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**GLYNN COUNTY BOARD OF COMMISSIONERS
BRUNSWICK, GEORGIA**

Ordinance: #O-2019-_____
Adoption:

At the regular meeting of the Glynn County Board of Commissioners, held in the Glynn County Historic Courthouse, Second Floor Commissioners' Meeting Chambers, 701 "G" Street, Brunswick, Georgia, there were present:

- Michael Browning, Chairman, District 1
- Bill Brunson, Vice Chairman, District 4
- Peter Murphy, Commissioner, District 2
- Wayne Neal, Commissioner, District 3
- Allen Booker, Commissioner, District 5
- David O'Quinn, Commissioner, At Large Post 1
- Bob Coleman, Commissioner, At Large Post 2

On the motion of _____, which carried _____, the following was adopted:

AN AMENDMENT TO CHAPTER 2-15 OF THE GLYNN COUNTY CODE OF ORDINANCES; TO ENACT A NEW ARTICLE III; TO PROVIDE FOR THE USE OF PERSONAL TRANSPORTATION VEHICLES AND LOW-SPEED VEHICLES ON CERTAIN DESIGNATED PUBLIC STREETS; TO DESIGNATE CERTAIN PUBLIC STREETS TO BE USED BY SUCH VEHICLES; TO PROVIDE FOR PLACES OF CROSSING HIGHWAYS; TO PROVIDE FOR REGISTRATION REQUIREMENTS; TO PROVIDE FOR RULES OF OPERATION; AND FOR OTHER PURPOSES.

BE IT ORDAINED, by the Glynn County Board of Commissioners, this __ day of July, 2019, that the Code of Ordinances, Glynn County, Georgia, be and it is hereby amended to enact Article III of Chapter 2-15, Traffic Control, of the Code of Ordinances, Glynn County, Georgia. The enacted ordinance will read as follows:

ARTICLE III. PERSONAL TRANSPORTATION VEHICLE ORDINANCE

2-15-60 Short Title. This Ordinance shall be known as the "Glynn County Personal Transportation Vehicle Ordinance."

2-15-61 Findings and Intent. This Ordinance is adopted in the interest of public safety. Personal transportation vehicles, low-speed vehicles, and other similar vehicles, while not designed or manufactured to be used on public highways, streets, and roads (hereafter "public streets") are nonetheless being used on the public streets in the unincorporated area of Glynn County. However, Glynn County has concluded that public streets in the unincorporated area of Glynn County which have a posted speed limit of

47 twenty-five (25) miles per hour or less are suitable to safely accommodate
48 both regular vehicle traffic and personal transportation vehicles without
49 adversely impacting traffic safety or the travel needs of other users if
50 operated as required by this Ordinance. All persons who operate or ride in
51 personal transportation vehicles, low-speed vehicles, and other similar
52 vehicles on public streets do so with their own judgment and at their own
53 risk, and must be observant of, and attentive to the safety of themselves
54 and others, including their passengers, other motorists, bicyclists, and
55 pedestrians. Notwithstanding any law to the contrary, Glynn County has no
56 liability in negligence, nuisance or under any other cause of action for losses
57 resulting from the use of personal transportation vehicles, low-speed
58 vehicles, and other similar vehicles on roads, rights-of-way or other public
59 property under this Ordinance. Any person who operates personal
60 transportation vehicles, low-speed vehicles, and other similar vehicles is
61 responsible for procuring appropriate insurance as may be required by any
62 law of the State of Georgia or this Ordinance as a condition of operating
63 same on the roads of Glynn County.
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65 **2-15-62 Definitions.**

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67 For the purposes of this Ordinance, the following terms, phrases, words and
68 their derivations shall have the meaning given herein except where the
69 context clearly indicates a different meaning:
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71 Golf Cart means any motorized vehicle designed primarily for the purpose
72 of conveying one or more persons and equipment to play the game of golf
73 and exclusively used for such purpose in an area designated as a golf
74 course.
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76 Low-Speed Vehicle (LSV) means any four-wheeled electric vehicle whose
77 top speed attainable in one mile is greater than 20 miles per hour but not
78 greater than 25 miles per hour on a paved level surface and which is
79 manufactured in compliance with those federal motor vehicle safety
80 standards for low-speed vehicles set forth in 49 C.F.R. Section 571.500 and
81 in effect on January 1, 2001. This definition is the same as set forth in
82 O.C.G.A. § 40-1-1(25.1). Any amendments to the definition set forth at
83 O.C.G.A. § 40-1-1(25.1) shall automatically be incorporated herein.
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85 Motor Vehicle means every vehicle which is self-propelled other than an
86 electric personal assistive mobility device. This definition is the same as set
87 forth in O.C.G.A. § 40-1-1(33). Any amendments to the definition set forth
88 at O.C.G.A. § 40-1-1(33) shall automatically be incorporated herein.
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90 Occupant means a person or a pet.
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Personal Transportation Vehicle (PTV) means any motor vehicle with a minimum of four wheels, capable of a maximum level ground speed of less than 20 miles per hour with a maximum gross vehicle unladen or empty weight of 1,375 pounds and capable of transporting not more than eight persons. The term does not include mobility aids, including power wheelchairs and scooters, which 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. This definition is the same as set forth in O.C.G.A. § 40-1-1(43.1). Any amendments to the definition set forth at O.C.G.A. § 40-1-1(43.1) shall automatically be incorporated herein.

