

REGISTRANT'S AFFIRMATION

I, the undersigned applicant for a golf cart license, swear or affirm that I have received a copy of the Matagorda County Rules and Regulations and penalty ordinance. I understand that the authority to operate a golf cart on the beach and unincorporated county roads is a revocable privilege granted only upon compliance with the terms of the County Rules to legally operate a golf cart outside corporate city limits during the year granted. I understand that my failure to operate a golf cart in accordance with the County Rules may result in criminal and/or civil liability including fine, vehicle impoundment, and/or revocation of my license/privilege to operate a golf cart on above mentioned roadways.

I understand that as the owner and/or operator of a golf cart that is operated on the above mentioned roadways that I have certain duties and obligations that are enumerated within the Rules and Regulations. I fully understand my duties and obligations and agree to abide by those duties and obligations for the duration of the license period. I hereby agree to affix the Rules of the Road sticker provided by Matagorda County on the golf cart(s) in a prominent location visible by the driver at all times.

I swear or affirm that the golf cart(s) that I wish to license with Matagorda County meet(s) or exceed(s) all the safety standards and is (are) properly equipped as enumerated by the County Rules and Regulations. Specifically, the golf cart(s) is (are) outfitted with the following safety equipment and all safety equipment is fully operation:

- Head lamps
- Tail lamps
- Reflectors
- Seatbelts
- Slow moving vehicle emblem
- Parking brakes
- Rearview mirror

I furthermore swear or affirm that the golf cart(s) are insured in accordance with Texas State law governing minimum insurance/financial responsibility laws for motor vehicles.

In this application, I do swear or affirm that all the facts and statements contained herein are true and correct and I understand that any falsification or misrepresentation may be subject to civil or criminal penalties and/or revocation of my golf cart license(s).

PRINT NAME

SIGNATURE

DATE

MATAGORDA COUNTY

GOLF CART RULES AND REGULATIONS

I

Definitions

Golf cart means a motor vehicle designed by the manufacturer primarily for use on a golf course. Golf carts specifically exclude go-carts, neighborhood electric vehicles, off road vehicles, utility vehicles, and all-terrain vehicles, as defined by the Texas Transportation Code.

Golf cart license shall mean a privilege granted upon compliance with the terms of this chapter to legally operate a golf cart on a public street or highway with speed limits of less than 35 miles per hour within the unincorporated portions of Matagorda County during the year granted.

Golf cart license certificate shall mean a certificate for attachment to a golf cart carrying a serial number corresponding to the number of the golf cart for such golf cart and showing the calendar year the license shall expire.

Golf cart license fee shall mean a charge imposed as specified in these rules for the granting of golf cart license and the issuance of a golf cart license certificate.

Golf cart rental business shall mean any business or individual that provides golf carts to the general public or any business or individual transaction that includes a golf cart for use including but not limited to rental of a hotel/motel room, or dwelling unit whose rental includes use of a golf cart.

Neighborhood electric vehicle (NEV) shall include all vehicles defined by Section 551.301 of the Texas Transportation Code. Also known as low-speed vehicles (LSV).

II Rules of Operation

- A. *Certain Operations Prohibited.* The County of Matagorda has determined that the unregulated operation of golf carts upon any public highway or street, except as permitted by these rules.
- B. *License Required Fee; License Certificate.*
- a. No person may operate a golf cart upon any public street or highway with a posted speed limit of 35 miles per hour or less within the unincorporated areas of Matagorda County unless the golf cart is licensed by Matagorda County and a license certificate is permanently affixed to the golf cart as prescribed by these rules.
 - b. Such license shall be purchased annually for sums to be set by Commissioners Court. The license, regardless of when purchased, shall be valid until the thirty-first day of December of the year purchased.
 - c. A separate license is required for every golf cart owned by an individual or entity. A golf cart license is valid only for the golf cart that it is issued to and is not transferable to another golf cart.
 - d. The Matagorda County Tax Office agrees to issue to each person purchasing a county license for their golf cart a county license plate. The license plate shall be permanently affixed to the rear of the golf cart and displayed so that it is readily visible and identifiable from a distance of more than fifty (50) feet.
 - e. The certificate shall be issued only upon the owner showing a valid insurance certificate or other evidence satisfying the Matagorda County Tax Office that the golf cart is insured consistent with state standards for motor vehicles.
 - f. NEVs licensing shall comply with the Texas Department of Motor Vehicles.
- C. *Golf Cart Duplicate License; Fee.* Upon proof that the original golf cart plate was lost, stolen, or damaged beyond recognition, a duplicate of the golf cart license certificate issued by the County shall be furnished on payment of a fee to be set by Commissioners Court.
- D. *Golf Cart Records.* The County Tax Office agrees to maintain a record describing each golf cart licensed within the preceding two (2) years. The record shall include the name of the owner of the golf cart, the address of the owner, proof of insurance (including the name of carrier and policy number), the location the golf cart is normally parked, the date the golf cart was licensed, the date the license shall expire, the make/maker and model of the golf

cart licensed, the number of seats the golf cart has, the color of the golf cart, the vehicle identification number or serial number of the golf cart licensed, the number certificate, the fee paid for the license, and the method of fee payment. The County Tax Office agrees to provide a duplicate copy of the record to the Matagorda County Sheriff's Office and Matagorda County Constable' Offices on the first (1st) business day of every month, or as soon as practicable, but no later than the fifth (5th) business day of every month.

