

Ordinance 24-01

Article III Golf Carts and Utility Vehicles on Public Highways

[Adopted 10-26-2010]

§ 158-16 Statutory authority.

Pursuant to § 46.2-916.2, et. seq. of the Code of Virginia of 1950, as amended, the following article is hereby adopted.

§ 158-17 Considerations and findings.

This article is adopted by the Board of Supervisors of Mathews County, Virginia, after considering the speed, volume and character of motor vehicle traffic using the highways designated below and determining that golf cart and utility vehicle operation on these designated highways is compatible with state and local transportation plans and consistent with the Commonwealth's Statewide Pedestrian Policy provided for in §33.1-23.03:001 of the Code of Virginia of 1950, as amended, and that the use of the designated highways by golf carts and utility vehicles will not impede the safe and efficient flow of motor vehicle traffic.

§ 158-18 Definitions

"Golf cart," "utility vehicle" and "highway" shall all be defined pursuant to § 46.2-100 of the Code of Virginia of 1950, as amended, for the purposes of this article as follows:

GOLF CART

A self-propelled vehicle that is designed to transport persons playing golf and their equipment on a golf course.

HIGHWAY

The entire width between the boundary lines of every way or place open to the use of the public for purposes of vehicular traffic in the County of Mathews, including the streets and alleys, and for law enforcement purposes, the entire width between all the boundary lines of all private roads or private streets that have been specifically designated highways by an ordinance adopted by the governing body of the County of Mathews in which such private roads or streets are located and the entire width between the boundary lines of every way or place used for purposes of vehicular travel on any property owned, leased or controlled by the United States government and located in the commonwealth.

UTILITY VEHICLE

A motor vehicle that is designed for off-road use, powered by an engine of no more than 25 horsepower, and used for general maintenance, security, agricultural or horticultural purposes. ("Utility vehicle" does not include all-terrain vehicles as defined in § 46.2-100 of the Code of Virginia of 1950, as amended, riding lawn mowers or any other vehicle whose definition is included in said section.)

§ 158-19 Operation on public highways prohibited: exceptions.

- A. No person shall operate a golf cart or utility vehicle on or over any public highway in the County of Mathews, subject to the following exceptions.
- B. Golf carts and utility vehicles shall be allowed only on public highways designated in the present article or amendments thereto, and all such use shall be subject to the following:
 - (1) A golf cart or utility vehicle may be operated only on designated public highways where the posted speed limit is 25 miles per hour or less.

- (2) A golf cart or utility vehicle may cross a highway at an intersection controlled by a traffic light or conspicuously marked as a golf cart crossing by signs posted by the Virginia Department of Transportation if the highway has a posted speed limit of no more than 35 miles per hour.
- (3) No person shall operate any golf cart or utility vehicle on any public highway unless he/she has in his/her possession a valid driver's license.
- (4) Every golf cart or utility vehicle, whenever operated on a public highway, shall display a slow-moving-vehicle emblem in conformity with § 46.2-1081 of the Code of Virginia of 1950, as amended.
- (5) Golf carts and utility vehicles shall be operated upon the public highways only between sunrise and sunset unless equipped with such lights as are required by Article 3 of § 46.2-1010, et seq. of the Code of Virginia of 1950, as amended, for different classes of vehicles.
- (6) The limitations set forth above shall not apply to golf carts and utility vehicles being operated as follows:
 - (a) To the extent necessary for local government employees operating only upon highways located within the locality to fulfill governmental purposes, provided that the golf cart or utility vehicle is being operated on highways with speed limits of 35 miles per hour or less.
- (7) The driver and passengers of a golf cart or utility vehicle shall not, at any time, exceed the maximum number for which the golf cart or utility vehicle is designed.
- (8) Golf carts and utility vehicles shall not be operated subsequent to modifications to increase their capacity for speed.
- (9) Golf carts and utility vehicles shall be allowed in the following designated areas:

Dixie Drive (State Route No.1010) in its entirety

Edwards Court (State Route No 1011) in its entirety

Cherry Point Road from the intersection of Cherry Point Road and East Shore Drive to the termination of Old Cherry Point Rd including all side roads that intersect Cherry Point and Old Cherry Point Road on Gwynn Island.

§ 158-20 Violations and penalties.

A violation of any provision of this article of the Mathews County Ordinances shall constitute a Class 1 misdemeanor and, upon conviction thereof, shall be punishable pursuant to the provisions of § 18.2-11 of the Code of Virginia of 1950, as amended.