

1 ST. MARYS CITY COUNCIL

2 ST. MARYS, GEORGIA

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

4 Present:

- 5
- 6 John F. Morrissey, Mayor
- 7 Artie Jones, Jr., Councilman, Post 1
- 8 Jim Goodman, Councilman, Post 2
- 9 Jim Gant, Councilman Post 3
- 10 David Reilly, Councilman, Post 4
- 11 Allen F Rassi Jr., Councilman, Post 5
- 12 Lisa James, Councilwoman, Post 6

13
14 On motion of _____, which carried _____, the following
15 Ordinance amendment was adopted:

16
17 **AN AMENDMENT TO THE CODE OF ORDINANCES, CITY OF ST. MARYS, GEORGIA, REPEALING ARTICLE II OF**
18 **CHAPTER 94 AND ADOPTING A PERSONAL TRANSPORATION VEHICLE ORDINANCE.**

19
20 Be it, and it is, herby ordained by the Mayor and Council of the City of St. Marys, this _____ day of
21 _____, 2021 that Chapter 94, Traffic and Vehicles Article II of the Code of
22 Ordinances, City of St. Marys, Georgia is hereby repealed in its entirety. This article is hereby reserved.

23 Be it, and it is, herby ordained by the Mayor and Council of the City of St. Marys, this _____ day of
24 _____, 2021 that Chapter 94, Traffic and Vehicles Article III of the Code of
25 Ordinances, City of St. Marys, Georgia is hereby created and adopted to read as follows:

26 **Personal Transportation Vehicle Ordinance**

27 Sec. 94-100. – Short Title.

28 This ordinance shall be known as the "St. Marys Personal Transportation Vehicle Ordinance".

29 Sec. 94-101. – Definitions.

30 **Daylight hours** means the time from civil dawn until sunset.

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

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

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

38 **Learner's permit** means a valid permit issues by the State pursuant to O.C.G.A. § 40-5-20 *et seq.* or
39 another state.

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

44 **Motorized cart** means any motor vehicle having no less than three wheels and an unladen weight of
45 1,300 pounds or less and which cannot operate at more than 20 miles per hour.

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

48 **Personal transportation vehicle** (PTV) means:

49 (A) A motorized cart; and

50 (B) Any motor vehicle:

51 (1) With a minimum of four wheels;

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

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

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

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

59 **Sec 94-102. PTV Rules and Regulations.**

60 PTVs may only be operated on public streets in accordance with the following rules and regulations.

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

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

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

67 (b) Equipment Required.

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

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

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

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

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

- 79 1. The exhaust system shall include the piping leading from the flange of the
80 exhaust manifold to and including the muffler and exhaust pipes or include any
81 and all parts specified by the manufacturer.
82 2. The exhaust system and its elements shall be securely fastened, including the
83 consideration of missing or broken brackets or hangers.
84 3. The engine and powered mechanism of every cart shall be so equipped, adjusted
85 and tuned as to prevent the escape of excessive smoke or fumes.

86 *(Subpart 1 adopted in accordance with O.C.G.A. §40-6-330.1(b).)*

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

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

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

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

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

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

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

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

119 (g) PTVs may cross streets, roads, and highways which are part of the City of St. Marys street system and
120 used by other types of vehicles only at crossings or intersections where the cross street has a
121 posted/actual speed limit of 45 mph or less.

122 *(Ex. Crossing Point Peter Road)*

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

- 125 (i) PTVs are not permitted to travel on sidewalks, bike paths, and otherwise motorized vehicle restricted
- 126 areas.
- 127 (j) All occupants shall be seated when the PTV is in motion. No person may sit on the operator's lap
- 128 during the operation of a PTV.
- 129 (k) PTVs shall not be used for the towing of another cart, wagon, skateboard bicycle, or person on roller
- 130 skates, and the like.
- 131 (l) No individual or group operating or driving PTVs shall engage in hazardous activities on the streets
- 132 and those areas accessible by the public. Such hazardous activities, and the special rules pertaining to
- 133 them, include but are not limited to the following
- 134 (1) Racing of any form, except for special events approved by the city; and
- 135 (2) Blocking of public access, except for special events approved by the city.
- 136 (m) All PTVs are entitled to full use of a lane, and no motor vehicle shall be driven in such manner as to
- 137 deprive a PTV of the full use of a lane.
- 138 (n) The operator of a PTV shall not overtake and pass in the same lane occupied by the vehicle being
- 139 overtaken.
- 140 (o) No person shall operate a PTV between lanes of traffic or between adjacent lines or rows of vehicles.
- 141 (p) PTVs shall not be operated two or more abreast in a single lane.
- 142 Operators of PTVs shall abide by all applicable Uniform Rules of the Road, as defined by state law and as
- 143 amended.

144 Sec 94-103. Carts for Hire.

145 Each cart which is intended for use/used as public conveyance or as a rental cart shall meet the following

146 requirements:

- 147 (a) Hold a current and valid annual cart registration with the City of St. Marys. Cart registrations are valid
- 148 for one (1) year following issuance. Application for a cart registration shall be filed on a form
- 149 prescribed by the Community Development Director and include the attached:
- 150 (1) The fee for registration of \$15.00 per year.
- 151 (2) Copy of public liability insurance coverage which names the City as a beneficiary for at least the
- 152 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

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

156 Sec 94-104. Exceptions.

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

163 Sec. 94-105. LSMVs not regulated by ordinance.
164 Low-speed motor vehicles are regulated by state law.

165 Sec. 94-106. Liability.

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

169 Sec. 94-107. Penalties.

170 (a) Any person who violates the terms of this ordinance, shall be punished as follows:

171 (1) For the first offense, a fine of not less than \$50.00.

172 (2) For the second offense, a fine of not less than \$100.00.

173 (3) For a third offense committed within one year of conviction for a second offense for a PTV, the
174 penalty will be determined following the provisions of section 1-12 of this Code. In addition, the
175 registered owner's PTV registration (if public conveyance for hire) shall be revoked. The
176 registered owner or family member cannot thereafter register a PTV (for public conveyance for
177 hire) for use in the city for a period of two years following the third conviction.

178 (4) Multiple offenses within the first offense will be fined as a first offense. Multiple offenses within
179 the second offense will be fined as a second offense. Multiple offenses within third or subsequent
180 offenses will be fined per section 1-12 of this Code.

181 (b) Any violation by an operator of a PTV shall be charged against the operator according to the
182 provisions of O.C.G.A. title 40, and this Code. Any violation by an owner of a PTV shall be charged
183 against the owner according to the provisions of O.C.G.A. title 40, and this Code. Any violation by a
184 nonqualified driver who is not an adult shall be charged against the owner of the PTV according to
185 this Code.

186 (c) Enforcement of this ordinance shall be the responsibility of the Community Development Director,
187 their designees, and the St. Marys Police Department.
188

189 This Amendment shall become effective on June 1, 2021.
190

191 **ST. MARYS CITY COUNCIL**

192 **ST. MARYS, GEORGIA**

193
194 _____
JOHN F. MORRISSEY, MAYOR

195 ATTEST:

196 _____
197 DEBORAH WALKER-REED, CITY CLERK

198 CITY OF ST. MARYS, GEORGIA