



Guidelines for the approval of municipal bylaws

Related to the Pilot Project (Golf Carts) Regulation

This publication is issued under the Open Government Licence – Alberta (<http://open.alberta.ca/licence>).

This publication is available online at <https://open.alberta.ca/publications/guidelines-approval-municipal-bylaws-pilot-project-golf-carts-regulation>.

Guidelines of the Approval of Municipal Bylaws Related to the Pilot Project (Golf Carts) Regulation | Transportation and Economic Corridors

© 2024 Government of Alberta | July 12, 2024

Contents

- Contents..... 3**
- Introduction 4**
- Provincial Requirements 4**
 - Minimum Requirements and Limitations 4
 - Municipal Requirements..... 4
- Additional Considerations for Municipalities 5**
 - Operating Parameters 5
 - Route Selection..... 5
 - Signage..... 5
 - Parking..... 5
 - Municipal Authorization 5
 - Offences and Penalties 6
 - Duty to Report Collisions..... 6
 - Data Collection and Reporting 6
- Submitting Bylaws for Approval 6**
- Post Bylaw Approval..... 7**
 - Communication 7
 - Amendments..... 7
 - Data Collection & Reporting..... 7
- Appendix A – Sample Bylaw Provisions 8**

Introduction

Alberta has created a five-year pilot project regulation to allow interested municipalities to pilot the use of golf carts on select public roads. The Pilot Project (Golf Carts) Regulation (the Regulation) exempts golf carts and their operators from certain requirements under the *Traffic Safety Act* and its regulations that ordinarily make the operation of golf carts on public roadways illegal. These exemptions only apply when municipal bylaws, as approved by the Registrar of Motor Vehicle Services (Registrar), are in place. For bylaws to be approved they must include minimum requirements and limitations as outlined in the Regulation and identify proposed routes. Municipalities may include additional safety requirements, based on what is best for their communities, so long as they do not conflict with the Regulation.

The Regulation will expire on June 14, 2029, at which time municipal bylaws made under this authority will no longer be valid.

Alberta will collect and analyze data throughout the pilot project and will communicate with municipalities regarding next steps prior to the expiry of the Regulation.

Provincial Requirements

The Regulation outlines minimum requirements and limitations for golf carts to be legally allowed on public roads. The Regulation also states requirements for municipal bylaws to be approved.

The Regulation authorizes the Registrar to add additional requirements to the golf cart pilot project. In this event, municipalities will be notified and must amend their bylaws within 60 days to adopt a Registrar-added requirement, in accordance with section 11 of the Regulation.

Minimum Requirements and Limitations

- operators must be 14 years of age or older
- may not be operated during nighttime
- the number of passengers is limited to the number of seats as provided by the manufacturer
- operators must carry at all times and show proof of municipal authorization for the golf cart upon request of any bylaw, peace or police officer
- operation of golf carts is only allowed on roads within a municipality:
 - that have been identified in a municipal bylaw
 - where the maximum speed limit is 50 km/h or less
 - that cross a road with a speed limit over 50 km/h only at points that have been specified in municipal bylaw
 - in communities that have erected signage as specified in municipal bylaw
- maintained as prescribed by the manufacturer, i.e., golf carts:
 - must be in good working order
 - may not be home-built or modified
- no towing of vehicles or equipment is allowed
- operators must follow all rules of the road unless otherwise included in above operating parameters
- commercial vehicles (i.e., golf carts that aren't private passenger vehicles under the *Traffic Safety Act*) aren't eligible for use in this pilot project, unless owned by a municipality and used by a municipal employee in the course of their employment
- unless specified in the Regulation, golf carts are subject to all other rules, terms and conditions as if they were a motor vehicle, and must be operated as such

Municipal Requirements

Municipal bylaws must:

- note coming into force and expiry date
- include any operating parameters that exceed the requirements and limitations in the Regulation
- specify the form, process and fees for operators to obtain proof of municipal authorization (i.e., permit or registration)
- clearly designate routes and include a map of such routes
 - when submitting proposed bylaws and routes, municipalities also include a document that explains why the routes (highways) were selected, and demonstrates consideration of:

