



St. Charles Parish Sheriff's Office

Special Services Department

220 Judge Edward Dufresne Parkway, Luling, LA 70070

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Greg Champagne
Sheriff

N e w s R e l e a s e

December 21, 2017

Sheriff Offers Path for Legal Operation of Golf Carts on Parish Streets

St. Charles Parish Sheriff Greg Champagne issued a letter today to Parish President Larry Cochran and all council members asking the parish to consider a proposed ordinance that would make it legal for licensed drivers to operate properly equipped golf cart on designated parish streets in St. Charles Parish.

According to a Louisiana Law enacted in 2015, the operation of golf carts upon any public roadway is currently illegal without a local ordinance. "While the responsible operation of golf carts by both golfers and others has presented few safety issues over the years, "we have now reached the point that the potential danger and civil liability that is presented by the operation of golf carts by unlicensed children and teenagers at all hours has become a huge safety issue", said Sheriff Champagne.

Sheriff Champagne is asking the St. Charles Parish Council to assist in transitioning St. Charles Parish into compliance with state law as far as golf carts are concerned. In 2015, The Louisiana Legislature enacted a statute that allows parish governments to authorize the operation of golf carts only on designated parish roads and streets under specific conditions. The Sheriff indicates that "there is a place for the safe operation of golf carts by licensed and insured drivers on residential parish streets provided they meet all of the state imposed requirements".

These conditions mandate that only licensed drivers shall be allowed to operate golf carts if they are registered with the Louisiana Department of Motor Vehicles and the owner has obtained motor vehicle liability insurance covering the golf cart. State law further mandates that any golf cart operated on a council

designated parish roadway shall be equipped with efficient brakes, a reliable steering apparatus, safe tires, a rearview mirror, and red reflectorized warning devices in both the front and rear of the vehicle. Such golf cart shall also be equipped with headlamps, front and rear turn signal lamps, tail lamps, and brake lamps.

The St. Charles Parish Sheriff's Office will implement the following transitional enforcement policy effective January 1, 2018:

1. Deputies shall begin enforcing the prohibition of golf carts as to any unlicensed driver, and to any driver whether licensed or not, who does not have a policy of motor vehicle liability insurance in their possession covering the golf cart.
2. In addition, the golf cart must have front and rear lights including brake lights and turn signals and reflectors as per the state statute.
3. The golf cart should only be operated on parish streets with a speed limit of 25 MPH or less. The crossing of, or operation of a golf cart on any state highway is prohibited.
4. Finally, the golf cart can only carry the number of passengers for which it was designed.

Violations of the above can result in a citation and possible towing of the unlawfully operated golf cart.

A copy of the letter sent to St. Charles Parish Government, applicable Louisiana state law and proposed ordinance regarding operation of golf carts on parish streets are attached.

Louisiana Revised Statutes Title 32 Section 299.4

§299.4. Golf carts; safety equipment requirements; exemptions; registration

A. "Golf cart" means an electric four-wheeled vehicle originally intended for use off-road on golf courses and other green spaces whose maximum speed is twenty-five miles per hour.

B. The operation of a golf cart upon the public roads or streets of this state is prohibited, except as otherwise provided in this Subsection:

(1) A golf cart may be operated only upon a parish road that has been designated by a parish or a municipal street that has been designated by a municipality for use by a golf cart. Upon a designation that a golf cart may be operated on a designated road or street, the responsible governmental entity shall post appropriate signage indicating that such operation is authorized.

(2) A golf cart may be used to cross a part of a state highway where a golf course is constructed on both sides of the state highway if the Department of Transportation and Development has issued a permit for the crossing.

C. A golf cart operated on a parish road or municipal street shall be equipped with efficient brakes, a reliable steering apparatus, safe tires, a rearview mirror, and red reflectorized warning devices in both the front and rear of the vehicle. Such golf cart shall also be equipped with headlamps, front and rear turn signal lamps, tail lamps, and brake lamps.

