
SENATE BILL No. 260

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-21; IC 9-24-1-7.

Synopsis: Golf carts in unincorporated areas. Revises provisions governing the use of golf carts on certain roadways. Provides that an ordinance authorizing the use of golf carts in a county must require that: (1) an individual who operates a golf cart in the county hold a driver's license; and (2) a fine assessed for a violation of the ordinance be deposited in the general fund of the county. Specifies that the violation of an ordinance governing the use of a golf cart on a state highway in the county is considered an ordinance violation (instead of a Class C infraction).

Effective: July 1, 2010.

Stutzman

January 11, 2010, read first time and referred to Committee on Homeland Security, Transportation & Veterans Affairs.

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Second Regular Session 116th General Assembly (2010)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2009 Regular and Special Sessions of the General Assembly.

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SENATE BILL No. 260



A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-21-1-3.3, AS AMENDED BY P.L.182-2009(ss),
2 SECTION 292, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2010]: Sec. 3.3. (a) A city, **county**, or a town
4 may adopt by ordinance traffic regulations concerning the use of golf
5 carts on a highway under the jurisdiction of the city, **county**, or ~~the~~
6 town. An ordinance adopted under this subsection may not:
7 (1) conflict with or duplicate another state law; or
8 (2) conflict with a driver's licensing requirement of another
9 provision of the Indiana Code.
10 (b) A fine assessed for a violation of a traffic ordinance adopted by
11 a city, **county**, or a town under this section shall be deposited into the
12 general fund of the city, **county**, or town.
13 (c) ~~A person who violates subsection (a) commits a Class C~~
14 ~~infraction:~~
15 (c) **Notwithstanding subsection (a), an ordinance adopted by a**
16 **county under this section may allow an operator of a golf cart to**
17 **cross a highway in the state highway system, at right angles, in**



1 order to travel from one (1) highway under the jurisdiction of the
2 county to another highway under the jurisdiction of the county
3 when the operation can be done in safety. The operator shall bring
4 the vehicle to a complete stop before proceeding across the state
5 highway and shall yield the right-of-way to all traffic.

6 (d) The violation of an ordinance adopted under this section by
7 the operator of a golf cart committed on a state highway is
8 considered to be an ordinance violation.

9 SECTION 2. IC 9-21-9-0.5, AS AMENDED BY P.L.150-2009,
10 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2010]: Sec. 0.5. (a) This chapter does not apply to the
12 following:

- 13 (1) An electric personal assistive mobility device.
- 14 (2) A low speed vehicle.
- 15 (3) Except as provided in subsection (b), a golf cart.

16 (b) An ordinance adopted in accordance with IC 9-21-1-3(a)(14) or
17 IC 9-21-1-3.3(a) may require a golf cart to display a slow moving
18 vehicle emblem in accordance with section 3 of this chapter or a red or
19 amber flashing lamp in accordance with section 4 of this chapter. A
20 fine assessed for a violation of an ordinance under this section shall be
21 deposited in the general fund of the city, county, or town.

22 SECTION 3. IC 9-24-1-7, AS AMENDED BY P.L.150-2009,
23 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
24 JULY 1, 2010]: Sec. 7. (a) Sections 1 through 5 of this chapter do not
25 apply to the following individuals:

- 26 (1) An individual in the service of the armed forces of the United
27 States while operating an official motor vehicle in that service.
- 28 (2) An individual while operating:
 - 29 (A) a road roller;
 - 30 (B) road construction or maintenance machinery, except where
31 the road roller or machinery is required to be registered under
32 Indiana law;
 - 33 (C) a ditch digging apparatus;
 - 34 (D) a well drilling apparatus;
 - 35 (E) a concrete mixer; or
 - 36 (F) a farm tractor, a farm wagon (as defined in
37 IC 9-13-2-60(a)(2)), or an implement of agriculture designed
38 to be operated primarily in a farm field or on farm premises;
39 that is being temporarily drawn, moved, or propelled on a public
40 highway. However, to operate a farm wagon (as defined in
41 IC 9-13-2-60(a)(2)) on a highway, an individual must be at least
42 fifteen (15) years of age.

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- 1 (3) A nonresident who:
- 2 (A) is at least sixteen (16) years and one (1) month of age; and
- 3 (B) has in the nonresident's immediate possession a valid
- 4 operator's license that was issued to the nonresident in the
- 5 nonresident's home state or country;
- 6 while operating a motor vehicle in Indiana only as an operator.
- 7 (4) A nonresident who:
- 8 (A) is at least eighteen (18) years of age; and
- 9 (B) has in the nonresident's immediate possession a valid
- 10 chauffeur's license that was issued to the nonresident in the
- 11 nonresident's home state or country;
- 12 while operating a motor vehicle upon a public highway, either as
- 13 an operator or a chauffeur.
- 14 (5) A nonresident who:
- 15 (A) is at least eighteen (18) years of age; and
- 16 (B) has in the nonresident's immediate possession a valid
- 17 license issued by the nonresident's home state for the operation
- 18 of any motor vehicle upon a public highway when in use as a
- 19 public passenger carrying vehicle;
- 20 while operating a motor vehicle upon a public highway.
- 21 (6) A nonresident whose home state or country does not require
- 22 the licensing of operators or chauffeurs and who has not been
- 23 licensed as an operator or a chauffeur in the nonresident's home
- 24 state or country as an operator if the nonresident is at least sixteen
- 25 (16) years and thirty (30) days of age and less than eighteen (18)
- 26 years of age or as a chauffeur if the nonresident is at least
- 27 eighteen (18) years of age, for not more than sixty (60) days in
- 28 any one (1) year if the following conditions exist:
- 29 (A) The unlicensed nonresident is the owner of the motor
- 30 vehicle or the authorized driver of the vehicle.
- 31 (B) The vehicle has been registered for the current year in the
- 32 state or country of which the owner is a resident.
- 33 (C) The motor vehicle at all times displays a registration plate
- 34 issued in the home state or country of the owner.
- 35 (D) The nonresident owner or driver has in the owner's or
- 36 driver's immediate possession a registration card evidencing
- 37 ownership and registration in the owner's or driver's home
- 38 state or country or is able at any required time or place to do
- 39 the following:
- 40 (i) Prove lawful possession or the right to operate the motor
- 41 vehicle.
- 42 (ii) Establish the nonresident's proper identity.

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- 1 (7) An individual who is legally licensed to operate a motor
- 2 vehicle in the state of the individual's residence and who is
- 3 employed in Indiana, subject to the restrictions imposed by the
- 4 state of the individual's residence.
- 5 (8) A new resident of Indiana who possesses an unexpired driver's
- 6 license issued by the resident's former state of residence, for a
- 7 period of sixty (60) days after becoming a resident of Indiana.
- 8 (9) An individual who is an engineer, a conductor, a brakeman, or
- 9 another member of the crew of a locomotive or a train that is
- 10 being operated upon rails, including the operation of the
- 11 locomotive or the train on a crossing over a street or a highway.
- 12 An individual described in this subdivision is not required to
- 13 display a license to a law enforcement officer in connection with
- 14 the operation of a locomotive or a train in Indiana.
- 15 (b) An ordinance adopted under IC 9-21-1-3((a)(14) or
- 16 IC 9-21-1-3.3(a) must require that an individual who operates a golf
- 17 cart in the city, **county**, or town hold a driver's license.

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