles must be equipped with sufficient
 98 lighting and turn signal equipment.

99 Section 4. Paragraph (e) of subsection (1) of section
 100 322.04, Florida Statutes, is amended to read:

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101 322.04 Persons exempt from obtaining driver license.—

102 (1) The following persons are exempt from obtaining a
103 driver license:

104 ~~(c) Any person operating a golf cart, as defined in s.~~
105 ~~320.01, which is operated in accordance with the provisions of~~
106 ~~s. 316.212.~~

107 Section 5. This act shall take effect July 1, 2023.