

BYLAW NO. 1202/2024

GOLF CART PILOT PROJECT BYLAW

BEING A BYLAW OF THE VILLAGE OF DELBURNE, IN THE PROVINCE OF ALBERTA TO REGULATE THE PILOT TESTING OF GOLF CARTS ON SELECT PUBLIC ROADS.

WHEREAS, the Municipal Council of the Village of Delburne, 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 Village of Delburne.

NOW THEREFORE, the Municipal Council of the Village of Delburne, in the Province of Alberta, duly assembled, 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. Title

This Bylaw may be cited as the "***Golf Cart Pilot Project Bylaw***".

2. Purpose

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

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.

- 3.1 "Act" means the *Traffic Safety Act*, RSA 2000, T-6;
- 3.2 "Council" means the municipal Council of the Village of Delburne, duly assembled and acting as such;
- 3.3 "Chief Administrative Officer" (CAO) means a Municipal Official in the responsible role of Chief Administrative Officer of the Village of Delburne, or anyone authorized to act on their behalf;
- 3.4 "Designated Highway" means a highway identified by the Village of Delburne and approved by the Registrar as a highway that golf carts may operate on;
- 3.5 "Owner" has the same meaning within the Act and further includes a person who is identified in a Permit issued under Section 6 of this bylaw;
- 3.6 "Enforcement Officer" means any member of the Royal Canadian Mounted Police (RCMP), Community Peace Officer, Bylaw Enforcement Officer or designate. Including, but not limited to, a person hired or contracted by the Village of Delburne to enforce the provisions of this Bylaw;
- 3.7 "Permit" means a permit issued in accordance with this Bylaw under Section 6;
- 3.8 "Violation Tag" means a tag or similar documents issued by the Municipality pursuant to the Municipal Government Act, R.S.A. 2000, c. M-26, and amendments thereto;
- 3.9 "Violation Ticket" means a ticket issued pursuant to the Provincial Offences Procedure Act, R.S.A. 2000, c.P-34, as amended and the regulations there under.

4. OPERATING RESTRICTIONS

- 4.1 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.



- 4.2 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 within the Municipality of the Village of Delburne.
- 4.3 No person shall operate a golf cart on any municipal designated walking trail, or on any area that is ditched or designed to provide drainage unless such operation is permitted by posted signage.
- 4.4 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.
- 4.5 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
- 4.6 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
- 4.7 A person shall, when requested by an Enforcement Officer, produce for the Officer's inspection
- a) Proof of Municipal authorization (permit/registration) as required by Section "6" of this Bylaw.

5. DESIGNATED HIGHWAYS/ROUTES

- 5.1 No person shall operate a golf cart on a public road within the corporate limits of the Village of Delburne, unless
- a) The road is an approved route as listed/shown on the map in Schedule "B", attached to and forming part of the Bylaw;
 - b) The road is identified by such signs, as shall be posted, set out in Schedule "C", attached to and forming part of this Bylaw; and
 - c) The parking of golf carts will be permitted on the property owners driveways.
- 5.2 Any changes to designated highways shall be submitted to the Registrar for approval.

6. REPORTING AND PERMITS

- 6.1 Council hereby authorizes the CAO to issue permits, attach conditions, and to charge a fee to regulate and control golf carts within the Village.
- 6.2 Permits, at a minimum shall include:
- a) The owner's name and operator's license information,
 - b) Proof of liability insurance in the amount of \$2,000,000,
 - c) Make, model and serial number of the golf cart,
 - d) Conditions and responsibilities of golf cart operators and owners, and
 - e) Any other information as required by the Registrar.
- 6.3 Permits shall only be valid from January 1 – December 31 of any one calendar year.
- 6.4 Permit fees are identified in the Village of Delburne Fees and Charges Bylaw.
- 6.5 Persons shall register their golf cart using the form provided by the Village of Delburne:
- 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 "6.2" 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 6 of this Bylaw; and

6.6 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.