Pet means a domesticated animal normally maintained in or near the household of its owner.

Public street means the entire width between the boundary lines of every right-of-way or place open to the use of the public for purposes of vehicular travel within the boundaries of the unincorporated area of Glynn County, including streets and alleys.

Seat Belt means a seat safety belt approved under Federal Motor Vehicle Safety Standard 208.

Unladen Weight means the weight of a vehicle without load as per the manufacturer's specifications for such vehicle.

Valid Driver's License means any current and valid license issued by the State of Georgia, another state of the United States of America, or an international agency which permits persons to operate motor vehicles on the public streets of the state.

To the extent not stated above, the definitions set forth in O.C.G.A. § 41-1-1, as amended, are incorporated herein by reference.

2-15-63

Applicability. The provisions of this Ordinance shall apply to personal transportation vehicles operated on public streets in the unincorporated areas of Glynn County. The provisions shall not apply to personal transportation vehicles operated on private roads, private streets, or other private property. The provisions shall not apply to personal transportation vehicles owned by dealers, distributors, or other commercial establishments when the PTV is intended exclusively for sale or resale. The provisions shall not apply to golf carts as defined herein.

138 2-15-64

Personal Transportation Vehicle Registration.

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PTVs must be registered prior to operating on public streets in Glynn County.

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(a) It shall be the duty of every owner of a PTV operated on public streets in the unincorporated area of Glynn County to register the PTV with Glynn County prior to operating the PTV on any public street. A decal will be issued by Glynn County for each PTV upon registration. The decal must be permanently affixed to the driver's side of the PTV in such a manner as to be visible at all times and as not to interfere with safe operation of the vehicle. The registration of a PTV shall be non-transferable.

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(b) A fee of \$15.00 to register each PTV for use on public streets will be charged to cover the costs of implementing and maintaining this Ordinance. Each registration shall be valid for a period of five (5) years or until ownership is transferred to another owner.

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(c) To register a PTV, owners shall provide the make and model of the PTV, any vehicle identification number or serial number for the PTV, and the name, address, and phone number of the owner. PTVs may be registered only in one owner's name and the registration form must be signed by the owner.

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(d) When ownership of a previously registered PTV is conveyed from one party to another, the new owner shall register the PTV anew in accordance with the provisions of subsections (a) through (c) herein.

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(e) The failure to register a PTV and/or the failure to have a current registration decal affixed to a PTV while operated on a public street shall be a violation of this Ordinance and subject the owner of the PTV to the penalties set forth in Section 2-15-69.

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(f) PTV dealers, PTV distributors, and other commercial establishments may rent PTVs to the public for use on designated public streets. Establishments renting PTVs shall be required to register each PTV in accordance with this section. Additionally, such establishments shall keep a written record of each person that rents each PTV. Renters must possess a valid Driver's License, shall be provided a copy of this Ordinance to read, and must be at least 16 years of age. The establishment shall have the renter sign a statement acknowledging that they have been provided a copy of this Ordinance. A copy of the statement shall be kept in the PTV when it is being operated on public streets. The registration fees and regulations, along with all equipment and operating regulations, shall apply to rented PTVs.

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(g) When registering a PTV, the owner shall be required to sign an affidavit that the information provided by the owner on the registration form is true and correct to the best of their knowledge, that the vehicle has all of the equipment required by Section 2-15-66, and that the owner agrees to abide by all applicable requirements of state law and this Ordinance.

(h) The County Manager, at his or her discretion, may waive these registration requirements for special events of a limited duration when it is likely that out-of-county residents may bring PTVs as participants. Such special events shall last no longer than seven calendar days.

2-15-65 Insurance Required.

(a) No owner of a PTV shall operate, or authorize any other person to operate, the PTV on public streets unless the owner has liability insurance with limits of not less than the amounts specified in subparagraph (a)(1)(A) of O.C.G.A. § 33-7-11.

(b) The owner or operator of a PTV shall keep proof of the required insurance coverage in the PTV at all times.

(c) The County Manager, at his or her discretion, may waive these insurance requirements for special events of a limited duration when it is likely that out-of-county residents may bring PTVs as participants. Such special events shall last no longer than seven calendar days,

2-15-66 Personal Transportation Vehicle Equipment.

