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# HOUSE BILL No. 1353

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## DIGEST OF INTRODUCED BILL

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

**Synopsis:** Golf carts on county highways. Revises provisions governing the use of golf carts on certain county roads. Provides that an ordinance authorizing the use of golf carts on county roads must require that: (1) an individual who operates a golf cart on a county road hold a driver's license; (2) a fine assessed for a violation of the ordinance be deposited in the general fund of the county; and (3) a golf cart may not be operated on a highway with a speed limit of greater than thirty-five (35) miles per hour. 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, 2011.

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### Dembowski

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January 18, 2011, read first time and referred to Committee on Roads and Transportation.

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First Regular Session 117th General Assembly (2011)

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 a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2010 Regular Session of the General Assembly.

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## HOUSE BILL No. 1353



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, 2011]: Sec. 3.3. (a) A **county**, city, 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 **county**, city, 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 **county**, city, or a town under this section shall be deposited into the  
12 general fund of the **county**, city, 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 the authority of this section must require that a golf**  
17 **cart may not be operated on a highway with a speed limit of**



1 **greater than thirty-five (35) miles per hour.**

2 SECTION 2. IC 9-21-9-0.5, AS AMENDED BY P.L.150-2009,  
3 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2011]: Sec. 0.5. (a) This chapter does not apply to the  
5 following:

6 (1) An electric personal assistive mobility device.

7 (2) A low speed vehicle.

8 (3) Except as provided in subsection (b), a golf cart.

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

15 SECTION 3. IC 9-24-1-7, AS AMENDED BY P.L.87-2010,  
16 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
17 JULY 1, 2011]: Sec. 7. (a) Sections 1 through 5 of this chapter do not  
18 apply to the following individuals:

19 (1) An individual in the service of the armed forces of the United  
20 States while operating an official motor vehicle in that service.

21 (2) An individual while operating:

22 (A) a road roller;

23 (B) road construction or maintenance machinery, except where  
24 the road roller or machinery is required to be registered under  
25 Indiana law;

26 (C) a ditch digging apparatus;

27 (D) a well drilling apparatus;

28 (E) a concrete mixer; or

29 (F) a farm tractor, a farm wagon (as defined in  
30 IC 9-13-2-60(a)(2)), or an implement of agriculture designed  
31 to be operated primarily in a farm field or on farm premises;

32 that is being temporarily drawn, moved, or propelled on a public  
33 highway. However, to operate a farm wagon (as defined in  
34 IC 9-13-2-60(a)(2)) on a highway, an individual must be at least  
35 fifteen (15) years of age.

36 (3) A nonresident who:

37 (A) is at least sixteen (16) years and one (1) month of age;

38 (B) has in the nonresident's immediate possession a valid  
39 operator's license that was issued to the nonresident in the  
40 nonresident's home state or country; and

41 (C) is lawfully admitted into the United States;

42 while operating a motor vehicle in Indiana only as an operator.

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- 1 (4) A nonresident who:
- 2 (A) is at least eighteen (18) years of age;
- 3 (B) has in the nonresident's immediate possession a valid
- 4 chauffeur's license that was issued to the nonresident in the
- 5 nonresident's home state or country; and
- 6 (C) is lawfully admitted into the United States;
- 7 while operating a motor vehicle upon a public highway, either as
- 8 an operator or a chauffeur.
- 9 (5) A nonresident who:
- 10 (A) is at least eighteen (18) years of age; and
- 11 (B) has in the nonresident's immediate possession a valid
- 12 license issued by the nonresident's home state for the operation
- 13 of any motor vehicle upon a public highway when in use as a
- 14 public passenger carrying vehicle;
- 15 while operating a motor vehicle upon a public highway.
- 16 (6) An individual who is legally licensed to operate a motor
- 17 vehicle in the state of the individual's residence and who is
- 18 employed in Indiana, subject to the restrictions imposed by the
- 19 state of the individual's residence.
- 20 (7) A new resident of Indiana who possesses an unexpired driver's
- 21 license issued by the resident's former state of residence, for a
- 22 period of sixty (60) days after becoming a resident of Indiana.
- 23 (8) An individual who is an engineer, a conductor, a brakeman, or
- 24 another member of the crew of a locomotive or a train that is
- 25 being operated upon rails, including the operation of the
- 26 locomotive or the train on a crossing over a street or a highway.
- 27 An individual described in this subdivision is not required to
- 28 display a license to a law enforcement officer in connection with
- 29 the operation of a locomotive or a train in Indiana.
- 30 (b) An ordinance adopted under IC 9-21-1-3(a)(14) or
- 31 IC 9-21-1-3.3(a) must require that an individual who operates a golf
- 32 cart in the city, **county**, or town hold a driver's license.

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