

Use of Golf Carts

Policy

The Muskingum Watershed Conservancy District (MWCD) will allow the use of golf carts on MWCD public roadways and other approved areas within its landholdings, in compliance with the direction of the Ohio Department of Public Safety, Bureau of Motor Vehicles (BMV), the Ohio Revised Code (R.C.), the Ohio Administrative Code (A.C.), and MWCD rules.

For this policy, MWCD public roadways include roads designated for public use in MWCD parks and campgrounds, MWCD cottage site residential areas and MWCD marinas. For this policy, MWCD public roadways do not include dedicated Township, County, State, or Federal roadways and/or highways, because use of golf carts on these roads is under the jurisdiction of the Township, County, State, or Federal governments.

Guidelines

Introduction

Ohio Revised Code §4511.215 permits Local authorization for operation of low-speed, under-speed, or utility vehicle, or a mini-truck. Ohio Revised Code §4501.01(XX) defines an under-speed vehicle “USV” as: “a three or four wheeled vehicle, including a vehicle commonly known as a golf cart, with an attainable speed on a paved level surface of not more than twenty miles per hour with a gross vehicle weight rating less than three thousand pounds.” Under-speed vehicle and USV hereinafter referred to as “Golf Cart”.

A local authority that authorizes the operation of under-speed or utility vehicles or mini-trucks shall do all of the following:

Limit the operation of those vehicles to streets and highways having an established speed limit not greater than thirty-five miles per hour;

Require the vehicle owner who wishes to operate an under-speed or utility vehicle or a mini-truck on the public streets or highways to submit the vehicle to an inspection conducted by a local law enforcement agency that complies with inspection requirements established by the department of public safety under R.C. §4513.02;

Permit the operation on public streets or highways of only those vehicles that successfully pass the required vehicle inspection, are registered in accordance with Chapter 4503 of the Revised Code and are titled in accordance with Chapter 4505 of the Revised Code;

Notify the director of public safety, in a manner the director determines, of the authorization for the operation of under-speed or utility vehicles or mini-trucks.

There are other types of vehicles similar to Golf Carts such as Low-speed vehicles, Utility Vehicles and Mini Trucks designed to reach speeds of between twenty to twenty-five miles per hour that are manufactured to meet FMVSS and may be licensed or licensable from the factory without need for further modification. A local authority may establish additional requirements for the operation of under-speed or utility vehicles or mini-trucks on its streets and highways.

This Policy is intended to regulate the use of Golf Carts on MWCD land. These guidelines do not regulate such vehicles and MWCD does not permit Low-Speed Vehicles, Utility Vehicles or Mini Trucks to operate on MWCD land. The MWCD reserves the right to make exceptions to this Policy in the event of an emergency or for special circumstances.

MWCD Public Roadways

The operation of Golf Carts on public roadways within MWCD landholdings is a privilege and not a right. The MWCD reserves the right to change the requirements contained herein or eliminate the Policy in its entirety at any time, based on the discretion of the Board of Directors. Operators of Golf Carts on an MWCD public roadway must comply with the following:

1. The MWCD Chief Ranger or a Park Ranger, shall conduct a vehicle inspection and provide the applicant with a DPS 1373 form, that certifies the vehicle complies with the inspection requirements established by the Ohio Department of Public Safety under R.C. §4513.02. The officer will also provide an inspection sticker indicating that the Golf Cart passed the inspection. The sticker shall be placed on the lower right side of the Golf Cart's windshield and should identify the month and year the vehicle was inspected. The Golf Cart must have:
 - a. Brakes (R.C. §4513.20)
 - b. Two or more stop lights (R.C. §4513.071)
 - c. Two headlights as defined in (R.C. §4513.04)
 - d. Rear taillight (R.C. §4513.05)
 - e. Warning Devices -Directional signals and Horn (R.C. §4513.261 & §4513.21)
 - f. Steering Mechanism – Operates normally, no excessive play (OAC §4501:2-1-05)
 - g. A windshield (glass or safety glass) (R.C. §4513.24)
 - h. A rear-view mirror (R.C. §4513.23)
 - i. Tires (OAC §4501:2-1-06)
 - j. License plate as required (R.C. §4503.21)
 - k. Proof of Insurance (R.C. §4513.022 & §4509.101)
 - l. Valid Driver's License (R.C. §4507.02 A1)
 - m. Signed MWCD Waiver
2. The Ranger will initiate a call record with a Nature Code of "Golf Cart Inspection". Complete the DPS 1373 Vehicle Inspection form and the waiver and give it to the applicant. A photo of the waiver and the DPS 1373 with the Inspection decal number recorded in the upper right-hand corner shall be uploaded to the call record. The owner of the Golf Cart will be listed as the caller on the call record. If the Golf Cart passes the inspection the Ranger will place the Inspection decal in the lower right-hand corner of the Golf Cart's windshield.
3. The applicant takes the completed DPS 1373 Form to the Clerk of Court's title office in one of the 10 counties MWCD permits Golf Cart operation. The clerk will verify that the inspection certificate accompanies the title evidence and the vehicle inspection requirements per R.C. Chapter 4513. The title agencies will require the applicant to sign the BMV 3722 Affidavit for titling the vehicle. If verified and everything else is in order, the clerk should issue the title.
4. The applicant provides proof of insurance for the cart as required per R.C. §4509.101.

