

**CHAPTER 77: MOTORIZED GOLF CART  
AND MINI TRUCK USE ON ROADWAYS**

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**CITY OF BENSON**

**AN ORDINANCE OF THE CITY OF BENSON, MINNESOTA, TO AMEND TITLE VII: TRAFFIC CODE OF THE CODE OF ORDINANCES BY ADDING SECTION 77 TO ESTABLISH RULES AND REGULATIONS FOR THE USE OF MOTORIZED GOLF CARTS AND MINI TRUCKS ON NON-HIGHWAY ROADWAYS WITHIN THE CITY.**

**WHEREAS**, the City charter grants the city the power to enact ordinances that protect and improve the safety, health, and welfare of the city and its citizens; and

**WHEREAS**, Minnesota Statutes, § 169.045, grants cities the authority to authorize and regulate the operation of motorized golf carts and mini trucks on designated roadways within the City's jurisdiction.

**WHEREAS**, the City has reviewed Minnesota Statutes regarding operation of motorized golf carts and mini trucks on designated roadways or portions thereof under its jurisdiction, and the City finds said authorization to be reasonable in addressing the health, safety of the general public; and,

**WHEREAS**, the City had determined it is in the best interest of the City and its residents to establish clear and concise rules governing the use of motorized golf carts and mini trucks on designated roadways within the City.

Therefore, The City Council of the City of Benson hereby ordains that:

Section 77, Motorized Golf Cart and Mini Truck Use on Roadways, Title VII, Traffic Code shall be adopted into the Benson City Code to read as follows:

**§ 77.01 PURPOSE.** Pursuant to its authority under Minnesota Statutes, § 169.045, the City authorizes the operation of motorized golf carts and mini trucks on designated roadways as permitted under this Section.

**§ 77.02 DEFINITIONS.** For the purpose of this Section, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

**AUTHORIZED OPERATOR.** Only persons with a valid driver's license may operate motorized golf carts and mini trucks.

**COMMUNITY EVENTS.** Events sponsored, co-sponsored or supported by the City. Community events may also include celebrations organized by a nonprofit, community based organization intended to serve the entire community. The City Manager shall determine if an event qualifies for the exemption.

**DESIGNATED ROADWAYS.** The roadways listed on the approved permit on which the motorized golf cart and mini trucks may operate. Designated roadways must be public streets under City jurisdiction with speed limits of 35 miles per hour or less.

**MINI TRUCK.** A motor vehicle that has four wheels; is propelled by an electric motor with a rated power of 7,500 watts or less or an internal combustion engine with a piston displacement capacity of 660 cubic centimeters or less; has a total dry weight of 900 to 2,200 pounds; contains an enclosed cabin with a seat for the vehicle operator; commonly resembles a pickup truck or van, including a cargo area or bed located at the rear of the vehicle; and was not originally manufactured to meet federal vehicle safety standards required of motor vehicles in the Code of Federal Regulations, title 49, Section 571.101 to 571.404, and successor requirements. A mini truck does not include a neighborhood electric vehicle or a medium-speed electric vehicle; or a motor vehicle that meets or exceeds the regulations in the Code of Federal Regulations, title 49, Section 571.500 and successor requirements. This definition also specifically excludes vehicles commonly known as all terrain vehicles or ATVs.

**MOTORIZED GOLF CART.** A self-propelled vehicle of the type and style designated for and commonly used by patrons of golf courses, including three or four wheeled vehicles specifically designed for handicap mobility equipped with the proper slow moving vehicle signage and rearview mirrors. This definition specifically excludes vehicles commonly known as all terrain vehicles or ATVs.

**§ 77.03 PERMIT REQUIRED.** No motorized golf cart or mini truck, as defined herein, may be operated on designated roadways, or on any public right-of-way or public property without first obtaining a permit from the City.

**§ 77.04 PERMIT APPLICATION.** Every application for a motorized golf cart or mini truck permit must be made on a form supplied by the City and must contain the following information:

- Date;
- The name, address and phone number of the applicant;
- A copy of the applicant's driver's license;
- Make, model and serial number of the vehicle;
- Proof of insurance, including the company name, policy number, effective dates, and coverage;
- The roadways on which the motorized golf cart or mini truck will be operated;
- The time of operation of the motorized golf cart or mini truck; and
- Such other information as the City may require.

