

CITY OF HURSTBOURNE, KENTUCKY  
ORDINANCE NO. 20-06, SERIES 2020  
AN ORDINANCE ALLOWING LOW SPEED VEHICLE TRAVEL  
AND ESTABLISHING RULES AND REGULATIONS  
FOR GOLF CARTS AND ALL-TERRAIN VEHICLES USE ON PUBLIC STREETS

WHEREAS, The City Commission has determined that it wishes to allow Golf Carts and All-Terrain Vehicles to use city streets,

AND WHEREAS, the City has reviewed Kentucky Law and Municipal Law for the regulation and restriction of these low speed vehicles pursuant to requirements of KRS 189.286,

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF HURSTBOURNE, KENTUCKY:

SECTION 1: A new Chapter of the City of Hurstbourne codified ordinances concerning the use of Golf Carts and All-Terrain Vehicles on public streets is hereby enacted as follows:

**§ I. DEFINITIONS.**

For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**ALL-TERRAIN VEHICLE.** Any motor vehicle used for recreational off-road use.

**CITY.** The City of Hurstbourne, Kentucky.

**GOLF CART.** Any self-propelled vehicle that:

- (1) Is designed for the transportation of players or maintaining equipment on a golf course, while engaged in the playing of golf, or maintaining the condition of the grounds on a golf course;
- (2) Has a minimum of four wheels;
- (3) Is designed to operate at a speed of not more than 35 miles per hour;
- (4) Is designed to carry not more than six persons, including the driver;
- (5) Has a maximum gross vehicle weight of 2,500 pounds;
- (6) Has a maximum rated payload capacity of 1,200 pounds; and
- (7) Meets the Federal motor vehicle safety standards for low-speed vehicles set forth in 49 CFR § 571.500.

**HIGHWAY.** Any public road, street, avenue, alley or boulevard, bridge, viaduct, or trestle and the approaches to them and includes private residential roads and parking lots covered by an agreement under KRS 61.362, off-street parking facilities offered for public use, whether publicly or privately owned, except for-hire parking facilities listed in KRS 189.700.

**INTERSECTION.**

(1) (a) The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two highways which join one another, but do not necessarily continue, at approximately right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come into conflict; or

(b) Where a highway includes two roadways 30 feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. If

the intersecting highway also includes two roadways 30 feet or more apart, every crossing of two roadways of the highways shall be regarded as a separate intersection.

(2) The junction of a private alley with a public street or highway shall not constitute an intersection.

**MOTOR VEHICLE.** Includes all vehicles except:

- (1) Road rollers;
- (2) Road graders;
- (3) Farm tractors;
- (4) Vehicles on which power shovels are mounted;
- (5) Construction equipment customarily used only on the site of construction and which is not practical for the transportation of persons or property upon the highways;
- (6) Vehicles that travel exclusively upon rails; and
- (7) Vehicles propelled by muscular power.

**OPERATOR.** The person in actual physical control of a vehicle.

**ROADWAY.** That portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder. If a highway includes two or more separate roadways, the term **ROADWAY** as used herein shall refer to any roadway separately but not to all such roadways collectively.

**VEHICLE.** Includes:

- (1) All agencies for the transportation of persons or property over or upon the public highways of the Commonwealth; and
- (2) All vehicles passing over or upon the highways.

## **§ II. ROADWAYS OPEN FOR GOLF CART AND ALL-TERRAIN VEHICLE USE.**

- (A) The roadways subject to the provisions of this section are those portions of any public road within the City of Hurstbourne, Kentucky that have a posted speed limit of twenty-five (25) miles per-hour or less; however, the Commission, or the Commission's designee, is hereby granted the authority to determine if a particular Street, road or section thereof should be withdrawn from the scope of this section in the interest of public safety, and, upon such a determination and its publication and passage by the City Commission.
- (B) The City of Hurstbourne Public Works Department, Public Safety Department, City Engineer and City Administrative Officer inspected the heavily traveled and congested areas in the city and determined that the following list of rights-of-way that are recognized as areas of congestion in Hurstbourne. These areas have been determined to be unsafe areas for golf carts and low speed vehicles, due to the amount and speed of traffic and the limited space for travel and golf carts and low speed vehicles are prohibited in the following areas:
  - a. Shelbyville Road.
  - b. Hurstbourne Parkway.

