

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MADISON, INDIANA TO REPEAL AND REPLACE
SECTION 70.04 OF THE CITY OF MADISON CODE (CHAPTER 70, SECTION 70.04)**

WHEREAS, IC 9-21-1-3/3.3 gives local governments the authority to regulate the operation of low-speed vehicles (LSVs), golf carts, and off-road vehicles (ORVs) on local roadways.

WHEREAS, on August 18, 2009, the Common Council of the City of Madison passed an Ordinance that allowed the use of golf carts on city streets.

WHEREAS, on August 6, 2020, the Board of Commissioners of Jefferson County, Indiana passed a county-wide ordinance permitting golf carts on county owned roadways.

WHEREAS, on May 4, 2021, the Common Council of the City of Madison passed an Ordinance that expanded access for use of golf carts on city streets.

WHEREAS, the use of golf carts for transportation around the City is important to the quality of life of many of the citizens of Madison along with its many visitors.

WHEREAS, the current ordinance governing the use of golf carts and related vehicles in the City of Madison is outdated, lacking in clarity, not clearly aligned with state and federal regulations, and in need of updates and clarifications.

WHEREAS, the Mayor and the Common Council deem it appropriate to repeal and replace section 70.04 of the City of Madison City code, with the following revised regulations, regarding the use of golf carts and related vehicles, to ensure the safety of all road users, and to reinforce the quality-of-life benefits to the users of said vehicles.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Madison, Indiana, that Chapter 70, Section 70.04 be repealed and replaced to reflect attached Exhibit A.

The foregoing Ordinance was passed and adopted by the Common Council, City of Madison, Indiana at a regular meeting held on the 21st day of April, 2025.

PRESENTED BY:

Carla E. Krebs

Council Member

Bob G. Courtney

Bob G. Courtney, Mayor



(SEAL)

ATTEST:

Shirley Ryneerson

Shirley Ryneerson, Clerk-Treasurer

EXHIBIT A

§ 70.04 GOLF CARTS, LOW SPEED VEHICLES, AND OFF-ROAD VEHICLES.

The operation of a golf cart, low speed vehicle, or off-road vehicle within the City of Madison is strictly prohibited unless the golf cart, low speed vehicle, or off-road vehicle is operated and equipped in full compliance with this section.

(A) Definitions:

“GOLF CART.” A four (4) wheeled vehicle with a maximum speed of twenty (20) miles per hour (mph), and as such, not regulated as a motor vehicle by the National Highway Traffic Safety Association (NHTSA), originally designed to transport one (1) or more individuals for the purpose of playing the game of golf or with a design that is based upon and evolved from said design. Additionally, any vehicle that is in accordance with the IC 9-13-2-69.7 definition of a ‘golf cart’ or the IC 14-19-1-0.5 definition of a ‘motorized cart’ or other current state or federal definitions of a similar vehicle may be considered a ‘golf cart’ for the purposes of this chapter.

“LOW SPEED VEHICLE (LSV).” A four (4) wheeled motor vehicle with a maximum speed between twenty (20) and twenty-five (25) miles per hour (mph) meeting the requirements of IC 9-13-2-94.5 and 49 CFR 571.500 (FMVSS 500) or the current relevant state/federal regulations. LSVs may also commonly be referred to as Neighborhood Electric Vehicles (NEVs), modified speed golf carts, or ‘street legal’ golf carts as long as they meet the requirements of the aforementioned state/federal regulations.

“OFF-ROAD VEHICLE (ORV).” A motor driven vehicle capable of cross-country travel meeting the definitions of IC 14-8-2-185-b-4 for an all-terrain vehicle (ATV) or IC 14-8-2-184-b-5 for a recreational off-highway vehicle (ROV). This definition excludes other vehicle types defined by IC 14-8-2-185 as referenced by IC 9-13-2-117.3 or current relevant state law. ROVs as defined by this chapter may also commonly be referred to as Utility Terrain Vehicles (UTVs), side-by-sides, or Multipurpose Off-Highway Utility Vehicles (MOHUVs), among other designations. See also 16 CFR 1420.2(a), ANSI/SVIA 1 – 2023, ANSI/ROHVA 1-2023, and/or ANSI/OPEI B71.9-2022 or the current relevant revisions of the aforementioned regulations and industry standards.

(B) ORVs may only be operated on the city streets of the City of Madison with special approval of the Board of Public Works if the corresponding approval/use is deemed to be beneficial to the City. Such approval may be granted for individuals, companies, organizations, special events, etc. with a scope and/or duration as defined per the full discretion of the Board; such approval may equally be revoked by the Board for any reason. The Board may choose to waive or amend the registration and insurance requirements of this chapter as it deems appropriate for such approvals; this authority of the Board shall extend to special approvals for golf carts and LSVs as well.

(C) Golf carts, LSVs, and ORVs shall not be operated on Michigan Hill Road between Milton Street and Autumnwood Lane.

