

AMENDED IN SENATE JULY 3, 1995  
AMENDED IN SENATE MAY 17, 1995  
AMENDED IN ASSEMBLY APRIL 24, 1995  
AMENDED IN ASSEMBLY MARCH 30, 1995

CALIFORNIA LEGISLATURE—1995–96 REGULAR SESSION

**ASSEMBLY BILL**

**No. 110**

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**Introduced by Assembly Members Hannigan and  
Thompson**

January 10, 1995

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An act to amend Sections 1950, 1951, 1953, 1957, 1959, and 1961 of, to amend the heading of Chapter 6 (commencing with Section 1950) of Division 2.5 of, *to add Sections 1965 and 1967 to*, to repeal Section 1963 of, ~~and~~ to repeal Chapter 5 (commencing with Section 1930) of, *and Chapter 6 (commencing with Section 1950) of*, Division 2.5 of, the Streets and Highways Code, and to amend, *repeal, and add* Section 21716 of, and to repeal Section 21716 of, the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 110, as amended, Hannigan. Vehicles: golf cart transportation plan.

(1) Under existing law, golf carts may be operated in a limited manner on local highways. No golf cart may be operated on any highway except in a speed zone of 25 miles per hour or less.

Existing law also establishes 2 separate, 5-year golf cart pilot projects authorizing the City of Palm Desert and the City of Roseville, respectively, to establish golf cart lanes or adopt a golf cart transportation plan in a specified plan area.

This bill would repeal the City of Palm Desert golf cart pilot project and would, *until January 1, 1998*, expand the scope of the provisions governing the City of Roseville golf cart pilot project to allow any city or county to adopt a golf cart transportation plan. ~~The bill would delete the 5-year limitation.~~ Because the bill would make a violation of certain restrictions regarding operating the golf carts an infraction, the bill would impose a state-mandated local program by expanding the scope of a crime.

*The bill would require the Department of the California Highway Patrol to prepare and submit a specified report to the Legislature not later than April 1, 1997. The bill would require specified local agencies to cooperate with the department in the preparation of the specified report, thereby imposing a state-mandated local program by imposing additional duties upon local governmental entities.*

~~(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.~~

*This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.*

*With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state,*



*reimbursement for those costs shall be made pursuant to the statutory provisions noted above.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Chapter 5 (commencing with Section  
2 1930) of Division 2.5 of the Streets and Highways Code is  
3 repealed.

4 SEC. 2. The heading of Chapter 6 (commencing with  
5 Section 1950) of Division 2.5 of the Streets and Highways  
6 Code is amended to read:

7  
8 CHAPTER 6. GOLF CART TRANSPORTATION PLAN  
9

10 SEC. 3. Section 1950 of the Streets and Highways  
11 Code is amended to read:

12 1950. It is the intent of the Legislature, in enacting  
13 this chapter, to authorize any city or county to establish  
14 a golf cart transportation plan for a plan area in the city  
15 or county. It is the further intent of the Legislature that  
16 this transportation plan be designed and developed to  
17 best serve the functional travel needs of the plan area, to  
18 have the physical safety of the golf cart driver's person  
19 and property as a major planning component, and to have  
20 the capacity to accommodate golf cart drivers of every  
21 legal age and range of skills.

22 SEC. 4. Section 1951 of the Streets and Highways  
23 Code is amended to read:

24 1951. The following definitions apply to this chapter:

25 (a) "Plan area" means that territory under the  
26 jurisdiction of a city or county designated by the city or  
27 county for a golf cart transportation plan, including the  
28 privately owned land of any owner that consents to its  
29 inclusion in the plan.

30 (b) "Golf cart" means a motor vehicle having not less  
31 than three wheels in contact with the ground and  
32 unladen weight less than 1,300 pounds which is designed  
33 to be and is operated at not more than 25 miles per hour

1 and is designated to carry golf equipment and not more  
2 than two persons, including the driver.

