

Select Year: 2023 

The 2023 Florida Statutes (including Special Session C)

Title XXIII
MOTOR VEHICLES

Chapter 316
STATE UNIFORM TRAFFIC CONTROL

[View Entire Chapter](#)

316.212 Operation of golf carts on certain roadways.—The operation of a golf cart upon the public roads or streets of this state is prohibited except as provided herein:

(1) A golf cart may be operated only upon a county road that has been designated by a county, a municipal street that has been designated by a municipality, a two-lane county road located within the jurisdiction of a municipality designated by that municipality, or a road that is owned and maintained by a water control district and has been designated by that water control district, for use by golf carts. Before making such a designation, the responsible local governmental entity must first determine that golf carts may safely travel on or cross the public road or street, considering factors including the speed, volume, and character of motor vehicle traffic using the road or street, and if such designation is to be made by a water control district, the district must also receive approval from the county in which the road to be designated is located. Upon a determination that golf carts may be safely operated on a designated road or street, the responsible governmental entity shall post appropriate signs to indicate that such operation is allowed.

(2) A golf cart may be operated on a part of the State Highway System only under the following conditions:

(a) To cross a portion of the State Highway System which intersects a county road or municipal street that has been designated for use by golf carts if the Department of Transportation has reviewed and approved the location and design of the crossing and any traffic control devices needed for safety purposes.

(b) To cross, at midblock, a part of the State Highway System where a golf course is constructed on both sides of the highway if the Department of Transportation has reviewed and approved the location and design of the crossing and any traffic control devices needed for safety purposes.

(c) A golf cart may be operated on a state road that has been designated for transfer to a local government unit pursuant to s. [335.0415](#) if the Department of Transportation determines that the operation of a golf cart within the right-of-way of the road will not impede the safe and efficient flow of motor vehicular traffic. The department may authorize the operation of golf carts on such a road if:

1. The road is the only available public road along which golf carts may travel or cross or the road provides the safest travel route among alternative routes available; and
2. The speed, volume, and character of motor vehicular traffic using the road is considered in making such a determination.

Upon its determination that golf carts may be operated on a given road, the department shall post appropriate signs on the road to indicate that such operation is allowed.

(3) Notwithstanding any other provision of this section, a golf cart may be operated for the purpose of crossing a street or highway where a single mobile home park is located on both sides of the street or highway and is divided by that street or highway, provided that the governmental entity having original jurisdiction over such street or highway shall review and approve the location of the crossing and require implementation of any traffic controls needed for safety purposes. This subsection shall apply only to residents or guests of the mobile home park. If notice is posted at the entrance and exit of any mobile home park where residents of the park operate golf carts or electric vehicles within the confines of the park, it is not necessary for the park to have a gate or other device at the entrance and exit in order for such golf carts or electric vehicles to be lawfully operated in the park.

(4) Notwithstanding any other provision of this section, if authorized by the Division of Recreation and Parks of the Department of Environmental Protection, a golf cart may be operated on a road that is part of the State Park Road System if the posted speed limit is 35 miles per hour or less.

(5) A golf cart may be operated only during the hours between sunrise and sunset, unless the responsible governmental entity has determined that a golf cart may be operated during the hours between sunset and sunrise and the golf cart is equipped with headlights, brake lights, turn signals, and a windshield.

(6) A golf cart must be equipped with efficient brakes, reliable steering apparatus, safe tires, a rearview mirror, and red reflectorized warning devices in both the front and rear.

(7) A golf cart may not be operated on public roads or streets by a person:

(a) Who is under 18 years of age unless he or she possesses a valid learner's driver license or valid driver license.

(b) Who is 18 years of age or older unless he or she possesses a valid form of government-issued photographic identification.

(8) A local governmental entity may enact an ordinance relating to:

(a) Golf cart operation and equipment which is more restrictive than those enumerated in this section. Upon enactment of such ordinance, the local governmental entity shall post appropriate signs or otherwise inform the residents that such an ordinance exists and that it will be enforced within the local government's jurisdictional territory. An ordinance referred to in this section must apply only to an unlicensed driver.