E. *Traffic Laws and Rules of the Road Apply.* A golf cart licensed by the County of Matagorda and NEVs shall be operated in accordance with all laws and rules of the road enumerated in the Texas Transportation Code and by these rules for the operation of a passenger vehicle, except those rules and laws specifically excluded or limited by these rules.

F. *Equipment Required.* All golf carts and NEVs must be equipped with the following:

- a. Operational headlamps;
- b. Operational tail lamps;
- c. Reflectors;
- d. Parking brakes;
- e. Rearview mirrors;
- f. Seatbelts;
- g. Slow moving vehicle emblem; and
- h. Rules of road sticker provided by Matagorda County Tax Office.

G. *Exclusion and Limitations.* The following exclusions and limitations apply to NEVs and to the licensing and operation of any golf carts licensed by the County of Matagorda. All Texas traffic laws shall be followed by golf cart and NEV operators.

- a. Golf carts used while evacuating persons during a declared emergency are exempt from licensing by these rules during the declared emergency and seventy-two (72) hours after the emergency.
- b. Golf cart license certificates may only be sold by the Matagorda County Tax Office unless otherwise ordered by Commissioners Court.
- c. The license purchased in accordance with these rules does not include the beach permit required to operate golf carts on the beaches in Matagorda County.
- d. No person may display a false, fictitious, or facsimile golf cart license certificate.
- e. No person may alter or display an altered golf cart license certificate.

- f. Golf carts and NEVs may only be operated by persons with a valid operator's permit and/or driver's license.
- g. Golf carts and NEVs may only be operated on a public street or highway with a speed limit of not more than thirty-five (35) miles per hour within the unincorporated area of Matagorda County unless otherwise restricted.
- h. A golf cart and NEV may cross a street or highway with a speed limit of more than thirty-five (35) miles per hour if the crossing occurs at an intersection and said crossing is perpendicular to the street or highway with a posted speed limit of more than thirty-five (35) miles per hour.
- i. Golf carts and NEVs must move to the right and yield the right-of-way to faster moving vehicles.
- j. Golf carts and NEVs may not be operated upon any public sidewalk, pedestrian walkway, playground, Public Park, school grounds, other recreational areas, public easements, and other areas not designated for motor vehicle traffic.
- k. Golf carts are not required to display a license plate or other registration certificate issued by the State of Texas; however, NEVs shall display all required plates and certificates.
- l. Golf carts and NEVs are not required to display a valid motor vehicle inspection sticker.
- m. The driver and every occupant of a golf cart and NEV must remain seated in a seat designed to hold passengers, while the golf cart or NEV is in motion.
- n. No person may ride in the lap of the driver or any other occupant.
- o. Each golf cart and NEV shall prominently display, in view of the driver, the official rules notice, sticker and/or placard provided solely by the County at the time of the application.

H. *Penalties; Suspension or Revocation of Golf Cart License.*

- a. Any violation of these rules is subject to penalties and/or fines under the applicable traffic laws.
- b. In addition to assessment of penalties and/or fines, the Matagorda County Sheriff or Constables may suspend or revoke a golf cart license if they or their designee determines that:
 - i. There is a false statement of a material matter on the application for license;
 - ii. The license holder has in excess of three (3) moving violations of these rules during a license year; or

- iii. The license holder has failed to make timely payment of a fee or penalty for violation of these rules.
- c. Any license holder aggrieved by a decision to suspend or revoke a license may appeal the decision to the Matagorda County Justice of the Peace in the precinct in which they live (if a Matagorda County resident) or in the precinct in which the revocation or suspension occurred. The license holder shall file a written request for a hearing, setting forth the reasons for the appeal, within ten (10) days after the license holder received notice of the suspension or revocation. The license holder shall pay all filing fees in accordance with the Texas Rules of Civil Procedure.
- d. The filing of a request for an appeal hearing with the Justice of the Peace stays any action of the County Sheriff or Constable in suspending or revoking the license until the Justice of the Peace makes a final decision.
- e. The Justice of the Peace shall consider evidence by an interested person. The formal rules of evidence do not apply at the appeal hearing. The Justice of the Peace shall make their decision on the basis of a preponderance of the evidence presented at the hearing. The Court must render a decision within thirty (30) days after the request for an appeal hearing is filed. The Court shall affirm, reverse, or modify the action of the County Sheriff, Constable, or their designees. The decision of Justice of the Peace is final as to the administrative remedies within the County.