- collision statistics for the routes
- traffic volume for the routes
- whether the routes are primarily used for local or recreational traffic
- indicate that data will be collected and reported as required by the Registrar
- specify that operators must report any collision resulting in property damage, of any amount, injury or death directly to the municipality and outline the form and manner in which that information must be reported
- be amended within 60 days, in accordance with the Regulation, to include any terms added by the Registrar

Additional Considerations for Municipalities

Operating Parameters

The provincial requirements and limitations are intended to provide a base level of safety. Municipalities may want to consider additional requirements or limitations that could improve safety depending on the needs of their communities. For example, prohibiting use seasonally, requiring reflectors on the golf cart, having an operator age minimum higher than 14 years of age, or adding a requirement for all passengers to be seated upright in their own seat.

Route Selection

The Regulation requires that bylaws clearly designate routes and include a map of the routes. A document that explains why proposed designated routes (highways) were selected must be provided along with the application/municipal bylaws submitted for approval. This document should demonstrate consideration of:

- collision statistics for the routes;
- traffic volume for the routes;
- whether the routes are primarily used for local or recreational traffic; and
- surrounding environment (i.e., proximity to schools, hospitals, or other infrastructure).

If proposed designated routes will cross a highway with a speed limit over 50 km/h, municipalities should also consider the conditions at these crossing points (e.g., surrounding environment/community, visibility, existing traffic control devices and if additional signage should be posted at crossing locations).

Signage

The Regulation requires that municipalities erect signage at their cost. The intent is to warn regular motor vehicle traffic that they may encounter golf carts. Signage could also be a tool to let golf cart operators know where they are permitted within a community. Municipalities are best positioned to consider the type, number and location for these signs as appropriate for their communities. Municipalities can decide if it is more appropriate to include signs only at community entrance points and at points where routes may intersect with higher speed traffic routes, and/or if they should they be placed at regular intervals along designated routes.

Parking

In addition to restricting where golf carts may operate, municipalities may further restrict where they are allowed to park. Similar to motor vehicle parking, municipalities may want to consider:

- The penalty structure that should apply if a golf cart is not parked in a designated location (e.g., ticket, tow, impound).
- Whether additional signage required in certain locations.

Municipal Authorization

The Regulation requires that golf carts must be authorized by the participating municipality, but does not prescribe the form of proof (which must be carried by operators at all times) or process of this authorization. The Regulation also gives municipalities the ability to charge a fee for a “permit”, but does not prescribe the amount of the fee. These details must be outlined in bylaws.

Municipalities should consider how they will invite golf cart owners to apply. This requirement is an opportunity to educate owners and operators about the pilot project, the requirements and limitations, general safety and any other considerations. It can also be used to collect some of the data that must be reported to the Registrar, such as:

- Golf cart make, model, number of seats, fuel/power source, and vehicle equipment such as headlamps, signal and brake lights
- Number and age of operators
- Intended frequency of use

Alberta recommends that permits be issued annually or per operating season for better tracking of pilot project uptake.

Offences and Penalties

Unless otherwise stated in the Regulation, golf carts are required to follow the rules of the road and will be subject to penalties for violations of the *Traffic Safety Act* and its regulations the same as a motor vehicle.

Additionally, municipalities may create offences and set penalties for any violations of their bylaws. Should they choose to do so, these must be specified within municipal bylaws. The province recommends that municipal bylaws, at minimum, include a provision that makes it an offence to contravene any of the provisions in the Regulation and set a penalty so that municipal bylaw officers may issue tickets for these offences (see Appendix A, provision 16).

Duty to Report Collisions

Like all drivers, golf cart operators must report collisions to police when damage is above the \$5,000 threshold, or there are injuries or fatalities.

Under the Regulation, golf cart operators have an additional reporting requirement. Collisions resulting in property damage of any amount, or injury or death must be promptly reported to the municipality.

Municipalities may wish to consider provincial reporting requirements and forms when deciding how golf cart operators should be required to report collisions to them.