(b) Golf cart operation on sidewalks adjacent to specific segments of municipal streets, county roads, or state highways within the jurisdictional territory of the local governmental entity if:

1. The local governmental entity determines, after considering the condition and current use of the sidewalks, the character of the surrounding community, and the locations of authorized golf cart crossings, that golf carts, bicycles, and pedestrians may safely share the sidewalk;

2. The local governmental entity consults with the Department of Transportation before adopting the ordinance;

3. The ordinance restricts golf carts to a maximum speed of 15 miles per hour and permits such use on sidewalks adjacent to state highways only if the sidewalks are at least 8 feet wide;

4. The ordinance requires the golf carts to meet the equipment requirements in subsection (6). However, the ordinance may require additional equipment, including horns or other warning devices required by s. [316.271](#); and

5. The local governmental entity posts appropriate signs or otherwise informs residents that the ordinance exists and applies to such sidewalks.

(9) A violation of this section is a noncriminal traffic infraction, punishable pursuant to chapter 318 as a moving violation for infractions of subsections (1)-(5) or a local ordinance corresponding thereto and enacted pursuant to subsection (8), or punishable pursuant to chapter 318 as a nonmoving violation for infractions of subsection (6), subsection (7), or a local ordinance corresponding thereto and enacted pursuant to subsection (8).

History.—s. 2, ch. 83-188; s. 1, ch. 84-111; s. 2, ch. 88-253; s. 322, ch. 95-148; s. 4, ch. 96-413; s. 168, ch. 99-248; s. 7, ch. 2000-313; s. 6, ch. 2005-164; s. 3, ch. 2008-98; s. 46, ch. 2010-223; s. 2, ch. 2015-163; s. 1, ch. 2023-67.

RESOLUTION NO. 2008/09- 32

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, FLORIDA, DESIGNATING CERTAIN ROADS WITHIN THE LAKE ASBURY COMMUNITY UPON WHICH GOLF CARTS MAY BE OPERATED PURSUANT TO SECTION 316.212, FLORIDA STATUTES; PROVIDING DEFINITIONS; MAKING FINDINGS; MAKING A DETERMINATION BASED UPON THE FINDINGS; AND PROVIDING AN EFFECTIVE DATE.

Recital

WHEREAS, pursuant to the authority provided in Section 316.212, Florida Statutes, the Board of County Commissioners of Clay County, Florida, desires to designate certain roads within and proximate to the community known as Governor's Creek as roads upon which golf carts may be operated.

Be It Resolved by the Board of County Commissioners of Clay County:

Section 1. Definitions. For purposes of this resolution, and unless the context clearly requires otherwise, the following terms and phrases shall have the meanings herein ascribed:

- (a) "Board" shall mean the Board of County Commissioners of the County.
- (b) "County" shall mean Clay County, Florida.
- (c) "Plats" shall mean the following plats recorded in the public records of the County:

LAKE ASBURY	Book	7	Page	56	through	56
LAKE ASBURY BLOCK 1 UNIT 6	Book	7	Page	55	through	55
LAKE ASBURY BLOCK 2 UNIT 6	Book	7	Page	57	through	57
LAKE ASBURY BLOCK 3 UNIT 6	Book	7	Page	59	through	59
LAKE ASBURY REPLAT NO. 1	Book	7	Page	35	through	35
LAKE ASBURY REPLAT NO. 2	Book	7	Page	36	through	37
LAKE ASBURY UNIT 1	Book	7	Page	15	through	17
LAKE ASBURY UNIT 2	Book	7	Page	18	through	20
LAKE ASBURY UNIT 2A	Book	7	Page	38	through	38
LAKE ASBURY UNIT 2B	Book	7	Page	42	through	44
LAKE ASBURY UNIT 3	Book	7	Page	58	through	58
LAKE ASBURY UNIT 3	Book	7	Page	28	through	30
LAKE ASBURY UNIT 3A	Book	7	Page	39	through	39
LAKE ASBURY UNIT 4	Book	7	Page	53	through	53
LAKE ASBURY UNIT 5	Book	7	Page	54	through	54
LAKE ASBURY UNIT 7	Book	7	Page	60	through	62
LAKE ASBURY UNIT 8	Book	7	Page	70	through	70
LAKE ASBURY UNIT 9	Book	8	Page	4	through	6