**§ 77.05 FEES.** The City Council may establish an annual fee for a permit.

**§ 77.06 TERM OF PERMIT.** Permits are effective for one (1) calendar year beginning January 1st and ending December 31st, and may be annually renewed.

**§ 77.07 INSURANCE.** The applicant must provide evidence of insurance complying with the provisions of Minnesota Statute § 65B.48, with the permit application. Every motorized golf cart and mini truck operator shall have proof of insurance in possession while operating the motorized golf cart or mini truck on designated streets and shall produce such proof of insurance on demand of a police officer as specified in Minnesota Statute § 169.791.

**§ 77.08 OPERATING CONDITIONS.**

(A) *Designated Roadways:* Motorized golf carts and mini trucks may only be operated on the designated roadways specified on the approved permit.

(B) *Prohibited Operation:* The operation of motorized golf carts and mini trucks are expressly prohibited on all public bike trails, walking trails and sidewalks.

(C) *Times of Operation:* Motorized golf carts may only be operated on the designated roadways from sunrise to sunset. Mini trucks, with required equipment as set forth herein, may be operated on the designated roadways after sunset. Motorized golf carts and mini trucks shall not be operated in inclement weather or when visibility is impaired by weather, smoke, fog or other conditions, or at any time when there is insufficient light to clearly see persons and vehicles on the roadway at a distance of 500 feet.

(D) *Slow-Moving Emblem and Rear-View Mirrors:* Motorized golf carts must display the slow-moving emblem as described in Minnesota Statute §169.522 when operated on designated roadways. Motorized golf carts must also be equipped with a rear-view mirror.

(E) *Crossing Intersecting Highways:* The operator, under permit, of a motorized golf cart or mini truck, may cross any street or highway at intersections.

(F) *Application of Traffic Laws:* Every person operating a motorized golf cart or mini truck under permit on designated roadways has all the rights and duties applicable to the driver of any other vehicle under Minnesota Statute, Chapter 169, except when those provisions cannot reasonably be applied to motorized golf carts or mini trucks and except as otherwise specifically provided in Minnesota Statute, § 169.045, Subdivision 7.

(G) *Required Equipment on Mini Trucks.* A mini truck may be operated under permit on designated roadways if it is equipped with:

- (1) at least two headlamps;
- (2) at least two taillamps;
- (3) front and rear turn-signal lamps;
- (4) an exterior mirror mounted on the driver's side of the vehicle and either (i) an exterior mirror mounted on the passenger's side of the vehicle or (ii) an interior mirror;
- (5) a windshield;
- (6) a seat belt for the driver and passenger;
- (7) a tail lamp or other lamp constructed and placed to illuminate the registration plate with a white light;
- (8) at least two red reflectors on the rear;
- (9) at least two stop lamps in the rear;
- (10) a muffler system that meets the requirements of Minnesota Statute § 169.69
- (11) a braking system that meets requirements of Minnesota Statute § 169.67, including a parking brake;
- (12) a horn or other warning device that meets the requirements of Minnesota Statutes § 169.68

**§ 77.09 SUSPENSION OR REVOCATION OF PERMIT.** A permit may be revoked at any time by the City if the permittee has violated any of the provisions of this Section or of Minnesota Statute, Chapter 169, or if there is evidence the permittee cannot safely operate the motorized golf cart or mini truck on the designated roadways. The City will conduct a hearing to determine if the permit should be revoked after providing the permittee with five (5) days written notice. Any police officer may temporarily suspend a permit prior to the hearing if, in the police officer's professional judgment, public safety would otherwise be endangered.

**§ 77.10 APPEAL OF PERMIT REVOCATION.** A permittee may appeal the decision of the City to revoke or suspend a permit to the City Council. Such an appeal must be filed in writing within five (5) business days of the City's decision. The City Council will conduct a hearing at the next possible regular City Council meeting to determine if the revocation or suspension should be sustained.

**§ 77.11 EXEMPTION.** The City may waive the requirements of this Section for the operation of motorized golf carts or mini trucks as part of a community event, as defined in § 77.02 above.

**§ 77.12 VIOLATION; PENALTY.** Any person violating the terms of this Section shall lose their permit to operate a motorized golf cart or mini truck in the City of Benson and, upon conviction thereof, be found guilty of a misdemeanor and shall be punished in accordance with the penalties established by Minnesota Statutes.

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
Clerk

Approved as to Form: \_\_\_\_\_  
City Attorney

First Reading: August 17, 2009

Second Reading: September 14, 2009

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