5. The applicant will take the title to a deputy registrar in any county. If all is in order, the deputy registrar will issue license plate.
6. A valid drivers license is required for any operation of a motor vehicle on any public or private property used by the public (R.C. §4507.02(A)(1)).
7. The cart may then be operated on MWCD public roadways and other approved areas within MWCD landholdings in accordance with R.C. Chapter 4511, MWCD rules, and with the equipment required by R.C. Chapter 4513.

Off-Road

The granting of a special-use off-road permit to operate a Golf Cart off public roadways within MWCD landholdings is a privilege and not a right. The MWCD reserves the right to change the requirements contained herein or eliminate the Policy in its entirety at any time, based on the discretion of the Board of Directors. All persons requesting a permit must execute a release/waiver document.

Any permit may be revoked for:

1. Failure to follow the limitations prescribed for the permit;
2. Reckless or negligent operation of an off-road permitted vehicle;
3. The loss of viability of the underlying disability placard that is required for permits issued in MWCD parks or campgrounds; or
4. Any other reason for cause, in the discretion of management of the MWCD.

A valid drivers license is required for any operation of a motor vehicle on any public or private property used by the public (R.C. §4507.02(A)(1)).

In order for someone to operate a Golf Cart **off of a public roadway** within MWCD landholdings, the following requirements must be met:

MWCD Parks/Campgrounds

1. A special-use off-road permit may be issued by the park manager, or his or her designee, to MWCD campground guest/permit holder who qualify for and have obtained a disability placard from the BMV. This permit will allow the applicant to take the Golf Cart off, an MWCD public roadway to specific locations and under certain conditions, as detailed on the permit. The applicant's permit must be kept with the cart and presented when requested by a law enforcement officer or MWCD agent. Only one active permit per campsite is allowed.
2. In the event the MWCD determines off-road Golf Cart traffic is detrimental to ground conditions, for example, by increasing erosion, it may require the applicant to cease cart operation, relocate cart operation, or make necessary improvements to remedy the problem.
3. There are non-public roadways, typically "service roads", in MWCD parks and campgrounds, accessible only to authorized MWCD personnel.

MWCD Leased Cottage Site Residential Areas

1. A special-use off-road permit may be issued by the MWCD to the current lessee(s) of record, to allow them to take a cart on to MWCD public land not involving a public roadway, at specific locations and for certain situations, and these conditions will be explained on the permit. The permit must be kept with the cart and presented when requested by a law enforcement officer or MWCD agent. Only one

active permit per lease is allowed. The lessee will ensure only legitimate use of their cart and will take action to deter unauthorized cart use.

2. In the event the MWCD determines off-road cart traffic is detrimental to ground conditions, for example, by increasing erosion, it may require the applicant to cease cart operation, relocate cart operation, or make necessary improvements to remedy the problem.
3. Construction projects on public land to facilitate cart operation or improve cart access may require an MWCD construction permit. Recognizing the public usage of this land, certain construction permits (for example: a bridge) cannot be issued to individual lessees. In such cases, a lessee association must exist or be established, and this association must agree to accept responsibility for such projects. Construction permits may then be issued to the association.

Docking Associations and Private Clubs

1. Except as noted in paragraph number 3 directly below, a special-use off-road permit may be issued by the MWCD to the association or club to allow association or club members to take carts on to MWCD public land not involving a public roadway, at specific locations and for certain situations, and these conditions will be explained on the permit. The association or club will ensure only legitimate use of carts by its members and will take action to deter unauthorized cart use.
2. In the event the MWCD determines off-road cart traffic is detrimental to ground conditions, for example, by increasing erosion, it may require the association or club to cease cart operation, relocate cart operation, or make necessary improvements to remedy the problem. A construction permit may be required.
3. Members of private clubs may operate Golf Carts within club lease boundaries for purposes of club operations, in compliance with the terms of their Club Site lease and MWCD rules.

Youth Camps

1. Except as noted in paragraph number 3 directly below, a special-use off-road permit may be issued by the MWCD to the camp to allow camp personnel to take carts on to MWCD public land not involving a public roadway, at specific locations and for certain situations, and these conditions will be explained on the permit. The camp will ensure only legitimate use of carts by its personnel and will take action to deter unauthorized cart use.
2. In the event the MWCD determines off-road cart traffic is detrimental to ground conditions, for example, by increasing erosion, it may require the camp to cease cart operation, relocate cart operation, or make necessary improvements to remedy the problem. A construction permit may be required.
3. Youth camp personnel may operate Golf Carts within camp lease boundaries for purposes of camp operations, in compliance with the terms of their Club Site Lease and MWCD rules.

Private Dock Licensees

1. A special-use off-road permit may be issued by the MWCD to the current licensee of record to allow them to take a cart on to MWCD public land not involving a public roadway, at specific locations and for certain situations, and these conditions will be explained on the permit. The permit must be kept with the Golf Cart and presented when requested by a law enforcement officer or MWCD agent. The licensee will ensure only legitimate use of their cart and will take action to deter unauthorized cart use.

2. In the event the MWCD determines off-road cart traffic is detrimental to ground conditions, for example, by increasing erosion, it may require the licensee to cease cart operation, relocate cart operation, or make necessary improvements to remedy the problem. A construction permit may be required.
3. Construction projects on public land to remedy cart operation problems or improve cart access may require an MWCD construction permit. Given the public accessibility of this land, certain construction permits (for example: a bridge) cannot be issued to individual licensees.

Marinas

1. Marinas may operate Golf Carts off of a public roadway within marina lease boundaries for purposes of marina operations, in compliance with the terms of their marina lease and MWCD rules.

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