

**AN ORDINANCE AMENDING THE MUNICIPAL CODE TO REGULATE USE OF GOLF CARTS AND LOW-SPEED VEHICLES ON CITY STREETS**

WHEREAS, Section 304.034 of the Revised Statutes of Missouri authorizes municipalities to regulate and the use of golf carts on streets within the City; and

WHEREAS, certain residents of the City of Eureka have requested that the City permit the use of golf carts and low speed vehicles for travel on City streets and

WHEREAS, the Board of Aldermen has considered the volume, speed and character of traffic on the City streets, and has determined that the usage authorized by this ordinance will not jeopardize the public safety; and

WHEREAS, the purpose of this ordinance shall be to promote the health, safety and welfare of persons operating golf carts and low speed vehicles within the City and to protect the safety of their passengers, other users of roads and private property;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF EUREKA, MISSOURI, AS FOLLOWS:

**SECTION 1:**

Section 13-73.11 of the Eureka Municipal Code is hereby repealed, and a new Section 13-73.11 is hereby enacted in lieu thereof which shall read as follows:

**Section 13-73.11 – Golf Carts and Low-speed Vehicles.****(a) Low-Speed Vehicle Definition.**

The term "*Low-speed Vehicle*" means the same as "Low-speed Vehicle" in Sec. 304.029, RSMo, 2016 and 49 CFR, Section 571.3, as amended. A golf cart may be a low-speed vehicle if properly equipped, but not all golf carts are low-speed vehicles within the meaning of this section.

**(b) Low-Speed Vehicle - Operation on Streets Permitted.**

- (1) A low-speed vehicle may be operated upon the streets of the City of Eureka if it meets the requirements of this section. Every person operating a low-speed vehicle shall be granted all the rights and shall be subject to all the duties applicable to the driver of any other motor vehicle, and shall use the highest degree of care when operating such vehicle within the City of Eureka.
- (2) The operator of a low-speed vehicle shall observe all State, County and City traffic laws and rules of the road, and shall not operate a low speed vehicle under the influence of alcohol or drugs as provided by law.
- (3) A low-speed vehicle shall not be operated on a street or highway with a posted speed limit greater than thirty (30) miles per hour, with the exception of all the streets located within the Legends subdivision, a golfing community. State and Federal Highways within the City of Eureka where the operation of low speed vehicles are prohibited include: Fourth Street, Fifth Street, Fox Creek Road, South I-44 Outer Road (entrance to Route 66 State Park), Highway 109 and Interstate 44.
- (4) A low-speed vehicle may cross a street or highway with a posted speed limit greater than thirty (30) miles per hour. A low-speed vehicle may not cross any State or Federal Highway with a posted speed limit higher than forty-five (45) miles per hour.
- (5) Low speed vehicles shall not be operated within the boundaries of any City Park (other than designated parking areas), trail, sidewalk or median.

- (6) No person shall operate a low speed vehicle on a City Street for commercial purposes, including the transportation of clients, customers or fare paying passengers. A business may use a low-speed vehicle for the transport of employees, volunteers and merchandise during City authorized events.
  - (7) No low speed vehicle shall be operated in excess of twenty (20) miles per hour.
- (c) Low-Speed Vehicle Standards.
- (1) A low-speed vehicle shall:
    - (i) Meet the requirements of a low speed vehicle contained in RSMo. Chapter 304;
    - (ii) Be manufactured in compliance with the National Traffic Safety Administration and comply with the standards in 49 CFR 571.500; and be equipped with the following:
      - (a) Two (2) Headlamps;
      - (b) Front and rear turn signals;
      - (c) Two (2) Stop taillights;
      - (d) Reflex reflectors; one (1) red on each side as far to the rear as practicable and one (1) red on the rear;
      - (e) An exterior mirror mounted on the driver's side and either an exterior mirror on the passenger side or an interior rearview mirror;
      - (f) A parking brake;
      - (g) A windshield that conforms to the requirements of the Federal motor vehicle safety standard of glazing materials (49 CFR 571.205);
      - (h) A serial number, manufacturer's code, or vehicle identification number; and
      - (i) A Type 1 or Type 2 Seatbelt Assembly conforming to 49 CFR 571.209 and Federal Motor Vehicle Standard 209 for each designated seating position.
  - (2) Display a compliance sticker in the lower left hand portion of the windshield after an inspection has been performed by the City to verify the compliance with these standards. It shall be unlawful to operate a low speed vehicle on the City streets without a compliance sticker. There shall be no cost to obtain the inspection or sticker.
- (d) Low-Speed Vehicle - Driver's License and Insurance Required.
- (1) Every operator of a low-speed vehicle shall:
    - (i) Possess a valid driver's license issued by the State pursuant to Chapter 302, RSMo. or a valid license issued by the operator's home state; and
    - (ii) Maintain financial responsibility as required by Chapter 303, RSMo.
- (e) Low-Speed Vehicle - Occupants and Use.
- (1) The maximum number of individuals who may be transported in a low speed vehicle is limited to the number of seat belts contained in the vehicle.
  - (2) It shall be unlawful to use a low-speed vehicle in any manner not intended by the manufacturer, including towing or pulling other objects (such as skate boards, etc) or riding in an area not intended for a passenger (such as golf bag areas).
- (f) Low-Speed Vehicle - Parking.
- (1) Low Speed Vehicles shall only be parked in a designated parking space, and shall not

be parked on sidewalks, shoulders (unless designated as a parking space), grassy areas or private property without the permission of the property owner.

(g) Low-Speed Vehicle Provision Violation Penalty.

(1) Every person convicted of a violation of any provision of these provisions shall be punished by a fine of not more than fifty dollars (\$50.00) for each violation.

SECTION 2:

The provisions contained herein shall remain in full force and effect in the event the City or the third party Municipal Code codification company the City engages makes non-substantive changes to the language herein contained or section numbers herein referenced.

SECTION 3:

All ordinances, parts of ordinances or provisions of the Municipal Code of the City of Eureka in conflict with any provisions of this ordinance are hereby repealed.

SECTION 4:

This ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED AND APPROVED THIS 3RD DAY OF SEPTEMBER, 2019.

(Original with signature on file)

\_\_\_\_\_  
Sean M. Flower, Mayor

ATTEST:

(Original with signature on file)

\_\_\_\_\_  
Craig E. Sabo, City Clerk