

**ST. MARYS CITY COUNCIL
ST. MARYS, GEORGIA**

At the regular meeting of the St. Marys City Council, held in the St. Marys City Hall, St. Marys Georgia:

Present:

John F. Morrissey, Mayor
Artie Jones, Jr. Councilman, Post 1
Jim Goodman, Councilman, Post 2
Jim Gant, Councilman, Post 3
David Reilly, Councilman, Post 4
Allen F. Rassi, Jr., Post 5
Lisa James, Councilwoman, Post 6

On motion of Councilmember Jim Goodman, which carried unanimously, the following Ordinance amendment was adopted:

AN AMENDMENT TO THE CODE OF ORDINANCES, CITY OF ST. MARYS, GEORGIA, REPEALING ARTICLE II OF CHAPTER 94 AND ADOPTING A PERSONAL TRANSPORTATION VEHICLE ORDINANCE.

Be it, and it is, hereby ordained by the Mayor and Council of the City of St. Marys, this 3rd day of May, 2021 that Chapter 94, Traffic and Vehicles Article II of the Code of Ordinances, City of St. Marys, Georgia is hereby repealed in its entirety. This article is hereby reserved.

Be it, and it is, hereby ordained by the Mayor and Council of the City of St. Marys, this 3rd day of May, 2021 that Chapter 94, Traffic and Vehicles Article II of the Code of Ordinances, City of St. Marys, Georgia is hereby created and adopted to read as follows:

Personal Transportation Vehicle Ordinance

Sec. 94-100. – Short Title.

This ordinance shall be known as the “St. Marys Personal Transportation Vehicle Ordinance”

Sec. 94-101. – Definitions.

Daylight hours means the time from civil dawn until sunset.

Driver’s license means a valid license issued by the State pursuant to O.C.G.A. 40-5-20 et seq. or another state.

Golf cart means any motorized vehicle designed for the purpose of conveying one or more persons and equipment to play the game of golf and exclusively used for such purpose in an area designated as a golf course.

Inclement weather means the time when precipitation or other weather conditions make it dangerous to operate a vehicle without windshield wipers and/or without lighting.

Learner’s permit means a valid permit issued by the State pursuant to O.C.G.A 40-5-20 seq. or another state.

Low-speed motor vehicle (LSMV) means any motor vehicle, whose top speed attainable in one mile is greater than 20 miles per hour, but not greater than 25 miles per hour on a paved level surface, and which is manufactured in compliance with those federal motor vehicle safety standards for low-speed vehicles set forth in 49 C.F.R. Section 571.500 as amended.

Motorized cart means any motor vehicle having no less than three wheels and an unladen weight of 1,300 pounds or less and which cannot operate at more than 20 miles per hour.

Motor vehicle means every vehicle which is self-propelled other than an electric assisted bicycle or an electric personal assistive mobility device.

Personal transportation vehicle (PTV) means

(A) A motorized cart; and

(B) Any motor vehicle:

(1) With a minimum of four wheels:

(2) Capable of a maximum level ground speed of less than 20 miles per hour:

(3) With a maximum gross vehicle unladen or empty weight of 1,375 pounds; and

(4) Capable of transporting not more than eight persons.

The term does not include mobility aids, including electric personal assistive mobility devices, power wheelchairs, and scooters, that can be used indoors and outdoors for the express purpose of enabling mobility for a person with a disability. The term also does not include any all-terrain vehicle or multipurpose off-highway vehicle.

Sec. 94-102. PTV Rules and Regulations.

PTV's may only be operated on public streets in accordance with the following rules and regulations.

(a) Driver Qualifications: All PTV drivers must meet one of the following requirements:

(1) Hold a valid and current driver's license.

(2) Hold a valid and current instruction permit (Class CP) and who is accompanied by a person at least 21 years of age who is licensed as a driver for a commercial or noncommercial Class C vehicle, who is fit and capable of exercising control over the vehicle, and who is occupying a seat beside the driver.

(b) Equipment Required.