3 (c) "Golf cart lanes" means all publicly owned  
4 facilities that provide for golf cart travel including  
5 roadways designated by signs or permanent markings  
6 which are shared with pedestrians, bicyclists, and other  
7 motorists in the plan area.

8 SEC. 5. Section 1953 of the Streets and Highways  
9 Code is amended to read:

10 1953. (a) A city or county may, by ordinance or  
11 resolution, adopt a golf cart transportation plan. ~~No~~  
12 ~~transportation plan may be adopted which has not~~

13 (b) *The transportation plan shall have received a prior*  
14 *review and the comments of the appropriate*  
15 *transportation planning agency designated under*  
16 *subdivision (a) or (b) of Section 29532 of the Government*  
17 *Code and any agency having traffic law enforcement*  
18 *responsibilities in that city or county.*

19 (c) *The transportation plan shall not include the use of*  
20 *any state highway, or any portion thereof.*

21 SEC. 6. Section 1957 of the Streets and Highways  
22 Code is amended to read:

23 1957. If a city or county adopts a golf cart  
24 transportation plan, it shall do both of the following:

25 (a) Establish minimum general design criteria for the  
26 development, planning, and construction of separated  
27 golf cart lanes, including, but not limited to, the design  
28 speed of the facility, the space requirements of the golf  
29 cart, and roadway design criteria.

30 (b) In cooperation with the department, establish  
31 uniform specifications and symbols for signs, markers,  
32 and traffic control devices to control golf cart traffic; to  
33 warn of dangerous conditions, obstacles, or hazards; to  
34 designate the right-of-way as between golf carts, other  
35 vehicles, and bicycles; to state the nature and destination  
36 of the golf cart lane; and to warn pedestrians, bicyclists,  
37 and motorists of the presence of golf cart traffic.

38 SEC. 7. Section 1959 of the Streets and Highways  
39 Code is amended to read:



1 1959. A city or county that adopts a golf cart  
2 transportation plan may do the following:

3 (a) Acquire, by dedication, purchase, or  
4 condemnation, real property, including easements or  
5 rights-of-way, to establish golf cart lanes.

6 (b) Establish a golf cart transportation plan as  
7 authorized by this chapter.

8 SEC. 8. Section 1961 of the Streets and Highways  
9 Code is amended to read:

10 1961. A city or county that adopts a golf cart  
11 transportation plan shall adopt all of the following as part  
12 of the plan:

13 (a) Minimum design criteria for golf carts, that may  
14 include, but not be limited to, headlights, turn signals,  
15 safety devices, mirrors, brake lights, windshields, and  
16 other devices. The criteria shall include requirements for  
17 seatbelts and a covered passenger compartment.

18 (b) A permit process for golf carts that requires  
19 permitted golf carts to meet minimum design criteria  
20 adopted pursuant to subdivision (a). The permit process  
21 may include, but not be limited to, permit posting, permit  
22 renewal, operator education, and other related matters.

23 (c) Minimum safety criteria for golf cart operators,  
24 including, but not limited to, requirements relating to  
25 golf cart maintenance and golf cart safety. Operators shall  
26 be required to possess a valid California driver's license  
27 and to comply with the financial responsibility  
28 requirements established pursuant to Chapter 1  
29 (commencing with Section 16000) of Division 7.

30 (d) (1) Restrictions limiting the operation of golf  
31 carts to separated golf cart lanes on those roadways  
32 identified in the transportation plan, and allowing only  
33 those golf carts that have been retrofitted with the safety  
34 equipment specified in the plan to be operated on  
35 separated golf cart lanes of approved roadways in the plan  
36 area.

37 (2) Any person operating a golf cart in the plan area  
38 in violation of this subdivision is guilty of an infraction  
39 punishable by a fine not exceeding one hundred dollars  
40 (\$100).



