**South Carolina General Assembly**

119th Session, 2011-2012

**A177, R205, H3259**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Herbkersman and Forrester

Document Path: l:\council\bills\swb\5049cm11.docx

Introduced in the House on January 11, 2011

Introduced in the Senate on April 7, 2011

Last Amended on May 15, 2012

Passed by the General Assembly on May 17, 2012

Governor's Action: May 25, 2012, Signed

Summary: Golf carts

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/14/2010 House Prefiled

12/14/2010 House Referred to Committee on **Education and Public Works**

1/11/2011 House Introduced and read first time ([House Journal‑page 102](file:///h:\hj%20archive\2011\01-11-11.docx))

1/11/2011 House Referred to Committee on **Education and Public Works** ([House Journal‑page 103](file:///h:\hj%20archive\2011\01-11-11.docx))

3/30/2011 House Committee report: Favorable with amendment **Education and Public Works** ([House Journal‑page 9](file:///h:\hj%20archive\2011\03-30-11.docx))

4/5/2011 House Amended ([House Journal‑page 13](file:///h:\hj%20archive\2011\04-05-11.docx))

4/5/2011 House Read second time ([House Journal‑page 13](file:///h:\hj%20archive\2011\04-05-11.docx))

4/6/2011 House Read third time and sent to Senate ([House Journal‑page 18](file:///h:\hj%20archive\2011\04-06-11.docx))

4/7/2011 Senate Introduced and read first time ([Senate Journal‑page 9](file:///h:\sj%20archive\2011\04-07-11.docx))

4/7/2011 Senate Referred to Committee on **Transportation** ([Senate Journal‑page 9](file:///h:\sj%20archive\2011\04-07-11.docx))

5/27/2011 Senate Committee report: Favorable with amendment **Transportation** ([Senate Journal‑page 20](file:///h:\sj%20archive\2011\05-27-11.docx))

5/27/2011 Scrivener's error corrected

6/1/2011 Senate Committee Amendment Amended and Adopted ([Senate Journal‑page 100](file:///h:\sj%20archive\2011\06-01-11.docx))

6/1/2011 Senate Read second time ([Senate Journal‑page 100](file:///h:\sj%20archive\2011\06-01-11.docx))

6/1/2011 Senate Roll call Ayes‑31 Nays‑6 ([Senate Journal‑page 100](file:///h:\sj%20archive\2011\06-01-11.docx))

6/2/2011 Scrivener's error corrected

5/15/2012 Senate Amended ([Senate Journal‑page 11](file:///h:\sj%20archive\2012\05-15-12.docx))

5/15/2012 Senate Read third time and returned to House with amendments ([Senate Journal‑page 11](file:///h:\sj%20archive\2012\05-15-12.docx))

5/15/2012 Senate Roll call Ayes‑35 Nays‑0 ([Senate Journal‑page 11](file:///h:\sj%20archive\2012\05-15-12.docx))

5/17/2012 House Concurred in Senate amendment and enrolled ([House Journal‑page 22](file:///h:\hj%20archive\2012\05-17-12.docx))

5/17/2012 House Roll call Yeas‑97 Nays‑0 ([House Journal‑page 22](file:///h:\hj%20archive\2012\05-17-12.docx))

5/23/2012 Ratified R 205

5/25/2012 Signed By Governor

5/31/2012 Effective date 10/01/12

6/1/2012 Act No. 177

**VERSIONS OF THIS BILL**

[12/14/2010](file:///p:\pprever\2011-12\3259_20101214.docx)

[3/30/2011](file:///p:\pprever\2011-12\3259_20110330.docx)

[4/5/2011](file:///p:\pprever\2011-12\3259_20110405.docx)

[5/26/2011](file:///p:\pprever\2011-12\3259_20110526.docx)

[5/27/2011](file:///p:\pprever\2011-12\3259_20110527.docx)

[6/1/2011](file:///p:\pprever\2011-12\3259_20110601.docx)

[6/2/2011](file:///p:\pprever\2011-12\3259_20110602.docx)

[5/15/2012](file:///p:\pprever\2011-12\3259_20120515.docx)