(1) Each PTV shall be equipped with the following equipment in good and operational condition to drive during daylight hours:

i. A braking system sufficient for the weight and passenger capacity of the vehicle, including a parking brake.

ii. Rearview or side view mirror mounted to the passenger side.

iii. An emblem as required by O.C.G.A. 40-8-4. The emblem shall be mounted on the rear of such vehicles, in the approximate horizontal geometric center of the vehicle, at the height of three feet to five feet above the roadway and shall be maintained at all times in a clean and reflective condition.

iv. Every gasoline-powered PTV shall at all times be equipped with an exhaust system in good working order and in constant operation, meeting the following specifications:

1. The exhaust system shall include the piping leading from the flange of the exhaust manifold to and including the muffler and exhaust pipes or include any and all parts specified by the manufacturer.
 2. The exhaust system and its elements shall be securely fastened, including the consideration of missing or broken brackets or hangers.
 3. The engine and powered mechanism of every cart shall be so equipped, adjusted and tuned as to prevent the escape of excessive smoke or fumes.
- (Subpart 1 adopted in accordance with O.C.G.A 40-6-330.1(b).)

(2) Each PTV shall be equipped with the following equipment in good and operational condition to drive after daylight hours or in inclement weather:

- i. Meet all requirements for operation during daylight hours.
- ii. A reverse warning device functional at all times when the directional control is in the reverse position.
- iii. A main power switch. When the switch is in the "off" position, or the key or other device that activates the switch is removed, the motive power circuit shall be inoperative. If the switch uses a key, it shall be removable only in the "off" position.
- iv. Head lamps.
- v. Reflex reflectors.
- vi. Tall lamps.
- vii. A horn.
- viii. A rearview mirror.
- ix. Safety warning labels.
- x. Hip restraints and hand holds or a combination thereof.
- xi. An amber strobe light so as to warn approaching travelers to decrease their speed because of the danger of colliding with such vehicle. Such amber strobe light shall be mounted in a manner so as to be visible under normal atmospheric conditions from a distance of 500 feet from the front and rear of such vehicle.

(Subpart 2 adopted in accordance with O.C.G.A 40-6-330.1(a).)

(c) PTVs are permitted to be operate only on streets with a posted/actual speed limit of 35 miles per hour (mph) or less except no PTV may be operated on the following road:

- (1) any portion of Winding Road; and
- (2) the portion of Dilworth Street from Seminole Avenue to W Ashley Street.

(d) PTVs are not permitted on any city owned property except for where motor vehicles are normally allowed.

(e) PTVs are not permitted on streets when the street is cordoned for special events.

(f) PTVs may not cross any street, road or highway which is part of the state highway system unless such crossing is made at a crossing or intersection designated for that purpose and which are constructed as an active grade crossing in accordance with the Manual on Uniform Traffic Control Devices. Said designation shall be made by the City Manager after consultation with the Community Development Director, Chief of Police, and Public Works Director.

122 (g) PTVs may cross streets, road, and highways which are part of the City of St. Marys street
123 system and used by other types of vehicles only at crossings or intersections where the cross
124 street has a posted/actual speed limit of 45 mph or less.
125 (Ex. Crossing Point Peter Road)

126 (h) PTV drivers must adhere to all traffic regulations and requirements applicable to the road or
127 street being travelled and must yield the right-of-way to approaching vehicles where
128 practical.

129 (i) PTVs are not permitted to travel on sidewalks, bike paths, and otherwise motorized vehicle
130 restricted areas.

131 (j) All occupants shall be seated when the PTV is in motion. No person may sit on the operator's
132 lap during the operation of a PTV.

133 (k) PTVs shall not be used for the towing of another cart, wagon, skateboard bicycle or person
134 on roller skates, and the like.

135 (l) No individual or group operating or driving PTVs shall engage in hazardous activities on the
136 streets and those areas accessible by the public. Such hazardous activities, and the special
137 rules pertaining to them, include but are not limited to the following

138 (1) Racing in any form, except for special events approved by the city; and

139 (2) Blocking of public access, except for special events approved by the city.