D. Any golf cart operated upon a parish road or municipal street shall be registered with the state of Louisiana through the Department of Public Safety and Corrections, office of motor vehicles, as an off-road vehicle and shall display a decal issued by the office of motor vehicles.

E. No person shall operate a golf cart upon a parish road or municipal street without a valid driver's license.

F. Any golf cart operated upon a parish road or municipal street shall have liability insurance with the same minimum limits as required by the provisions of R.S. 32:900(B).

G.(1) A parish or municipal government may enact an ordinance relating to golf cart operation and require equipment which is more extensive than those enumerated in this Section. Upon enactment of such ordinance, the parish or municipal government shall post appropriate signage or otherwise inform residents that such an ordinance exists and that it will be enforced within the parish or municipal government's jurisdictional territory.

(2) Notwithstanding any provision of law to the contrary, any parish or municipal ordinance that was in effect prior to January 1, 2015, shall be exempt from the requirements of this Section.

(3) Nothing contained in this Section shall be construed to prohibit parish or municipal governments from prohibiting the operation of any golf cart on any parish road or municipal street under its jurisdiction if such parish or municipal government determines that such prohibition is necessary for the safety of the motoring public.

H. The Department of Public Safety and Corrections, public safety services, shall promulgate rules and regulations in accordance with the Administrative Procedure Act, subject to oversight by the House and Senate committees on transportation, highways and public works, as necessary to implement the provisions of this Section. Such rules and regulations shall become effective no later than January 15, 2016.

Acts 2015, No. 308, §1.



GREG CHAMPAGNE
ST. CHARLES PARISH SHERIFF

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December 20, 2017

The Honorable Larry Cochran
St. Charles Parish President
P. O. Box 302
Hahnville, LA 70057

RE: Proposed Ordinance Regulating Golf Carts on Parish Roads

Dear Parish President Cochran:

According to Louisiana Law, the operation of golf carts upon any public roadway is currently illegal without a special local ordinance. I agree with many who feel that the semi-rural character of St. Charles Parish is special. I have even heard citizens describe our area as a "golf cart" community. While, the responsible operation of golf carts by both golfers and others has presented few safety issues over the years, we have now reached the point that the potential danger and civil liability that is presented by the operation of golf carts by unlicensed children and teenagers, has in my opinion, gotten out of hand. Our office now regularly receives reports of "close calls" with children operating golf carts. The number of complaints has dramatically increased in recent years as more and more citizens purchase golf carts for "joyriding".

I am asking for, and need your assistance in order to transition St. Charles Parish into **compliance** with state law as far as golf carts are concerned. In 2015, The Louisiana Legislature enacted a statute that allows parish governments to **authorize** the operation of golf carts only on designated parish roads and streets under specific conditions (LSA-R.S. 32:299.4). I attach a copy of the state law for your review. ***As you can see, state law now allows a parish or local governing authority to enact a local ordinance which authorizes the operation of golf carts upon specifically designated parish streets under certain limited conditions.***

SC1-2017-1447

Hon. Larry Cochran

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These conditions mandate that **only licensed drivers** shall be allowed to operate golf carts if it is registered with the Louisiana Department of Motor Vehicles and the owner has obtained motor vehicle liability insurance covering the golf cart. State law further mandates that any golf cart operated on a designated parish roadway shall be equipped with efficient brakes, a reliable steering apparatus, safe tires, a rearview mirror, and red reflectorized warning devices in both the front and rear of the vehicle. Such golf cart shall also be equipped with headlamps, front and rear turn signal lamps, tail lamps, and brake lamps.

In response to growing citizen concerns, I have drafted a proposed ordinance which will meet the requirements of state law regarding the operation of golf carts on parish roads and streets. This will include all parish streets which have speed limits of 25 miles per hour or under. If you wish for any street to be exempted from this ordinance, you have the authority to do so. This proposed ordinance exempts country club owned golf carts operated within the confines of the golf course during daylight hours. I would ask that you please consider this proposal and that the parish president introduce the ordinance for consideration after January 1, 2018.