LAKE ASBURY UNIT 10	Book	8	Page	25	through	26
LAKE ASBURY UNIT 11	Book	8	Page	7	through	10
LAKE ASBURY UNIT 12	Book	8	Page	27	through	29
LAKE ASBURY UNIT 13	Book	8	Page	11	through	12
LAKE ASBURY UNIT 14	Book	8	Page	14	through	15
LAKE ASBURY UNIT 15	Book	8	Page	16	through	17
LAKE ASBURY UNIT 16	Book	8	Page	47	through	49
LAKE ASBURY UNIT 17	Book	8	Page	30	through	31
LAKE ASBURY UNIT 18	Book	9	Page	2	through	3

(d) "Road" shall mean shall mean each of the following:

- (1) Any of the roads dedicated to the County or to public use in accordance with the Plats, whether designated as a boulevard, court, drive, landing, lane, parkway, place, point, road, street, terrace, trail, way or otherwise, but only to the extent of and within the limits shown on the Plats.

Section 2. Findings. Pursuant to Section 316.212(1), Florida Statutes, the Board does hereby make and adopt the following findings in support of this resolution:

- (a) Each Road is a part of a road network consisting primarily of interconnected, local roads.
- (b) The speed limit for each Road is low, reflecting the residential character of the area.
- (c) The traffic on the road network for which each Road is a part is primarily residential, and is characterized for the most part by limited volumes and intensities.

Section 3. Determination of Safe Travel. Based upon the findings set forth in Section 2, the Board hereby determines that golf carts can be safely operated on, and may safely travel on or cross each Road, provided the requirements of Section 316.212, Florida Statutes, are met.

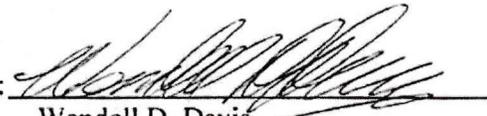
Section 4. Designation. The Board hereby designates each Road as a road upon which golf carts may be operated within the meaning of Section 316.212(1), Florida Statutes. The Board further declares that a golf carts may be operated on a Road after sunset if the golf cart is equipped with headlights, brake lights, turn signals and a windshield, all in accordance with the requirements of Section 316.212(4), Florida Statutes.

Section 5. Signs. Appropriate signs to inform the residents and the public that golf carts may be operated on the Roads must be posted prior to operating any golf carts on the Roads. The signs shall be provided at the expense of Lake Asbury Community Association.

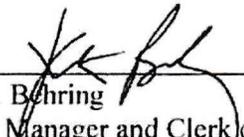
Section 6. Effective Date. This resolution shall become effective upon the date of its adoption.