140 (m) All PTVs are entitled to full use of a lane, and no motor vehicle shall be driven in such
141 manner as to deprive a PTV of the full use of lane.

142 (n) The operator of a PTV shall not overtake and pass in the same lane occupied by the vehicle
143 being overtaken.

144 (o) No person shall operate a PTV between lanes of traffic or between adjacent lines or rows of
145 vehicles.

146 (p) PTVs shall not be operated two or more abreast in a single lane.

147 Operators of PTVs shall abide by all applicable Uniform Rules of the Road, as defined by state
148 law and as amended.

149 **Sec. 94-103. Carts for Hire.**

150 Each cart which is intended for use/used as public conveyance or as a rental cart shall meet the
151 following requirements.

152 (a) Hold a current and valid annual cart registration with the City of St. Marys. Cart registrations
153 are valid for one (1) year following issuance. Application for a cart registration shall be filed
154 on a form prescribed by the Community Development Director and include the attached:

155 (1) The fee for registration of \$15.00 per year.

156 (2) Copy of public liability insurance coverage which names the City as a beneficiary for at
157 least the following amounts.

Insurance	Amount
Bodily injury liability	\$500,000.00
Property damage liability	\$500,000.00
Automobile bodily injury	\$500,000.00 each person
Liability	\$1,000,000.00
Automobile property damage	\$500,000.00

- (b) Display the current and valid cart registration on the cart.
- (c) Provide to each renter, in the instance of rental carts, a brochure about the rules and regulations for PTVs prescribed by the Community Development Director.

Sec. 94-104. Exceptions.

- (a) This ordinance shall not apply to golf carts which are operated exclusively on a private golf course and which only utilize public streets to use a cart crossing in order to go from one portion of the golf course to another portion.
- (b) The City Manager or their designee may issue exceptions by written order to specific provisions of this ordinance for special events except where prohibited by law. Exceptions by written order must be provided to the Community Development Director and Chief of Police to be valid.

Sec. 94-105. LSMVs not regulated by ordinance.

Low-speed motor vehicles are regulated by state law.

Sec. 94-106. Liability.

Each person using the recreation paths is liable for his own actions. Liability insurance coverage varies and each person operating a PTV on the recreation paths and public streets and those areas accessible by the public should verify their coverage.

Sec. 94-107. Penalties.

- (a) Any person who violates the terms of this ordinance, shall be punished as follows:
- (1) For the first offense, a fine of not less than \$50.00.
 - (2) For the second offense, a fine of not less than \$100.00.
 - (3) For the third offense committed within one year of conviction for a second offense for a PTV, the penalty will be determined following the provisions of section 1-12 of this Code. In addition, the registered owner's PTV registration (If public conveyance for hire) shall be revoked. The registered owner or family member cannot thereafter register a PTV (for public conveyance for hire) for use in the city for a period of two years following the third conviction.
 - (4) Multiple offenses within the first offense will be fined as a first offense. Multiple offenses within the second offense will be fined as a second offense. Multiple offenses within third or subsequent offenses will be fined per section 1-12 of this Code.
- (b) Any violation by an operator of a PTV shall be charged against the operator according to the provisions of O.C.G.A. title 40, and this Code. Any violation by an owner of a PTV shall be charged against the owner according to the provisions of O.C.G.A. title 40, and this Code. Any violation by a nonqualified driver who is not an adult shall be charged against the owner of the PTV according to this Code.
- (c) Enforcement of this ordinance shall be the responsibility of the Community Development Director, their designees, and the St. Marys Police Department.

200
201
202
203 This amendment shall become effective on June 1, 2021.
204
205

206 ST. MARYS CITY COUNCIL
207 ST. MARYS, GEORGIA
208

209
210
211
212 By: _____

213 JOHN F. MORRISSEY, MAYOR
214

215
216
217 Attest: _____

218 DEBORAH WALKER-REED, CITY CLERK

219 CITY OF ST. MARYS, GEORGIA

