

Golf Cart Enforcement



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**Public Informational Meeting
September 26, 2019**

Frequently Asked Questions

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

A: Many residents have expressed concerns about children driving golf carts in an unsafe manner. In addition, Lewisville 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.

Q: When does this go into effect?

A: Lewisville PD plans to begin enforcement of golf cart regulations on Oct. 1, 2019. Prior to that, 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: Why hasn't this been enforced previously?

A: The former private security patrols in Castle Hills had no jurisdiction to enforce state traffic laws. Prior to February 2019, Lewisville police only responded to calls for service and did not provide regular patrol services. That changed in February when up to 16 hours a day of police patrol was added. Police patrol does include traffic enforcement as needed.

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: Is it legal to drive a golf cart on a public street?

A: Under certain circumstances. 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.” Note that this provision of state law does not permit driving a golf cart on public streets at night.

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. Because the two Transportation Code sections described above include golf carts in the definition of a motor vehicle, the driver’s license requirement does apply to golf carts on public streets.

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. Lewisville 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 have to have liability insurance?

A: No. In fact, TC 601.052 specifically exempts golf carts from vehicle insurance requirements.

Q: Is Castle Hills covered by the state law allowing the use of golf carts on streets in a Planned Development with a golf course?

A: Yes, the provision of Texas law that allows the use of golf carts on streets in a Planned Development does apply to Castle Hills. However, that use is subject to other provisions of the Texas Transportation Code as detailed above. The law for a Planned Development does not exempt golf cart operators within that development from adhering to other state laws.

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 18 years old. This is the same as for the operation of any motor vehicle on a public street.

Q: Are golf carts required to have safety equipment such as headlights, taillights, turn signals, and seatbelts?

A: That equipment is not required for golf carts.

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 my unlicensed child drive a golf cart on a sidewalk or walking path?

A: No. Castle Hills regulations through the Master Association do not allow any motorized vehicles to be operated on sidewalks or walking paths. Police officers cannot enforce Castle Hills rules, which are set by the Water District and are not codified in municipal ordinances or state law. After annexation, sidewalks and walking paths that become city property would be subject to city ordinances that do prohibit operating motor vehicles in that manner, so citations could be issued.

Q: Was this change requested by the Water District boards?

A: No. The start of active enforcement is a result of safety concerns witnessed by Lewisville police officers and reported by Castle Hills residents. Police officers always have the discretion to issue citations for traffic violations, but the focus will be on education through at least September.

Q: Is this change happening now because of annexation plans?

A: No. The district could have requested traffic enforcement at any time under the public safety contract. Traffic enforcement is a part of the expanded police patrol services currently being provided, but would begin upon annexation even if Lewisville PD were not currently providing patrol services.

Q: How are you notifying residents about this change in golf cart enforcement?

A: In addition to this online FAQ posted to the city's website, the water district and the city worked together to develop a flier inserted into Castle Hills water bills in September. The city also included information in the Castle Hills Horizon newsletter distributed with September water bills, and the police department will discuss golf cart enforcement at the city's quarterly public meeting on Sept. 26. Information also is available on the water district website, dentoncountyfwsd.com.

www.cityoflewisville.com/CastleHills