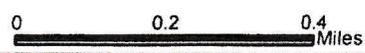
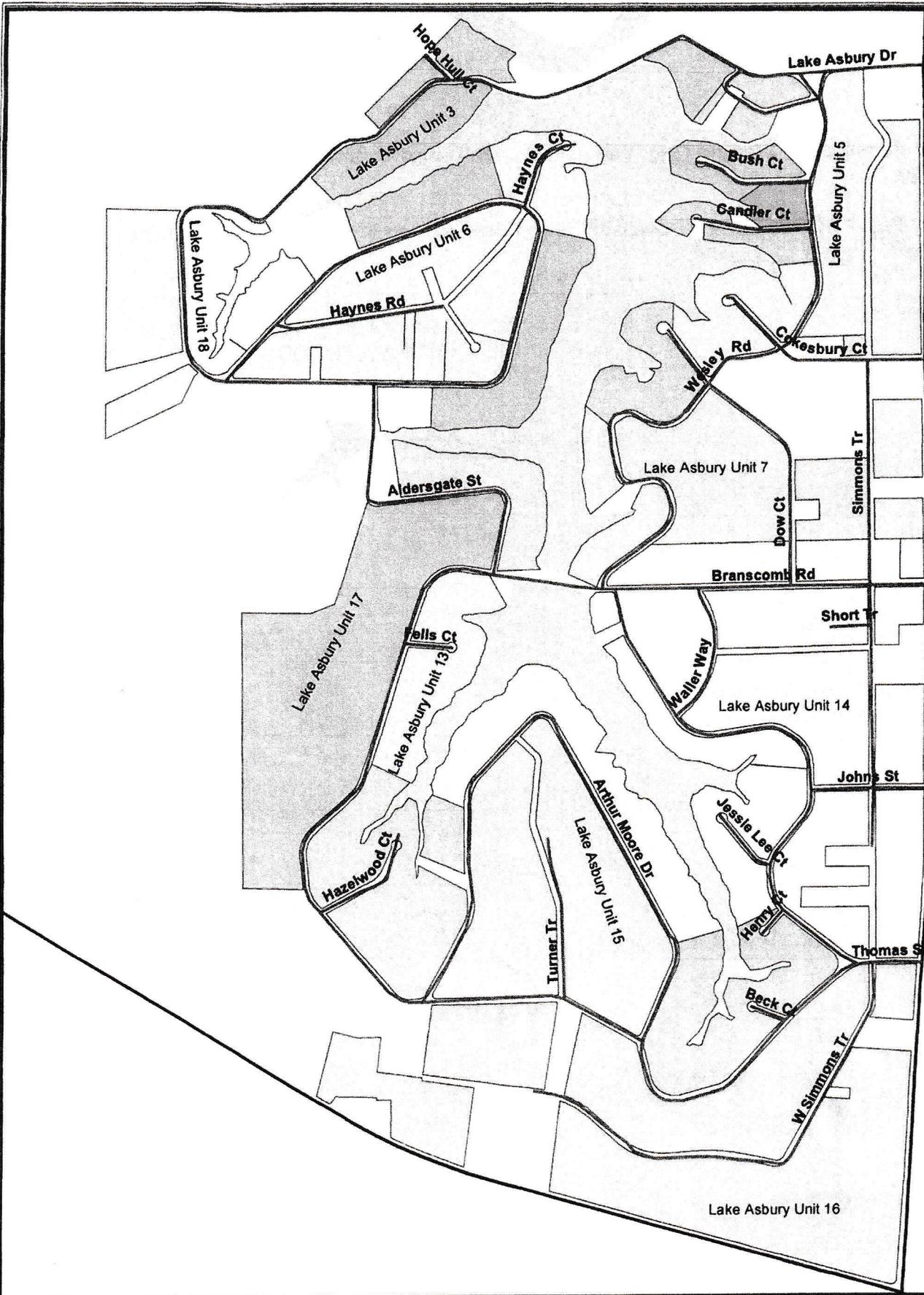
DULY ADOPTED by the Board of County Commissioners of Clay County, Florida, this 24 day of March, 2009.