(a) In addition to any equipment required by state law, all PTVs shall be equipped with:

- (1) a braking system, including a parking brake, sufficient for the weight and passenger capacity of the vehicle;
- (2) a reverse warning device functional when the directional control is in the reverse position;
- (3) 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;
- (4) functional headlights and taillights;
- (5) functional front and rear turn signals;

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- (6) functional stop lamps (brake lights);
 - (7) reflex reflectors and a rearview mirror;
 - (8) a horn and hand holds;
 - (9) a seat belt for each designated seat; and
 - (10) a slow-moving vehicle emblem consisting of a fluorescent, orange equilateral triangle with a 2-inch red retroreflective border. The emblem shall be affixed to the rear of the PTV.
- (b) Gasoline-powered PTVs shall be equipped with an exhaust system in good working order and in constant operation to prevent the escape of excessive smoke or fumes and to prevent excessive noise.

2-15-67 Personal Transportation Vehicle Operation.

- (a) PTVs may only be operated on public streets in the unincorporated area of Glynn County which have a posted speed limit of twenty-five (25) miles per hour or less.
- (b) PTVs and LSVs shall not be operated on sidewalks or bike paths at any time.
- (c) Each person occupying a PTV shall be restrained by a seat belt while the PTV is being operated on a public street.
- (d) Every operator that transports a child under the age of eight years in a PTV on a public street shall provide for the proper restraint of such child in a child passenger restraining system that is installed and used in accordance with the manufacturer's directions for such system. The child may be restrained by a seat belt if such child weighs at least 40 pounds or if the child's height is over four feet and nine inches.
- (e) PTVs shall not be operated upon, nor cross, streets and highways that are part of the state highway system.
- (f) Except as prohibited by law, PTVs may cross public streets with a posted speed limit greater than twenty-five (25) miles per hour so long as the PTV is traveling from one street with a posted speed limit of 25 miles per hour or less to another street with a posted speed limit of 25 miles per hour or less.

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- (g) PTVs must use headlights and taillights when operated on public streets during non-daylight hours, when it is raining, or when there is not sufficient visibility to render clearly discernible persons and/or vehicles at a distance of 500 feet ahead.
- (h) The maximum occupancy of a PTV shall be one occupant per designated seat.
- (i) Operators of PTVs must possess a valid Driver's License and must be at least 16 years of age.
- (j) Operators of PTVs shall not overtake or pass in the same lane occupied by the vehicle being overtaken or passed.
- (k) Operators of PTVs shall not operate between lanes of traffic or between adjacent lines or rows of vehicles.
- (l) PTVs shall not be operated two or more abreast in a single lane.
- (m) Operators of PTVs shall pull off the road at the first opportunity to safely do so if there are three or more motor vehicles immediately following the PTV.
- (n) Operators of PTVs shall abide by all traffic regulations applicable to vehicular traffic using public streets.

2-15-68 Low-Speed Vehicles.

LSVs are regulated by state law. State law requires LSVs operating on public streets to register with the State of Georgia, to obtain and maintain insurance coverage, and to adhere to the equipment requirements of all applicable provisions of Article 1, Chapter 8, Title 40 of the Official Code of Georgia Annotated. Further, in accordance with state law, LSVs may only be operated on public streets which have a posted speed limit of thirty-five (35) miles per hour or less. All LSVs operating on the public streets in the unincorporated area of Glynn County shall comply with all applicable provisions of state law.

2-15-69 Penalties and Enforcement.

- (a) Violations of the provisions of this Ordinance shall be a misdemeanor. Any person that violates this Ordinance shall be cited to appear before the Glynn County Magistrate Court.
- (b) Except for violations of Section 2-15-67, violations of this Ordinance by the operator of a PTV shall also be charged against the registered owner

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and all fines and penalties shall be levied against both the owner and the operator.

(c) The maximum permissible fine shall be \$1,000.00 per offense. As a deterrent to violation, second and subsequent violations by the same offender of any provision of this Ordinance whether violations of the same or different provisions of this Ordinance as the initial violation, and whether involving the same or different property, shall increase the fine owing and penalties as follows:

- (1) For a first violation – a fine not to exceed \$200;
- (2) For a second violation committed within one year of conviction of a first violation – a fine not to exceed \$500; and
- (3) For a third violation committed within one year of conviction of a second violation – a fine not to exceed \$750 and, if the violation involves a PTV, the PTV owner’s registration shall be revoked by Glynn County. The registered owner shall not thereafter register a PTV for use on public streets for a period of one year from the date of the third conviction. Additionally, such person shall be prohibited from operating a PTV on public streets for a period of one year.

This Amendment shall become effective 90 calendar days from the date of adoption.

**BOARD OF COMMISSIONERS,
GLYNN COUNTY, GEORGIA**

MIKE BROWNING, CHAIRMAN

ATTEST:

DHWANI PATEL, CLERK

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EXPLANATION OF CHANGES

This Ordinance is entirely new.