7. COMPLIANCE AND ENFORCEMENT

7.1 A person who contravenes any provision of this bylaw may have their municipal registration/permit for their golf cart seized by an Enforcement Officer or revoked by the Municipality.

7.2 A person who contravenes any provision of this bylaw is guilty of an offence.

7.3 Stopping for an Enforcement Officer

- a) For the purposes of administering and enforcing this Bylaw, an Enforcement Officer may:
 - i. Signal or direct a driver of a golf cart to stop the vehicle, and
 - ii. Request information from the driver of the golf cart and any passengers on or in the vehicle.
- b) When signaled or directed to stop by an Enforcement Officer, a driver of a golf cart shall:
 - i. Forthwith bring the vehicle to a stop,
 - ii. Forthwith furnish to the Enforcement Officer;
 - i. Their operator's license issued pursuant to the Act,
 - ii. Any permit issued pursuant to this Bylaw, and
 - iii. Any other information respecting the driver or the vehicle that the Peace Officer requires, and
 - iii. Remain stopped until permitted by the Enforcement Officer to leave.

8. OFFENCES AND PENALTIES

8.1 The operator of a golf cart that is involved in a contravention of this Bylaw is guilty of an offence and liable upon summary conviction to a fine specified in Schedule "D" of this Bylaw.

8.2 The owner of a golf cart involved in a contravention of this Bylaw is guilty of an offence and liable upon summary conviction to a fine specified in Schedule "D" of this Bylaw.

9. VIOLATIONS

9.1 Violation Tag: An Enforcement Officer is hereby authorized and empowered to issue a Violation Tag to any person who the Enforcement Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

9.2 Violation Ticket: An Enforcement Officer is hereby authorized and empowered to issue a violation ticket, pursuant to Part II of the Provincial Offences Procedure Act (Alberta), to any person who the Enforcement Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

10. SEVERABILITY

Should any section or part of this Bylaw be found to have been improperly enacted, such section shall be deemed to be severable from all other sections of this Bylaw.

11. COMING INTO FORCE

11.1 This Bylaw comes into effect on:

- a) The date of final passing thereof, and
- b) subject to the Bylaw's approval by the Registrar of Motor Vehicle Services and the installation of signs as required by the Regulation.
- c) This Bylaw shall expire June 14, 2029.



First reading of Bylaw 1202/2024 granted this 23 day of September, 2024

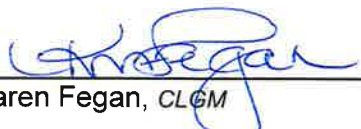
Approved by the Minister of Transportation and Economic Corridors, or delegated representative this 9th Day of October, 2024


(Signature)

Second reading of Bylaw 1202/2024 granted this 23 day of September, 2024

Third and Final reading of Bylaw 1202/2024 granted this 23 day of September, 2024


Mayor – Tim Wilson


CAO – Karen Fegan, CLCM

SCHEDULE A



Province of Alberta

TRAFFIC SAFETY ACT

PILOT PROJECT (GOLF CARTS) REGULATION

Alberta Regulation 114/2024

Current as of June 14, 2024

Extract

© Published by Alberta King's Printer Alberta

King's Printer
Suite 700, Park Plaza 10611 - 98
Avenue Edmonton, AB T5K 2P7
Phone: 780-427-4952

E-mail: kings-printer@gov.ab.ca Shop on-
line at kings-printer.alberta.ca

Copyright and Permission Statement

The Government of Alberta, through the Alberta King's Printer, holds copyright for all Alberta legislation. Alberta King's Printer permits any person to reproduce Alberta's statutes and regulations without seeking permission and without charge, provided due diligence is exercised to ensure the accuracy of the materials produced, and copyright is acknowledged in the following format:

© Alberta King's Printer, 20__.*

*The year of first publication of the legal materials is to be completed.

Note

All persons making use of this document are reminded that it has no legislative sanction. The official Statutes and Regulations should be consulted for all purposes of interpreting and applying the law.