1 SEC. 9. Section 1963 of the Streets and Highways  
 2 Code is repealed.

3 SEC. 10. *Section 1965 is added to the Streets and*  
 4 *Highways Code, to read:*  
 5 *1965. (a) The Department of the California Highway*  
 6 *Patrol, in consultation with any affected local agencies,*  
 7 *shall prepare and submit to the Legislature, not later than*  
 8 *April 1, 1997, a report evaluating golf cart transportation*  
 9 *programs operated by cities or counties.*

10 *(b) All local agencies operating golf cart*  
 11 *transportation programs shall cooperate with the*  
 12 *department in the preparation of the report required*  
 13 *under this section, including, but not limited to, providing*  
 14 *all information requested by the department.*

15 SEC. 11. *Section 1967 is added to the Streets and*  
 16 *Highways Code, to read:*  
 17 *1967. This chapter shall remain in effect only until*  
 18 *January 1, 1998, and as of that date is repealed, unless a*  
 19 *later enacted statute, that is enacted on or before January*  
 20 *1, 1998, deletes or extends that date.*

21 SEC. 12. Section 21716 of the Vehicle Code, as  
 22 amended by Section 2 of Chapter 598 of the Statutes of  
 23 1994, is amended to read:

24 21716. (a) Except as provided in Section 21115.1 and  
 25 Chapter 6 (commencing with Section 1950) of Division  
 26 2.5 of the Streets and Highways Code, no person shall  
 27 operate a golf cart on any highway except in a speed zone  
 28 of 25 miles per hour or less.

29 (b) *This section shall remain in effect only until*  
 30 *January 1, 1998, and as of that date is repealed, unless a*  
 31 *later enacted statute, that is enacted on or before January*  
 32 *1, 1998, deletes or extends that date.*

33 SEC. 13. *Section 21716 is added to the Vehicle Code,*  
 34 *to read:*  
 35 *21716. (a) Except as provided in Section 21115.1, no*  
 36 *person shall operate a golf cart on any highway except in*  
 37 *a speed zone of 25 miles per hour or less.*  
 38 *(b) This section shall become operative on January 1,*  
 39 *1998.*

40 ~~SEC. 11.~~



1 *SEC. 14.* Section 21716 of the Vehicle Code, as  
2 amended by Section 3 of Chapter 598 of the Statutes of  
3 1994, is repealed.

4 ~~*SEC. 12.* No reimbursement is required by this act  
5 pursuant to Section 6 of Article XIII B of the California  
6 Constitution because the only costs which may be  
7 incurred by a local agency or school district will be  
8 incurred because this act creates a new crime or  
9 infraction, changes the definition of a crime or infraction,  
10 changes the penalty for a crime or infraction, or  
11 eliminates a crime or infraction. Notwithstanding Section  
12 17580 of the Government Code, unless otherwise  
13 specified in this act, the provisions of this act shall become  
14 operative on the same date that the act takes effect  
15 pursuant to the California Constitution.~~

16 *SEC. 15.* *No reimbursement is required by this act  
17 pursuant to Section 6 of Article XIII B of the California  
18 Constitution for certain costs that may be incurred by a  
19 local agency or school district because in that regard this  
20 act creates a new crime or infraction, eliminates a crime  
21 or infraction, or changes the penalty for a crime or  
22 infraction, within the meaning of Section 17556 of the  
23 Government Code, or changes the definition of a crime  
24 within the meaning of Section 6 of Article XIII B of the  
25 California Constitution.*

26 *However, notwithstanding Section 17610 of the  
27 Government Code, if the Commission on State Mandates  
28 determines that this act contains other costs mandated by  
29 the state, reimbursement to local agencies and school  
30 districts for those costs shall be made pursuant to Part 7  
31 (commencing with Section 17500) of Division 4 of Title  
32 2 of the Government Code. If the statewide cost of the  
33 claim for reimbursement does not exceed one million  
34 dollars (\$1,000,000), reimbursement shall be made from  
35 the State Mandates Claims Fund.*

36 *Notwithstanding Section 17580 of the Government  
37 Code, unless otherwise specified, the provisions of this act*



1 *shall become operative on the same date that the act*  
2 *takes effect pursuant to the California Constitution.*

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