Data Collection and Reporting

Municipalities are required to collect and report data as requested by the Registrar. Reporting requirements include:

- Major Incidents: Notify the Registrar within 24 hours
 - Collisions resulting in damage over \$5,000
 - Injuries requiring medical care
 - Fatalities
- Quarterly on January 31, April 30, July 31 and October 31
 - Number of permits issued
 - All collisions, regardless of damage thresholds
- On November 30 of each year
 - Pilot project report that provides details on golf carts, users, resident feedback, and other municipal issues and concerns

Reporting templates and further information on data collection will be provided upon approval. Additional questions or concerns regarding data collection can be emailed to tec.permitprojects@gov.ab.ca

Submitting Bylaws for Approval

Ensure you have the following:

- Application
- Draft Bylaws
- Route list and map
- Explanation of selected routes

Please email the above documents to: Permitting and Exemption – tec.permitprojects@gov.ab.ca

Post Bylaw Approval

Communication

Municipalities are responsible for ensuring that any changes to bylaws are communicated to golf cart owners, operators and the general public as needed. This includes both municipally initiated changes as well as any new required provisions added by the province as may be required throughout the pilot project (see sections 6 and 11 of the Regulation).

Amendments

Depending on the nature of an amendment, municipalities will need to either notify the Registrar, or submit amendments to the Registrar for approval.

- Municipalities must submit amendments to the Registrar for changes such as:
 - Adding any new routes
 - Withdrawing a requirement or limitation (provided it is not in conflict with the Regulation)
 - Adding a new requirement or limitation
 - Incorporating a new provision as required by the Registrar under section 11 of the Regulation* (municipalities must submit their bylaw for approval within 60 days in such cases)
- Municipalities must notify the Registrar within 30 days (no approval required) when:
 - Removing the designation of a highway from the list of approved routes
 - Repealing a golf cart bylaw, and not replacing it with a new bylaw

NOTE - If the Registrar only removes a provision as a requirement, municipalities do not need to notify or submit the amended bylaws to the Registrar for approval.

Data Collection & Reporting

In addition to reporting requirements and deadlines outlined above, municipalities are encouraged to document feedback from residents to share any concerns with the Registrar on an ongoing basis.

To submit data collection templates and reports, to share additional feedback or for more information, municipalities can contact: Permitting and Exemptions – tec.permitprojects@gov.ab.ca

Appendix A – Sample Bylaw Provisions

The sample provisions in this Appendix are provided for illustration only. This is not a template. Municipalities are encouraged to consult with their legal counsel in development of this bylaw.

The following provisions have been taken from various sources, including other jurisdictions, and adapted for illustration only. They are intended to provide examples of how various provisions might be written.

Please see the Provincial Requirements section of this document for items that must be included in bylaws. Municipalities are responsible to ensure their bylaws do not conflict with the Pilot Project (Golf Carts) Regulation and *Traffic Safety Act* and its regulations, regardless of the example provisions provided below.

City / Town of _____

Province of ALBERTA

Number _____

A BYLAW OF THE CITY / TOWN OF _____, IN THE PROVINCE OF ALBERTA TO
REGULATE THE PILOT TESTING OF GOLF CARTS ON SELECT PUBLIC ROADS

WHEREAS, the Council of the City/Town of _____, duly assembled, deems it advisable to set forth the terms and conditions to regulate the pilot testing of golf carts on select public roads in and through the City/Town of _____.

NOW THEREFORE, the Council of the City/Town of _____, under the authority vested in it by the Pilot Project (Golf Carts) Regulation under the *Traffic Safety Act*, R.S.A. 2000, c. T-6 as well as its general bylaw-making powers under the *Municipal Government Act*, R.S.A. 2000, c. M-26 and the *Traffic Safety Act*, R.S.A. 2000 c. T-6, hereby enacts as follows:

1. This Bylaw may be cited as the "Golf Cart Pilot Project Bylaw".
2. The purpose of the Bylaw is to regulate the operation of golf carts pursuant to the Pilot Project (Golf Carts) Regulation, the *Traffic Safety Act* and its regulations.
3. Definitions in the Pilot Project (Golf Carts) Regulation, and definitions in the *Traffic Safety Act* and its regulations, as applicable, are adopted for the purposes of the interpretation and the application of this Bylaw.

