

AN ORDINANCE PROVIDING FOR THE REGULATION AND USE OF STREET CARS UPON CERTAIN STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF TRUSSVILLE.

WHEREAS, the use of golf carts and other non-standard motorized vehicles has dramatically increased in recent years; and

WHEREAS, golf carts are generally prohibited from use on any public street (see Opinion of the Attorney General 2008 – 051); and

WHEREAS, the health, safety, and welfare of its citizens requires the City of Trussville, Alabama, (“City”) to provide for regulations of golf carts on and about city streets within the corporate limits of the City; and

WHEREAS, pursuant to § 11-47-1 of the Code of Alabama (1975) the City is authorized to pass ordinances in order to provide for the health, safety, and welfare of its citizens.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Trussville, Alabama, the following ordinance, to be appropriately codified is hereby adopted.

SECTION I. DEFINITIONS

As used in this ordinance, the terms have the following meanings:

“City Street” means any public street that is maintained by the City the speed limit of which is set at twenty-five (25) miles per hour or less.

“Golf Cart” means any vehicle that is self-propelled and not certified by the manufacturer for use on streets and highways that is not already defined in § 32-1-1.1 of the Code of Alabama (1975), as amended.

“Low Speed Vehicle” means a four-wheeled motor vehicle whose speed is between twenty (20) miles per hour and twenty-five (25) miles per hour.

“Government or Municipal Service Cart” means a city or other governmental entity operated cart or other city motorized equipment or vehicle when in service for the provision of public or school safety or public or school maintenance services.

“Street Cart” means any golf cart or vehicle that is certified by the manufacturer for use on streets and highways and meets all equipment requirements as stated in Article 9 of Title 32 of the Code of Alabama (1975), as amended. A “Low Speed Vehicle” as defined may be considered a “Street Cart” provided it meets this definition. Any “Street Cart” must display a license tag or license plate issued by the state of Alabama pursuant to § 40-12-240- et seq. of the Code of Alabama (1975), amended, and required by § 32-6-51 of the Code of Alabama (1975), as amended.

SECTION II. STREET CART OPERATION

A. The Preamble as set forth is hereby adopted and incorporated as if fully set out herein.

B. The City affirmatively declares any Golf Carts not designed or manufactured for operation on public streets are prohibited from operating thereon.

C. Manufacturers, however, have designed and manufactured certain Street Carts that meet all equipment requirements as provided in Article 9 of Title 32 of the Code of Alabama (1975), as amended. Any Street Cart operating within the corporate limits of the City shall have a valid tag issued by the state Department of Revenue or its county or local tag office. Further, that operation of Street Carts is a privilege.

D. By permitting the operation of Street Carts, the City does not make any determination or representation that operating these type carts are safe or may be safely operated upon the City Streets. All persons who are operating or riding in Street Carts do so at their own risk and peril.

SECTION III. RULES AND REGULATIONS

A. No person shall operate a Golf Cart or Street Cart within the municipality except as provided in this ordinance.

B. Street Carts may only be operated upon a City Street. Street Carts are prohibited from operating upon any other street or public roadway; provided, however, that a Street Cart may cross over any other public road at an intersection that is controlled by a traffic control device.

C. A Street Cart operator must have a validly issued drivers' license issued by a state or country of origin. The operator shall comply with all "Rules of the Road" as found in Title 32 of the Code of Alabama (1975), as amended, and all other federal, state, or local laws that are now or may become applicable. Furthermore, a Street Cart operator shall operate the car in a prudent and safe manner at all times.

D. Street Carts shall not be operated upon any public sidewalk or bicycle path.

E. Street Carts must have a validly issued tag and registration issued by the state Department of Revenue or its county or local office.

F. The driver of a Street Cart shall not park the cart in any designated handicapped parking space unless the cart has the required handicap decal as ordinarily required for all motor vehicles.

G. The driver of a Street Cart shall maintain and provide, upon registration and request, a copy of a valid insurance card or certificate as required by the Mandatory Automobile Liability Insurance Act codified in Chapter 7A of Title 32 of the Code of Alabama (1975) the minimum limits of which shall be those minimum requirements established in the Mandatory Automobile Liability Insurance Act.

H. The driver of a Street Cart shall ensure that all passengers are safely and securely in the cart and are wearing seat belts including compliance with any child restraint requirements.

I. While driving or operating a Street Cart, a driver shall not use or otherwise physically hold a cellular device of any kind.

SECTION IV. VIOLATION

A. The operation of a Golf Cart or Street Cart, except as authorized herein, shall be a violation of this ordinance.

B. Upon conviction, a person shall be guilty of a violation against the City and subject to punishment as provided in § 1-5 of the Code of Ordinances of the City of Trussville, Alabama.

C. Any sworn law enforcement officer employed by the City of Trussville Police Department shall be responsible for the enforcement of this ordinance. Officers are authorized to utilize a uniform traffic ticket and citation ("UTTC") form to cite a violation under this Ordinance where appropriate.

D. Upon stopping or otherwise encountering a cart or vehicle not authorized under this Ordinance, an officer may, in his or her absolute and sole discretion, seize and impound the cart or vehicle which shall be impounded by the City's towing and storage vendor. The owner of the unauthorized cart or vehicle shall be required to provide the following:

- (1) a valid government issued photo identification of the owner;
- (2) a bill of sale showing the owner(s) names; and
- (3) pay all required towing and storage fees to vendor.

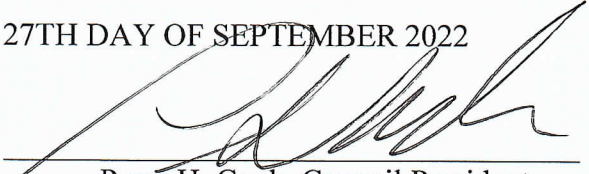
E. Nothing contained within this ordinance shall apply to a Municipal Service Cart or any other government authorized cart or vehicle.


SECTION V. GENERAL PROVISIONS

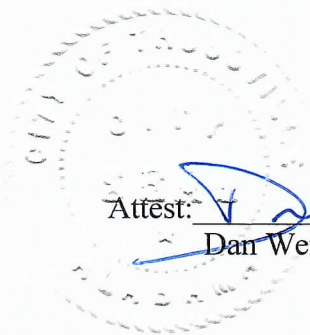
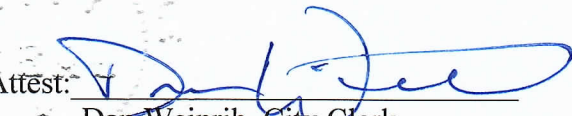
A. Should any part of this ordinance be declared unconstitutional or otherwise invalid by a court of competent jurisdiction, the remainder of the ordinance shall remain in full force and effect.

B. This ordinance shall become effective upon its adoption, approval, and publication as required by law.

ADOPTED AND APPROVED THIS THE 27TH DAY OF SEPTEMBER 2022


Perry H. Cook, Council President


Buddy Choat, Mayor
City of Trussville


Attest: 
Dan Weinrib, City Clerk

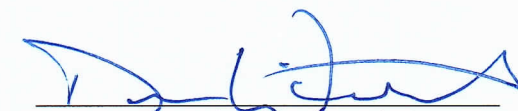
CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, Dan Weinrib, City Clerk of the City of Trussville, Alabama, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance duly adopted by the City Council of the City of Trussville, Alabama, on the 27th day of September 2022.

The above and foregoing ordinance was published on the 28th day of September 2022 by posting copies thereof in three public places within the City of Trussville, one of which was at Trussville City Hall.

Witness my hand and seal of office this 28th day of September 2022.


Dan Weinrib, City Clerk