(A177, R205, H3259)

**AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑2‑105 SO AS TO DEFINE THE TERM “GATED COMMUNITY”, TO PROVIDE THAT AN OWNER OF A GOLF CART MUST OBTAIN A PERMIT DECAL AND REGISTRATION FROM THE DEPARTMENT OF MOTOR VEHICLES TO OPERATE THE GOLF CART DURING DAYLIGHT HOURS, TO PROVIDE CERTAIN RESTRICTIONS UPON A PERSON WHO OPERATES A GOLF CART, TO PROVIDE THAT A POLITICAL SUBDIVISION MAY REDUCE THE AREA IN WHICH A GOLF CART MAY BE OPERATED, AND TO PROVIDE THAT CERTAIN RESTRICTIONS UPON THE OPERATION OF A GOLF CART CONTAINED IN THIS SECTION DO NOT APPLY TO A PUBLIC SAFETY AGENCY IN CONNECTION WITH THE PERFORMANCE OF ITS DUTIES; AND TO REPEAL SECTION 56‑3‑115 RELATING TO THE ISSUANCE OF PERMITS BY THE DEPARTMENT OF MOTOR VEHICLES THAT ALLOW A GOLF CART TO BE OPERATED ON A SECONDARY HIGHWAY.**

Be it enacted by the General Assembly of the State of South Carolina:

**Golf cart permit and the operation of a golf cart**

SECTION 1. Article 1, Chapter 2, Title 56 of the 1976 Code is amended by adding:

“Section 56‑2‑105. (A) For the purposes of this section, ‘gated community’ means any homeowners’ community with at least one access‑controlled ingress and egress which includes the presence of a guard house, a mechanical barrier, or another method of controlled conveyance.

(B) An individual or business owner of a vehicle commonly known as a golf cart may obtain a permit decal and registration from the Department of Motor Vehicles upon presenting proof of ownership and liability insurance for the golf cart and upon payment of a five dollar fee.

(1) During daylight hours only, a permitted golf cart may be operated within four miles of the address on the registration certificate and only on a secondary highway or street for which the posted speed limit is thirty‑five miles an hour or less.

(2) During daylight hours only, a permitted golf cart may be operated within four miles of a point of ingress and egress to a gated community and only on a secondary highway or street for which the posted speed limit is thirty‑five miles an hour or less.

(3) During daylight hours only, within four miles of the registration holder’s address, and while traveling along a secondary highway or street for which the posted speed limit is thirty‑five miles an hour or less, a permitted golf cart may cross a highway or street at an intersection where the highway has a posted speed limit of more than thirty‑five miles an hour.

(4) During daylight hours only, a permitted golf cart may be operated along a secondary highway or street for which the posted speed limit is thirty‑five miles an hour or less on an island not accessible by a bridge designed for use by automobiles.

(C) A person operating a permitted golf cart must be at least sixteen years of age and hold a valid driver’s license. The operator of a permitted golf cart being operated on a highway or street must have in his possession:

(1) the registration certificate issued by the department;

(2) proof of liability insurance for the golf cart; and

(3) his driver’s license.

(D)(1) A golf cart permit must be replaced with a new permit every five years, or at the time the permit holder changes his address.

(2) Golf cart owners holding golf cart permits on or before October 1, 2012, will have until September 30, 2015, to obtain a replacement permit.

(E) A political subdivision may, on designated streets or roads within the political subdivision’s jurisdiction, reduce the area in which a permitted golf cart may operate from four miles to no less than two miles. However, a political subdivision may not reduce or otherwise amend the other restrictions placed on the operation of a permitted golf cart contained in this section.

(F) The provisions of this section that restrict the use of a golf cart to certain streets, certain hours, and certain distances shall not apply to a golf cart used by a public safety agency in connection with the performance of its duties.”

**Repeal**

SECTION 2. Section 56‑3‑115 of the 1976 Code is repealed.

**Time effective**

SECTION 3. This act takes effect October 1, 2012.

Ratified the 23rd day of May, 2012.

Approved the 25th day of May, 2012.

\_\_\_\_\_\_\_\_\_\_