

CITY OF ABERNATHY

Golf Cart Enforcement



Frequently Asked Questions

Q: When did the golf cart ordinance go into effect?

A: The active enforcement was passed by Abernathy City Council on October 14, 2013 and Abernathy PD begin enforcement immediately after the ordinance passed. Officers will attempt to educate golf cart operators about the prevailing state law. However, it is important to note that police officers have the discretion to issue citations for traffic violations at any time.

Q: What need exists for enforcement for golf cart regulations?

A: Many residents have expressed concerns about citizens driving golf carts in an unsafe manner. In addition, Abernathy police officers have witnessed unsafe golf cart driving by juveniles, who often are unfamiliar with basic rules of the road and driver courtesy. The intent is to enforce existing state laws now to avert possible future tragedies and keep our community safe. It is a result of safety concerns witnessed by Abernathy officers and reported by Abernathy residents. Police officers always have the discretion to issue citations for traffic violations and traffic enforcement.

Q: How much is it to register your golf cart with the city?

A: It is \$48 for a period of two years and each permit shall expire on Dec. 31 of odd numbered years. The registration permit fee shall be prorated to the number of yearly quarters remaining in the permit period.

Q: What is Texas law regarding golf carts as a motor vehicle?

A: Two provisions in the Texas Transportation Code (TC

502.001 and TC 551.401) establish golf carts as motor vehicles. The full definition of a motor vehicle under state law includes cars, trucks, motorcycles, golf carts, and neighborhood electric vehicles.

Q: Must all riders on a golf cart wear safety belts?

A: No person younger than six (6) years of age may be transported in a golf cart unless restrained by a safety belt restraint. No person may stand or ride in the lap of the driver and/or another passenger while the golf cart is in motion.

Q: Is it legal to drive a golf cart on all public streets?

A: TC 551.403 permits golf carts to be driven on a public highway for which the posted speed limit is not more than 35 miles per hour, and “during the daytime.” However, per city ordinance, operators **are not permitted** to use the golf cart on any street that is designated as part of a State or Federal highway system, this includes, but not limited to:

- a) 1st Street
- b) Avenue D
- c) IH-27 & all service roads
- d) FM 2060

*Note that this provision of state law **does not** permit driving a golf cart on public streets at night. A driver may cross intersections at a State or Federal highway that has a posted speed limit of more than 35 mph.

Q: What provision in Texas law requires the operator of a golf cart to have a driver’s license?

A: TC 521.021 requires that anyone operating a motor vehicle on a public street must have a valid driver’s license.

Q: What provision in Texas law requires golf carts to have a license plate?

A: TC 551.402 requires that golf carts driven on a public street have a state-issued license plate. This is a new section adopted by the Texas Legislature in 2019 and effective on Sept. 1, 2019. At this time, however, the state has not begun accepting applications for golf cart license plates. Abernathy officers will not issue citations for this violation until the state is able to process and issue golf cart license plates.

Q: Does the driver of a golf cart in Abernathy have to have liability insurance?

A: Yes, according to Abernathy City Ordinance 552.

Q: Can a driver with a learner's permit operate a golf cart on a public street?

A: Yes, so long as he or she is accompanied in the front seat by a licensed driver who is at least 21 years old. This is the same as for the operation of any motor vehicle on a public street.

Q: Can a driver operating a golf cart on a public street be arrested for Driving While Intoxicated?

A: Yes

Q: Are golf carts in Abernathy required to have safety equipment?

A: Yes, according to Abernathy City Ordinance 552, the City of Abernathy is granted to request these restrictions in the interest of safety. The following requirements must be met:

- City of Abernathy golf cart registration permit
- 2 head lamps
- 2 tail lamps
- 4 side reflectors – (2 front, amber in color & 2 rear, red in color)

- Parking brake
- Rearview mirror(s)
- Slow-moving vehicle emblem

** For more information, please see our website:

cityofabernathy.org

Q: Are golf carts subject to any other Texas motor vehicle laws?

A: Yes, because golf carts are included in the state's definition of a motor vehicle. When on a public street, the driver of a golf cart must obey all traffic laws including stop or yield signs, speed limits, and other posted warnings. They must pull to the side of

the road to yield to emergency vehicles, and are required to signal turns either with blinker signals or hand signals.

Q: What is the fine for operating a golf cart without a driver's license?

A: A citation for operating a motor vehicle (including a golf cart) on a public street without a valid driver's license can result in a fine set by Texas law (TC 521.025) as an amount of not more than

\$200 for the first and second offenses, and not more than \$500 for the third offense in a single year.

Q: What if my unlicensed child drives my golf cart without my knowledge?

A: The child and/or parents are subject to receiving a citation even if the parents did not know the child was operating the golf cart on a public street. This also is true if an unlicensed child were to operate any other type of motorized vehicle without parental consent or knowledge. In both instances, parents may

be subject to civil and criminal penalties.

Q: Can anyone drive a golf cart on a sidewalk, walking path or park?

A: No. The City of Abernathy does not allow any motorized vehicles to be operated on sidewalks, walking paths or city parks; including baseball/softball fields. Abernathy officers may issue citations for these ordinance violations.

For more information on golf carts, please call our office: 806-298-2546 or visit the City of Abernathy's website:

<https://www.cityofabernathy.org>