

## You make the decision—read on!

Florida law defines a <sup>(1)</sup>golf cart as "A motor vehicle designed and manufactured for operation on a golf course for sporting or recreational purposes;" and is <sup>(2)</sup>not capable of exceeding speeds of 20 miles per hour. In addition to golf courses, their use in mobile home parks and golf course residential communities is growing, and <sup>(3)</sup>Florida law allows their use within any self-contained retirement community, unless prohibited or more restricted by the County Commission.

Note: <sup>(2)</sup> <sup>(3)</sup>"Low speed vehicle" means any four-wheeled electric vehicle whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour, including neighborhood electric vehicles. <sup>(4)</sup>This vehicle must be registered and insured and the operator must have in his/her possession a valid driver's license.

<sup>(6)</sup>Florida Statutes authorizes golf carts to be operated upon state and county roads that have been designated by the Florida Department of Transportation (FDOT) or County Commission for use by golf carts. Prior to such a designation, FDOT or county "must first determine that golf carts may safely travel on or cross the public road or street, considering factors including the speed, volume, and character of motor vehicle traffic using the road or street." Upon determination that golf carts may be safely operated on a designated road, FDOT or the County shall post appropriate signs to indicate such operation is allowed.

No doubt the use of golf carts is growing, and unfortunately, some of their owners are venturing out from approved and legal streets and locations onto unapproved and (for them) illegal public roads, exposing themselves and the motoring public to unacceptable danger. Even in well-marked legal areas, automobile drivers are often surprised by the sudden appearance of a golf cart, and imagine their alarm (and complaints to the Sheriff's Office) when they see a golf cart on public roadways and sidewalks. Should there be a collision with an automobile or truck, there is no doubt who will win that match. Even collisions with motorcycles have proven fatal to golf cart occupants.

In addition to the inherent danger presented by a golf cart, there is also the issue of liability. As mentioned above, a golf cart is a motor vehicle, and <sup>(8)</sup>motor vehicles by definition in this state are considered "dangerous instrumentalities," exposing their owners and operators to potentially unlimited liability for their misuse.

Reminder - <sup>(7)</sup>the operation of a golf cart upon the public roads or streets of this state, which are not designated for such use by the Florida Department of Transportation or County Commission with accompanying posted appropriate signs indicating such operation is allowed, is prohibited and the golf cart operator can be issued a traffic infraction citation for a moving violation, with an associated fine of \$166.00.

Therefore, all these issues should be taken into consideration before venturing out onto a roadway where motorcycles, automobiles, and trucks are traveling without expectation of encountering a small helpless golf cart.

F.S.S.

- (1) 316.003 (68) Definitions.
- (2) 320.01 (22) (42) Definitions.
- (3) 316.2125 Operation of golf cart within a retirement community.
- (4) 320.02 Registration required.
- (5) 316.2122 (3) (4) Operation of a low-speed vehicle on certain roadways.
- (6) 316.212 Operation of golf carts on certain roadways.
- (7) 316.212 (9) Noncriminal traffic infraction moving violation
- (8) *Kraemer v. General Motors Acceptance Corp.*, 572 So. 2d 1363, 1365 (Fla. 1990)

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**Manatee County Sheriff's Office**



## **“Golf Carts on Public Roadways or Sidewalks”**



**Good Idea...  
Bad Idea?**

**Think about it!**