

**A M E N D M E N T**

STATE OF GEORGIA  
CITY OF MADISON:

An amendment to the Madison City Code replacing Article II, entitled "Uniform Rules of the Road", specifically Section 78-33 to 78-65.

WHEREAS, the Madison City Code was adopted on May 10, 1999; and

WHEREAS, said code may be amended from time to time; and

WHEREAS, the Mayor and Council find the following amendment promotes the health, safety, morals, convenience, order, prosperity and general welfare of the City.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council that the Code is amended as follows:

1.

By replacing Article II, entitled "Uniform Rules of the Road", specifically Section 78-33 to 78-65, with a new Article II, Section 78-33 to 78-65, herein attached as "Exhibit A."

2.

Where there is an apparent conflict in the above section of the code between specific and general provisions, the specific shall control.

3.

If any part of this amendment shall be declared invalid or unconstitutional, or if any part hereof as applied to any particular situation or circumstance shall be declared invalid or unconstitutional, such shall not be construed to affect the portions of this amendment not held invalid, or the application hereof to other circumstances not held to be invalid. It is declared as the intent hereof that this amendment would have been adopted had such invalid portion of application not been included herein.

4.

All ordinances, code sections, amendments or parts thereof in conflict herewith, and nor preserved hereby, are repealed.

5.

This amendment shall take effect on \_\_\_\_\_, 2023.

READ AND APPROVED this \_\_\_ day of \_\_\_\_\_, 2023.

CITY OF MADISON, GEORGIA (SEAL)

By:

\_\_\_\_\_  
Fred Perriman, Mayor

\_\_\_\_\_  
Rick Blanton, Council Member

\_\_\_\_\_  
Carrie Peters-Reid, Council Member

\_\_\_\_\_  
Ed Latham, Council Member

\_\_\_\_\_  
Eric Joyce, Council Member

\_\_\_\_\_  
Betsy Wagenhauser, Council Member

Attest:

\_\_\_\_\_  
Ashley Hawk, City Clerk

## **EXHIBIT "A"**

### **ARTICLE II: UNIFORM RULES OF THE ROAD**

**Section 78-33 – 78.49. Reserved.**

**Section 78-50. Motorized Carts.**

**Section 78-51. Findings; definition.**

The city council finds that all streets located within the corporate limits of the city, other than the streets hereinafter specifically excepted, are designed and constructed so as to safely permit their use by motorized carts in combination with regular vehicular traffic. "Motorized cart" as used in this chapter is defined as an electric or gasoline powered motor vehicle, having no less than three wheels and an unladen weight of one thousand three hundred (1,300) pounds or less, commonly called a golf cart, which is not designed for speeds in excess of twenty miles per hour.

**Section 78-52. Registration; inspection certification.**

- (a) The owner of every motorized cart operated on the streets of the city shall cause such cart to be registered with the City of Madison within ten (10) days of the date of its purchase. Upon such registration, the City of Madison shall issue two numerical identification decals to the owner and shall maintain a record of each identification number, along with the name and address of the registered owner. The identification decals shall be affixed to the front windshield and rear fender area of the cart so as to be fully visible when the cart is in operation. A registration fee shall be payable at the time of registration in an amount established by the mayor and council from time to time by resolution, and the registration shall be effective for a period of five years. If the cart is transferred to another owner for operation in the city, the registration shall also be transferred to the new owner within ten (10) business days of the date of transfer of the cart, and a transfer fee shall be paid to the city in an amount established by the mayor and council from time to time by resolution.
- (b) Every registered cart shall comply with the following:
  - (1) The exhaust system of every registered cart which is powered by a gasoline engine shall be maintained in proper working condition.
  - (2) It is unlawful for any registered cart on which any device installed thereon by the manufacturer for the purpose of controlling exhaust emissions has been removed or altered so as to interfere with its operation to be operated on any city street.

## **Section 78-53. Operation regulations.**

### **78-53-1. Requirements – general, insurance, equipment, limitation.**

Operation of motorized carts in the city shall comply in every respect with the requirements of state law, including, without limitation, the provisions of O.C.G.A. §§ 40-6-330.1 and 40-6-331, liability insurance with limits not less than the amounts specified in O.C.G.A. § 33-7-11(a)(1)(A) and all other statutory regulations applicable to vehicular traffic and safety equipment.

All motorized carts shall be equipped with:

- (1) a braking system sufficient for the weight and passenger capacity of vehicle, including a parking break;
- (2) a reverse warning device functional at all times when directional control is in reverse position;
- (3) a windshield;
- (4) headlamps;
- (5) reflex reflectors;
- (6) tail lamps;
- (7) turn signals;
- (8) a horn;
- (9) a review view mirror;
- (10) safety warning labels;
- (11) brake lights;
- (12) a high-mounted amber strobe light, approve by the Georgia Department of Public Safety; and,
- (13) seat belts for all passengers.

No motorized cart shall be operated with a passenger under the age of six (6) because motorized carts are not equipped with approved child safety seat anchor systems mandated by the Federal Highway Safety Administration.

### **78-53-2. Driver's license, instruction permit.**

Only persons possessing a valid driver's license or instruction permit issued by the state of Georgia, another state of the United States of America or an appropriate international agency shall be permitted to operate a motorized cart on the streets of the city and may only operate a motorized cart subject to all conditions and limitations of such driver's license or instruction permit generally applicable to operation of other motor vehicles, including, but not limited to, the limitations of O.C.G.A. § 40-5-24.

### **78-53-3. Operation areas.**

- (a) Motorized carts shall not be operated on sidewalks or trails in the city.
- (b) Motorized carts shall not be operated on any street within the city for which the posted speed limit is over thirty-five (35) miles per hour, nor on or across any street on which

such operation is determined by the mayor and council to be otherwise unsafe.

- (c) Motorized carts may cross any street within the corporate limits of the city at intersections of such street with streets designated in subsection D. of this section.
- (d) Motorized carts may be operated on any city streets, unless as otherwise noted herein, following the posting of community signage as required by O.C.G.A. § 40-6-331. Where operation is determined by the mayor and council to be not to be optimal for public safety or given other transportation considerations or conditions, signage will be erected prohibiting use of motorized carts on each prohibited city street. Signage will be erected on a case-by-case basis when requested of and approved by the mayor and council.
- (e) Motorized carts shall not be operated on any Georgia state highways (i.e., highways 441, 83, 278, 129, 24) and crossing of Georgia state highways by motorized carts shall only be permitted at crossings approved by the Georgia Department of Transportation and posted with community signage.

**Section 78-54. Penalties.**

Any person who is convicted of violating the provisions of this chapter shall be punished as provided in [Chapter 1.12](#) of this code.

**Section 78-55 – 78.65. Reserved.**