EHB 2367

THE STATE SENATE
Monday, March 29, 2004

ENGROSSED

House Bill No. 2367

As Amended

ENGROSSED HOUSE BILL NO. 2367 - By: JONES of the House and BROGDON of the Senate.

[operation of golf carts - expanding authorization - emergency]

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY Section 1, Chapter 318, O.S.L. 2002 (47 O.S. Supp. 2003, Section 1151.2), is amended to read as follows:

Section 1151.2 A. Notwithstanding any other provision of law, any person with a physical disability as defined by Section 15-112 of ~~Title 47 of the Oklahoma Statutes~~ this title shall be authorized to operate golf carts to the extent that the physically disabled person is capable as determined by a physician as defined by Section 15-112 of ~~Title 47 of the Oklahoma Statutes~~ this title if:

1. Such operation is within the boundaries of a park owned by this state as set forth in subsection B of this section; or

2. Such operation is on city streets and roadways as set forth in subsections C and D of this section.

(Bold face denotes Committee Amendments)

B. 1. Golf carts may be operated within boundaries of a park owned by this state if:

~~2.~~ a. Operation occurs during daylight hours only~~;~~,

~~3.~~ b. The golf cart does not exceed the speed limit in such area as determined by the Oklahoma Tourism and Recreation Department~~;~~,

~~4.~~ c. The golf cart is not operated on roadways within park boundaries with posted speed limits greater than twenty-five (25) miles per hour~~;~~,

~~5.~~ d. The operator of such golf cart possesses a valid driver license~~;~~, and

~~6.~~ e. The operator of such golf cart shall provide certified proof of his or her disability.

~~B.~~ 2. The Tourism and Recreation Commission shall designate areas of operation for golf carts in each state park as appropriate, and establish rules for the safe operation of golf carts pursuant to this ~~act~~ subsection.

C. Golf carts may be operated on city streets if:

1. The municipal governing body has adopted an ordinance governing the operation of golf carts on city streets;

2. Operation occurs during daylight hours only;

3. The city street has a posted speed limit of twenty-five (25) miles per hour or less; and

4. The operator of the golf cart provides certified proof of disability.

D. Golf carts may be operated on roadways if:

1. The board of county commissioners of a county has approved the location of golf cart traffic on roadways within the county;

2. The roadway has a posted speed limit of twenty-five (25) miles per hour or less;

3. The roadway is located in an unincorporated area;

4. Appropriate signage, cautioning motorists of the possibility of golf cart traffic, is erected by the board of county commissioners; and

5. The operator of the golf cart provides certified proof of disability.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

COMMITTEE REPORT BY: COMMITTEE ON VETERANS, MILITARY AFFAIRS & PUBLIC SAFETY, dated 3-22-04 - DO PASS, As Amended.