

Golf Cart News

By Clifford H. Bloom, Esq.
Bloom Sluggett Morgan, PC
Grand Rapids, Michigan
www.bsmlawpc.com

Depending upon one's point of view, the use of golf carts on public roads (golf carts have not traditionally been "street legal" in Michigan in the past) can be either a boon or a curse. Such vehicles often help seniors, individuals with handicaps and people with mobility problems get around easily in neighborhoods, lake areas and rural communities. Children and teenagers love to drive golf carts (which can be a special reason for going to grandmother's cottage at the lake!). Others simply drive golf carts away from the golf course for fun and recreation. Unfortunately, the use of golf carts on public roads has many drawbacks. Children and teenagers often do not realize that golf carts can weigh 600 pounds or more and can easily cause property damage, personal injury or even death. Around lake neighborhoods, the careless use of golf carts can present safety hazards, tear up lawns and landscaping and stoke tempers. Drivers of cars and trucks often believe that many golf carts "hog" the road.

Last year, the Michigan Legislature gave a nod of approval to expanded use of golf carts on public roads with the enactment of Michigan Public Act No. 491 of 2014. That legislation became effective on January 1, 2015 and is now known as MCL 257.657a.

The new legislation allows certain cities, village and townships to authorize the use of golf carts on public roads and streets under certain circumstances by passage of a resolution. In townships, the local county road commission can ban golf carts on county public roads even where a township consents.

The new legislation contains a number of regulations and limitations that are applicable, even where a city, village or township authorizes golf cart use. For example, the legislation only

authorizes golf carts to utilize public roads, not similar vehicles. The operator of such a golf cart must be at least 16 years old and licensed to operate a motor vehicle. Certain signal requirements apply to golf carts used on public roads. Anyone operating a golf cart on a public road must ride as near to the right side of the roadway as practicable, exercising due care when passing a stopped vehicle or one proceeding in the same direction. A golf cart cannot be operated on a sidewalk constructed for the use of pedestrians. The legislation imposes speed limits for golf carts on public roads. A golf cart cannot be operated on a public street or road during the time period from one-half hour before sunset to one-half hour after sunrise. Additional restrictions also apply under the new legislation.

Although MCL 257.657a is not clear on the matter, it is likely that a city, village or township could limit golf cart use to only certain roads or streets or portions thereof.

If you or your lake association are interested in potentially pursuing allowing golf carts to operate on public streets or roads in lake neighborhoods or rural areas, you should contact officials for your local city, village or township. A municipalities' legislative body will have to adopt a formal resolution authorizing such usage by golf carts within the municipality.

For the property owner or renter who owns a golf cart, make sure that you have good liability insurance in effect for its use. You should also determine whether such liability insurance will cover drivers other than yourself, and if so, which drivers. If a grandparent allows his or her teenage grandchild to drive the golf cart alone or with friends and someone is injured or killed by the golf cart, it is highly likely that the grandparent will face significant personal liability. Adequate liability insurance will help protect the owners of golf carts and their assets.