BOARD OF COUNTY COMMISSIONERS
CLAY COUNTY, FLORIDA

By: 
Wendell D. Davis
Its Chairman

ATTEST:


Fritz A. Behring
County Manager and Clerk of the
Board of County Commissioners



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Roads in Lake Asbury

Golf Cart Ordinance 08/09-32



Created By GIS Department
Map Prepared April 16, 2009

Select Year: 2023 ▼

The 2023 Florida Statutes (including Special Session C)

Title XXIII
MOTOR VEHICLES

Chapter 317
OFF-HIGHWAY VEHICLE TITLING

[View Entire Chapter](#)

317.0003 **Definitions.**—As used in this chapter, the term:

- (1) “ATV” means any motorized off-highway or all-terrain vehicle 55 inches or less in width which has a dry weight of 1,500 pounds or less, is designed to travel on three or more nonhighway tires, and is manufactured for recreational use by one or more persons.
- (2) “Dealer” means any person authorized by the Department of Revenue to buy, sell, resell, or otherwise distribute off-highway vehicles. Such person must have a valid sales tax certificate of registration issued by the Department of Revenue and a valid commercial or occupational license required by any county, municipality, or political subdivision of the state in which the person operates.
- (3) “Department” means the Department of Highway Safety and Motor Vehicles.
- (4) “Florida resident” means a person who has had a principal place of domicile in this state for a period of more than 6 consecutive months, who has registered to vote in this state, who has made a statement of domicile pursuant to s. [222.17](#), or who has filed for homestead tax exemption on property in this state.
- (5) “OHM” or “off-highway motorcycle” means any motor vehicle used off the roads or highways of this state that has a seat or saddle for the use of the rider and is designed to travel with not more than two wheels in contact with the ground, but excludes a tractor or a moped.
- (6) “Off-highway vehicle” means any ATV, two-rider ATV, ROV, or OHM that is used off the roads or highways of this state and that is not registered and licensed for highway use pursuant to chapter 320.
- (7) “Owner” means a person, other than a lienholder, having the property in or title to an off-highway vehicle, including a person entitled to the use or possession of an off-highway vehicle subject to an interest held by another person, reserved or created by agreement and securing payment of performance of an obligation, but the term excludes a lessee under a lease not intended as security.
- (8) “Public lands” means lands within the state that are available for public use and that are owned, operated, or managed by a federal, state, county, or municipal governmental entity.
- (9) “ROV” means any motorized recreational off-highway vehicle 80 inches or less in width which has a dry weight of 3,500 pounds or less, is designed to travel on four or more nonhighway tires, and is manufactured for recreational use by one or more persons. The term does not include a golf cart as defined in ss. [316.003](#) and [320.01](#) or a low-speed vehicle as defined in s. [320.01](#).
- (10) “Two-rider ATV” means any ATV that is specifically designed by the manufacturer for a single operator and one passenger.

History.—s. 57, ch. 2002-295; s. 43, ch. 2005-164; s. 3, ch. 2009-137; s. 2, ch. 2010-198; s. 43, ch. 2010-223; s. 83, ch. 2013-160; s. 4, ch. 2014-187; s. 3, ch. 2019-19; s. 2, ch. 2022-93.

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Title XXIII
MOTOR VEHICLES

Chapter 316
STATE UNIFORM TRAFFIC CONTROL

[View Entire Chapter](#)

316.2123 Operation of an ATV on certain roadways.—

(1) The operation of an ATV, as defined in s. [317.0003](#), upon the public roads or streets of this state is prohibited, except that an ATV may be operated during the daytime on an unpaved roadway where the posted speed limit is less than 35 miles per hour.

(2) A county is exempt from this section if the governing body of the county, by majority vote, following a noticed public hearing, votes to exempt the county from this section. Alternatively, a county may, by majority vote after such a hearing, designate certain unpaved roadways where an ATV may be operated during the daytime as long as each such designated roadway has a posted speed limit of less than 35 miles per hour and is appropriately marked to indicate permissible ATV use.

(3) Any ATV operation that is permitted under subsection (1) or subsection (2) may be undertaken only by a licensed driver or a minor who is under the direct supervision of a licensed driver. The operator must provide proof of ownership under chapter 317 upon the request of a law enforcement officer.

*History.—*s. 14, ch. 2006-290; s. 17, ch. 2007-196; s. 4, ch. 2019-19.

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