

## **ARTICLE IX. LOW-SPEED VEHICLES AND GOLF CARTS**

### **Sec. 30-292. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*City* means the City of Diamondhead.

*Golf cart* means a motor vehicle that is designated and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of 20 miles per hour and is equipped with the safety equipment as required under 49 CFR 571.500.

*Governing authorities* means the mayor and city council of the City of Diamondhead.

*Low-speed vehicle* means any four-wheeled electric or gasoline-powered vehicle that has a top speed greater than 20 miles per hour but less than 25 miles per hour and is equipped with safety equipment as required under 49 CFR 571.500.

(Ord. No. 2012-013, § 14-162, 9-4-2012; Ord. No. 2019-013 , § 1, 4-16-2019; Ord. No. 2012-013.01 , 4-16-2019)

### **Sec. 30-293. Restrictions.**

- (a) The mayor and city council may, in their discretion, authorize the operation of low-speed vehicles and golf carts only on public streets that are within the contiguous area within the city limits.
- (b) Any person operating a low-speed vehicle or golf cart on the public roads and streets under this chapter must have in his possession a valid driver's license or temporary driver's permit and proof of financial responsibility as required under MCA 1972, § 63-15-1 et seq.
- (c) Low-speed vehicles and golf carts may only be operated on Golf Club Drive or Kapalama Drive if the operator is traveling the shortest possible distance between his residence and the nearest other public road or street authorized for use by low-speed vehicles and/or golf carts, cart path or golf course cart path.
- (d) Low-speed vehicles and golf carts may not be operated on any road or street bearing signs indicating that low-speed vehicles and golf carts are not permitted, and they may not cross Interstate Highway 10 at the exit 16 overpass or operated on Interstate Highway 10. Those roads and streets where low-speed vehicles and golf carts are prohibited are marked on the map attached to Ord. No. 2012-013.01 as Exhibit "A."
- (e) Notwithstanding any other provision of law to the contrary, when operated by a person participating in a parade permitted by the city, low-speed vehicles and golf carts may be operated on the permitted route on the parade while participating in the parade.
- (f) Violation of state or local traffic laws and/or regulations of this Ordinance may result in issuance of traffic citations in the same manner as if the infraction occurred while operating a vehicle.
- (g) Golf carts and Low-speed vehicles may only be parked in the same manner and at the same place designated for parking of motor vehicles or in parking spaces specifically dedicated for Golf Cart or Low-speed Vehicle.

(Ord. No. 2012-013, § 14-163, 9-4-2012; Ord. No. 2019-013 , § 2, 4-16-2019; Ord. No. 2012-013.01 , 4-16-2019)

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## **Sec. 30-294. Registration requirements.**

- (a) The owner of every Golf Cart or Low-speed Vehicles to be operated on a public road or street shall be required to register the vehicle with the City of Diamondhead by September 30 of each year. See Golf Cart Registration Form as Exhibit "A."
- (b) The owner shall sign an acknowledgement that he or she has read and understands the provisions of this Ordinance and certifies that the Golf Cart or Low-speed Vehicle is in compliance with all requirements of this Ordinance.
- (c) An initial registration fee of \$50.00 for each Golf Cart or Low-speed Vehicle shall be payable at the time of registration and the registration shall be valid from October 1 to September 30. Registration occurring midyear is effective only until September 30 and a proration or adjustment will not be made; however, any vehicle purchased after August 1<sup>st</sup> of any year may obtain a registration valid until September 30 of the next year. .
- (d) Each year thereafter, the Owner of each Golf Cart or Low-speed Vehicle shall be required to renew the registration by submitting a Golf Cart Registration Form and payment of a \$50.00 renewal fee on or before September 30 of each year.
- (e) The City will issue to the Owner of each Golf Cart or Low-speed Vehicle, a decal to be displayed in the center of the Reflective Triangle located on the rear of the Golf Cart or Low-speed Vehicle. The decal must remain visible at all times.
- (f) The Decal is non-transferrable meaning upon sale or transfer of the Golf Cart or Low-speed Vehicle, the new owner must register the vehicle with the City within 15 days of transfer of ownership. A new Decal will be issued to the new owner.
- (g) Operating a Golf Cart or Low-speed Vehicle without a Decal, an expired Decal or a Decal registered to another owner or vehicle shall constitute a violation of this Ordinance and subject the Owner to a fine of \$100.00 per occurrence.
- (h) Operating a Golf Cart or Low-speed Vehicle on the public street (not in an approved multi-modal lane or cart path) of the City without the equipment required as set forth in 49 CFR 571.500 shall constitute a violation of this Ordinance and subject the Owner to a fine of \$100.00 per occurrence.
- (i) The City may refuse to register and issue a permit for the operation of a Golf Cart or Low-speed Vehicle, or may revoke a previously issued permit, if the registered Golf Cart or Low-speed Vehicle and/or the Owner of the Golf Cart or Low-speed Vehicle is involved in three or more violations of this Ordinance within a one-year period. Said revocation and/or denial of a permit shall be effective for up to one year.
- (j) The registration fee imposed under subsection (c) of this section shall be retained by the city and deposited into the municipal general fund.

(Ord. No. 2012-013, § 14-164, 9-4-2012; Ord. No. 2019-013 , § 3, 4-16-2019; Ord. No. 2012-013.01 , 4-16-2019)

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**Secs. 30-295. LIABILITY DISCLAIMER**

- (a) This Ordinance is adopted to address the interest of public safety. Golf Cart and/or Low-speed Vehicles are not designed or manufactured to be used on the public streets and the City in no way advocates or endorses their operation on public streets or roads. The City, by regulating the operation, is addressing obvious safety issues, and the adoption of this Ordinance is not to be relied upon as determination that operation on public streets is safe or advisable if done in accordance with this Ordinance. All persons who operate or ride upon Golf Carts or Low-speed Vehicles on public streets do so at their own risk and peril, and must be observant of an attentive to the safety of themselves and others, including their passengers, other motorists, bicyclists and pedestrians. The City has no liability under and theory of liability and the City assumes no liability, for permitting Golf Carts or Low-speed Vehicles to be operated on the public streets and road under this legislation granted by the State Legislature.
- (b) This Ordinance shall become effective August 1, 2026.

**Secs. 30-296—30-321. Reserved.**