[OPERATING PARAMETERS]

4. All persons operating Golf Carts in accordance with the provisions of this Bylaw shall conform in all respects to the requirements of the Pilot Project (Golf Carts) Regulation, as amended from time to time, a copy of which is attached as Schedule "A" hereto.
5. It shall be unlawful to operate a golf cart on any roadways with a posted speed greater than 50km/h and the travelled portion of Provincial Highways [#X], within the Municipality of _____, except for the purpose of crossing the highway [at a specified location, or unless such operation is permitted by posted signage].
6. No person shall operate a golf cart on any designated walking or ski trail, or on any area that is ditched or designed to provide drainage unless such operation is permitted by posted signage.
7. No person shall operate a golf cart on any Municipal Reserve, Park, Green Space, Cemetery, or Playground unless such operation is permitted by posted signage.

8. No person shall operate a golf cart:
 - a) Without exercising due care and attention,
 - b) Without reasonable consideration for other persons in the area or who might reasonably be expected to be in the area,
 - c) With more seated passengers than the design of the golf cart can safely handle,
 - d) With a person being towed on any type of equipment attached to the golf cart, or
9. Every operator of a golf cart shall:
 - a) When approaching an oncoming vehicle, pass the vehicle on the right,
 - b) Yield the right of way to vehicles approaching from their right,
 - c) When overtaking another vehicle, pass that vehicle on the left,
 - d) Yield the right of way to all pedestrians that are approaching so close as to present a hazard,
 - e) Except when overtaking another vehicle, maintain a safe following distance behind any other vehicle, and
10. A person shall, when requested by a Peace Officer, produce for the Officer's inspection
 - a) Proof of Municipal authorization (permit/registration) as required by Section "X" of this Bylaw.

[ROUTES/SIGNAGE]

11. No person shall operate a golf cart on a public road within the corporate limits of the City/Town of _____, unless
 - a) The road is an approved routes as list/shown on the map in Schedule "X", attached to and forming part of the Bylaw; and
 - b) The road is identified by such signs, as shall be posted, set out in Schedule "X", attached to and forming part of this Bylaw.

[PARKING]

12. Golf carts may be parked along any route approved for golf cart operation according to the terms and conditions of municipal parking bylaw [insert bylaw number and/or section numbers] unless specifically prohibited by posted signage as set out in Schedule "X".

OR

Golf carts may not be parked on any public roadway unless specifically permitted by posted signage as set out in Schedule "X".

[REPORTING AND PERMITS]

13. Persons shall register their golf cart using the form shown in Schedule "X" of this Bylaw by:
 - a) confirming that the golf cart has, and while registered/permitted will continue to have, the features required by the Pilot Project (Golf Carts) Regulation and Section "X" of this Bylaw;
 - b) acknowledging understanding of all terms and conditions related to the operation of golf carts as required by the *Traffic Safety Act* and its regulations, the Pilot Project (Golf Carts) Regulation and this Bylaw;
 - c) acknowledging that all information collected in connection with the permit/registration may be shared with the Registrar in accordance with the Municipality's reporting responsibilities as required by the Pilot Project (Golf Carts) Regulation; and noted in Section 13 of this Bylaw; and
14. A person operating a golf cart shall forthwith report to the Municipality a collision resulting in property damage of any amount, or an injury or fatality.

[OFFENCES AND PENALTIES]

15. A person who contravenes any provision of this bylaw may have their municipal registration/permit for their golf cart seized by a bylaw enforcement officer or revoked by the municipality.
16. A person who contravenes any provision of this bylaw is guilty of an offence.
17. [A Municipality may insert enforcement and penalty provisions of the type typically used by the Municipality for enforcement of their municipal bylaws]

[COMING INTO FORCE]

- 18. This Bylaw comes into force on XXX date, subject to the Bylaw's approval on or before that date by the Registrar of Motor Vehicle Services and the installation of signs as required by section 13 of the Regulation on or before the Bylaw's coming into force date.

READ A FIRST TIME IN COUNCIL

THIS _____ DAY OF _____, 20____.

READ A SECOND TIME IN COUNCIL

THIS _____ DAY OF _____, 20____.

APPROVED BY THE [*the Minister responsible for Alberta Transportation and Economic Corridors, or delegated representative*]

THIS _____ DAY OF _____, 20____.

(Signature)

READ A THIRD AND FINAL TIME IN COUNCIL

THIS _____ DAY OF _____, 20____.

(Mayor)

(Secretary)