## **§ III. OPERATION OF GOLF CARTS AND ALL-TERRAIN VEHICLES ON CITY STREETS.**

A person may operate a golf cart or all-terrain vehicle on a city street if:

- (A) The posted speed limit of the city street is 35 miles per hour or less;
- (B) The operator of the low speed vehicle does not cross a roadway at an intersection where the roadway being crossed has a posted speed limit of more than 25 miles per hour;



- (C) The operator has a valid operator's license in his or her possession;
- (D) The low speed vehicle is being operated between sunrise and 11:00 p.m.
- (E) The low speed vehicle displays a slow-moving vehicle emblem in compliance with KRS 189.820 and has had the inspection required by KRS 189.286(3)(c);
- (F) The operator and all passengers use all safety equipment with which the golf cart or all-terrain vehicle is equipped;
- (G) No more than the maximum number of occupants for which the golf cart or all-terrain vehicle is designed are onboard;
- (H) The all-terrain vehicle has at least one headlight and two taillights, which shall be illuminated at all times the vehicle is in operation; and
- (I) Any low speed vehicle must be operated in a safe manner, including maintaining a minimum speed of at least 15 miles per hour to minimize traffic backups.

#### **§ IV. QUALIFICATIONS FOR OPERATION OF GOLF CARTS AND ALL-TERRAIN VEHICLES ON CITY STREETS.**

(A) A golf cart or ATV operating on a city street shall be insured in compliance with KRS 304.39-080 by the owner or operator, and the proof of insurance shall be inside the vehicle at all times of operation on a city street.

(B) Any person operating a low speed vehicle on a city street shall be subject to the traffic regulations of KRS Ch. 189.

(C) A golf cart or ATV operated on a city street shall:

(1) Prior to seeking a city permit, be inspected by a certified inspector designated by the County Sheriff and certified through the Department of Vehicle Regulation to ensure that the vehicle complies with the requirements of KRS 189.286. The inspection fee under this section shall not exceed \$5 with an additional fee not to exceed \$10 per trip charged if it becomes necessary for the certified inspector to travel to the site of the golf cart rather than having the golf cart brought to the Sheriff's inspection area;

(2) Be issued a sticker or permit for the golf cart or ATV by the city. The fee for an initial permit or sticker for low speed vehicle from the city shall be \$25. A permit shall be valid until the first day of *March* of the following year. The fee for a renewal permit or sticker from the city shall be \$15.  
and

(3) Display the permit or sticker issued by the city on the front of the vehicle that identifies that the golf cart or ATV is allowed to be operated on city streets

#### **§ V. PENALTY.**

(A) Operating a golf cart in violation of any provision of this chapter is a civil offense and as such may be addressed by the City of Hurstbourne. Any peace officer or citation officer may issue a citation for the violation of any provision of this chapter. Any person violating a provision of this chapter shall receive a civil fine of one hundred dollars (\$100.00) to five hundred dollars (\$500.00). Any person who violates any provision of this chapter two (2) or more times within a twelve (12) month period shall receive a civil fine of five hundred dollars (\$500.00) to one thousand dollars (\$1,000.00). Any person who receives a citation for violation of this chapter may contest the citation by sending written request for a hearing to the City of

Hurstbourne to the address listed on the citation within seven (7) days of receipt of the citation.

(B) Nothing in this chapter shall be construed to relieve any person of any legal duties or obligation created by any other statute or ordinance. Promulgation of this chapter does not preclude legal enforcement by any peace officer or traffic control officer of any provision in the Kentucky Revised Statutes, including the prohibition against operating an unlicensed or unregistered motor vehicle on the public roads of the Commonwealth unless that motor vehicle falls within the exceptions created by this chapter or any other existing law, ordinance or regulation in the Commonwealth of Kentucky.

SECTION 2: This ordinance shall take effect upon passage and publication as required by law.

First Reading: July 14, 2020

Second Reading: July 28, 2020

Enacted and approved this the 28th day of July 2020.

ATTEST:

Jim Leidgen, City Clerk

Mary Masick  
Mary Masick, Mayor

Those in Favor 5

Those Opposed 0