(D) Golf carts, LSVs, and ORVs may not be operated on State Roads 56, 62, or 7, U.S. Highway 421, Main Street in downtown Madison running from Jefferson Street to Cragmont St, Clifty Hollow Rd, or any federal highway at any time. Golf carts, LSVs, and ORVs may:

- (1) Cross Clifty Drive at the intersections of Wilson Avenue, Harry Nichols Drive, Cragmont Street, Demaree Drive (Franks Drive - North/East), and Ivy Tech Drive,
- (2) Cross Main Street only at intersections controlled by automatic stop lights,
- (3) Cross Highway 421 at a right angle at the intersection of Walnut Street and Aulenbach Avenue and at the intersection of 3rd Street (one-way),
- (4) And cross Highway 7 at a right angle at the intersection of Orchard Street, Green Road, W. Third Street, and Delta Lane.

(E) LSVs purchased and titled with the state by their current owner prior to March 18th, 2025 may register with the City as prescribed in paragraph (P) below and shall then be permitted to drive on Main Street. Proof of purchase/title date shall be provided at the time of registration.

(F) Operators of golf carts, LSVs, and ORVs shall at all times yield the right-of-way to faster moving traffic and may not impede the regular flow of traffic.

(G) Golf carts and ORVs shall not be operated on streets and highways of the City of Madison, Indiana during one-half hour after sunset to one-half hour before sunrise unless the golf cart is equipped with one or more operating headlights (one or more on the center line and/or equally disposed on each side of the front of the golf cart) and two operating tail lights with brake lights (one on each side of the rear of the golf cart) which are visible from a distance of 500 feet. Headlights shall be aimable and/or have a low beam mode to allow for minimizing glare for other road users and shall be maintained and operated in such a manner.

(H) Operators of golf carts or ORVs not equipped with operating front and rear turn signals, shall give a continuous hand signal for a minimum of 100 feet or 5 seconds of their intention to turn off of the street they are traveling.

(I) LSVs shall be equipped with, in good working order, all required safety equipment per IC 9-13-2-94.5 and 49 CFR 571.500 (FMVSS 500) or current relevant state/federal regulations including, but not limited to, headlamps, tail lamps, stop lamps, and front and rear turn signals.

(J) Golf carts shall be identified as slow moving vehicles by a state approved triangular slow moving vehicle sign positioned a minimum of three feet and a maximum of five feet above the road surface, as near as practicable to the center of the golf cart, and clearly visible from the rear, in accordance with IC 9-21-9-2 or current applicable state law, at all times while being operated on city streets.

- (1). The aforementioned slow moving vehicle signs shall comply with the standards and recommendations of the American Society of Agricultural Engineers (ASME), the American National Standards Institute (ANSI), and the Society of Automotive Engineers (SAE) in accordance with IC 9-21-9-5.

(K) Golf carts, LSVs, and ORVs shall not be operated on city sidewalks or city walking paths, including but not limited to, Heritage Trail. except for:

(1). Hatcher Hill

(L) The number of occupants in a golf cart, LSV, or ORV shall be limited to the number of persons for whom factory seating is installed and provided on the golf cart.

(M) The operator and all occupants shall be seated in the golf cart, LSV, or ORV and no part of the body of the operator or occupant shall extend outside the perimeter of the golf cart, LSV, or ORV while the golf cart is in motion.

(N) Only persons over 16 years of age and holding a driver's license may operate a golf cart, LSV, or ORV.

(O) The operator of the golf cart, LSV, or ORV shall comply with all traffic rules and regulations adopted by the State of Indiana and the City of Madison which govern the operation of motor vehicles.

(P) All golf carts and ORVs operated on the city streets of the City of Madison shall be registered with the City of Madison and bear a registration sticker. The City shall collect a fee for said registration, which shall be set from time to time by the Board of Public Works and Safety. The City of Madison will provide a copy of the relevant rules and regulations to the owner(s) at the time the annual permit is issued. Golf carts registered with Jefferson County, Indiana and bearing the proper registration sticker shall be permitted to operate on the City streets of the City of Madison.

(Q) LSVs must be registered with the state Bureau of Motor Vehicles per IC 9-18.1-5-2 or current relevant state law. In the event that state law no longer requires registration of LSVs, they will be subject to the registration requirements of paragraph (P).

(R) ORVs purchased on or after January 1, 2010 must be registered with the state Bureau of Motor Vehicles per IC 9-18.1-14-1 or current relevant state law.

(S) The financial ability of the operator or owner notwithstanding, the operator of a golf cart must show proof of financial responsibility when operating a golf cart, LSV, or ORV.

(T) Liability insurance coverage for a golf cart, LSV, or ORV operated on city streets of the City of Madison shall be in an amount not less than the minimum required by Indiana law for motor vehicles operated on public highways in the State of Indiana.

(U) The authority to determine whether a vehicle meets the definition of a golf cart, LSV, or ORV under paragraph (A) of this section shall be at the discretion of the Mayor or his/her designee. This decision may be appealed to the Board of Public Works for final determination except as otherwise determined by state or federal regulation.

(V) Whoever shall violate any provision of this chapter for which another penalty is not provided by state law shall be fined as provided in § 70.99.

(Ord. 2009-10, passed 8-18-09; Am. Ord. 2020-8, passed 6-16-20; Am. Ord. 2021-4, passed 5-4-21) Penalty, see § 70.99