



NEWS

FROM THE
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FOR RELEASE

IMMEDIATE

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Is Your Golf Cart Legal to be Operated on a Public Roadway?

With gas prices being what they are, many citizens are finding alternate forms of transportation to help off-set outrageous fuel costs. Many methods are being utilized such as car pooling, public transportation, riding motorcycles, bicycles, and purchasing smaller, more fuel efficient vehicles. Another method becoming more popular, particularly in small communities, is the use of golf carts as an efficient means of local transportation and to run errands around town. In fact, some municipalities have adopted local ordinances permitting the operation of golf carts on the streets within the municipality.

Title 9 of the Indiana Code (I.C.) which regulates “Motor Vehicles” does not specifically ban or restrict the use of golf carts on public roadways and therefore a golf cart could be legally operated on public roadways provided it meets **all** requirements and restrictions set forth by Indiana Code. I.C. 9-13-2-175 defines a “street” or “highway” as the entire width between the boundary lines of every way publicly maintained when any part of the way is open to the use of the public for purposes of vehicular travel. The term includes an alley in a city or town.

To be lawfully operated upon a public street or highway in Indiana, motor vehicles must be registered and plated with the BMV (see I.C. 9-18-2-29). A golf cart is a motor vehicle as defined by I.C. 9-13-2-105(a) because it is a self propelled vehicle. I.C. 9-13-2-105(a) is a definition statute that excludes certain types of vehicles from the definition of a “motor vehicle.” Golf carts are not specifically excluded from the definition of “motor vehicle” and therefore are included in the definition of a motor vehicle.

In addition, a golf cart would likely be required to display a slow moving vehicle emblem as defined in I.C. 9-21-9 if the golf cart is not capable of being operated at a speed greater than 25 m.p.h. The cart may also be required to be equipped with flashing red or amber lights in further compliance with I.C. 9-21-9. Golf cart operators may even be required to wear safety belts under certain circumstances.

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While some municipalities have adopted local ordinances allowing for the operation of golf carts on “city and town” streets, those local ordinances are superseded by state statutes to the extent that such ordinances contradict, duplicate, alter, amend, modify, or extend the subject matter of the applicable statute. Thus, an ordinance does not excuse golf cart operators from liability under state statutes, and state statutes “trump” local ordinances.

What does all this mean? A golf cart can be lawfully operated on public streets and/or highways if they can be **properly registered and plated** with the BMV. The BMV will **not** register a golf cart because it does not meet the safety and equipment standards for motor vehicles that are to be driven on highways.

One might think that police officers should have more pressing traffic enforcement issues that take priority over taking enforcement action against someone driving down a local street on a golf cart. While enforcement of more severe traffic violations is a priority with the Indiana State Police, a trooper observing a violation of Indiana traffic laws is sworn to take appropriate enforcement action that could include a written warning, a traffic summons (commonly referred to as a ticket) and enforcement action could also include the towing and impoundment of the vehicle with costs that may exceed \$100 for towing and storage. This can be simply summed up by stating that while the Indiana State Police is not engaged in an active enforcement campaign to target the operation of golf carts on roadways, troopers will not turn a blind eye where violations of this nature are observed in the course of routine patrol.