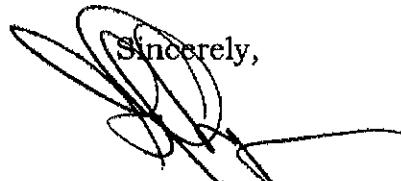
In the interim while you are considering this proposed ordinance, I would like to announce that my office and our deputies will begin immediately with the following transitional enforcement policy effective January 1, 2018:

1. Deputies shall begin enforcing the prohibition of golf carts as to any unlicensed driver, and, to any driver whether licensed or not, who does not have a policy of motor vehicle liability insurance in their possession covering the golf cart.
2. In addition, the golf cart must have front and rear lights including brake lights and turn signals and reflectors as per the state statute.
3. The golf cart should only be operated on parish streets with a speed limit of 25 MPH or less. The crossing of, or operation of a golf cart on any state highway is prohibited.
4. Finally, the golf cart can only carry the number of passengers for which it was designed.

If you choose **not** to adopt this proposal in due course, I will take that as an indication that you do not wish for golf carts to be operated on public streets and my office will at that point have no choice but to begin enforcing state law prohibiting golf carts on **any** public street.

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I look forward to working with you as you consider this proposal. If you have any questions, please do not hesitate to contact me.

A handwritten signature in black ink, appearing to read "Greg Champagne".

Sincerely,

Greg Champagne
Sheriff – St. Charles Parish

GC:sc

cc: Hon. Wendy Benedetto – Councilwoman at Large Div. A
Hon. Paul J. Hogan PE – Councilman at Large Div. B
Hon. Terrell D. Wilson – Councilman District 1
Hon. Mary K. Clulee – Councilwoman District 2
Hon. Dick Gibbs – Councilman District 3
Hon. Billy Woodruff – Councilman District 4
Hon. Marilyn Bellock – Councilwoman District 5
Hon. Traci A. Fletcher – Councilwoman District 6
Hon. Julia Fisher-Perrier – Councilwoman District 7

PROPOSED ORDINANCE

Chapter 15 Section 26 -

OPERATION OF GOLF CARTS UPON PUBLIC ROADS OR STREETS

- (a) A "golf cart" is defined as an electric four-wheeled vehicle originally intended for use off-road on golf courses and other green spaces whose maximum speed is twenty-five miles per hour LSA-R.S. 32:299.4.
- (b) The operation of a golf cart upon the public roads or streets of St. Charles Parish is prohibited, except as otherwise provided in this section.
- (c) A golf cart may be operated only upon parish roads or streets with speed limits of twenty-five miles per hour or less unless specifically exempted herein.
- (d) A golf cart shall not be operated upon any state highway.
- (e) A golf cart operated on a parish road or street shall be equipped with efficient brakes, a reliable steering apparatus, safe tires, a rearview mirror, and red reflectorized warning devices on both the front and rear of the vehicle. Such golf cart shall also be equipped with headlamps, front and rear turn signal lamps, tail lamps, and brake lamps.
- (f) Any golf cart operated upon a parish road or street shall be registered with the state of Louisiana through the Department of Public Safety and Corrections, office of motor vehicles, as an off-road vehicle and shall display a decal issued by the office of motor vehicles.
- (g) No person shall operate a golf cart upon a parish road or street without a valid driver's license.
- (h) Any golf cart operated upon a parish road or street shall have liability insurance with the same minimum limits as required by the provisions of R.S. 32:900(B). Documents reflecting a current policy of liability insurance as required herein shall be in the possession of the driver.
- (i) Any passenger riding on the golf cart shall be seated and the number of passengers shall not exceed the amount for which the golf cart was designed.
- (j) This section shall not apply to any golf carts owned and insured by a golf course or country club which is only operated on the golf course during daylight hours.
- (k) Any person violating the provisions of this section shall be punished by a fine of not more than five hundred dollars (\$500.00) or imprisonment in the parish jail for not more than thirty (30) days, or both.