ALBERTA REGULATION 114/2024
Traffic Safety Act
PILOT PROJECT (GOLF CARTS) REGULATION

Table of Contents

- a. Definitions
- b. Application
- c. Golf cart pilot project established
- d. Municipal bylaw
- e. Use on low-speed highways only
- f. Registrar bylaw requirements
- g. Changes to Registrar bylaw requirements
- h. Submission to and approval of Registrar
- i. Exemptions
- j. Amendment or repeal of bylaw
- k. Amendment due to change in Registrar requirements
- l. Suspension or cancellation of Registrar's approval
- m. Sign requirement
- n. Prohibitions and obligations
- o. Turning or changing course or direction
- p. Maintenance and modifications
- q. Producing permits for peace officer
- r. Collision reports
- s. Collection of information
- t. Repeal

Definitions

- In this Regulation,
 - “Act” means the *Traffic Safety Act*;
 - “designated highway” means a highway that has been designated by a participating municipality in accordance with this Regulation as a highway on which a person may operate a golf cart and includes a crossing location;
 - “golf cart” means a motor vehicle designed by a manufacturer primarily to transport golfers and golf equipment on golf courses;
 - “golf cart bylaw” means a bylaw made by a participating municipality under this Regulation respecting golf cart use on designated highways within that municipality;
 - “golf cart permit” means a written authorization in any form that
 - is issued by a participating municipality, and
 - authorizes the operation of a golf cart on designated highways in the participating municipality;
 - “manufacturer” means a person engaged in the business of
 - designing golf carts, and
 - building golf carts or producing kits to build golf carts;
 - “nighttime” means the period commencing one hour after sunset and ending one hour before the following sunrise;
 - “participating municipality” means a municipality with a golf



cart bylaw in effect;

- “subsisting” when used in relation to a golf cart permit or an approval of the Registrar means that, at the relevant time, the golf cart permit or the approval of the Registrar is current and has not expired nor been suspended or cancelled.

Application

- This Regulation does not apply with respect to a golf cart that is a commercial vehicle unless the commercial vehicle is owned by a participating municipality and is operated by an employee of the participating municipality in the course of the employee’s employment.

Golf cart pilot project established

- A project is established to evaluate the use of golf carts on highways.

Municipal bylaw

4(1) In accordance with this section, if a municipality determines that it is advisable to participate in the project established in section 3, a municipality may make a bylaw respecting golf cart use on highways within the municipality.

(2) Notwithstanding section 16 of the Act, a golf cart bylaw must

- (a) designate highways on which a person may operate a golf cart,
- (b) include the provisions required under section 6, and
- (c) provide for a system of permits for golf carts that operate on designated highways.

(3) Notwithstanding section 16 of the Act, a golf cart bylaw may

- (a) designate or provide for the designation of highways on which a person may park a golf cart,
- (b) include duties, obligations, prohibitions and requirements respecting golf carts that are equal to or greater than the duties, obligations, prohibitions and requirements in this Regulation,
- (c) impose a fee for a golf cart permit,
- (d) specify that a contravention of or a failure to comply with the golf cart bylaw is an offence, and
- (e) prescribe or otherwise provide for penalties with respect to the contravention of the golf cart bylaw.

(4) Notwithstanding the limit related to the direction, control and management of highways in section 13 of the Act, a municipality may make a golf cart bylaw respecting golf carts on

- (a) a highway under the municipality’s direction, control and management, and
- (b) a provincial highway as defined in the *Highways Development and Protection Act* that is in the municipality.

(5) A municipality making a golf cart bylaw shall ensure that signs are erected in accordance with section 13 before the municipality’s golf cart bylaw comes into force.

(6) A golf cart bylaw must come into force on a date that is on or after the date of the approval of the Registrar under section 8.

(7) A golf cart bylaw has no effect unless there is a subsisting approval by the Registrar under section 8.

(8) A golf cart bylaw must comply with this Regulation.

Use on low-speed highways only

5(1) Subject to subsection (2), when, in a golf cart bylaw, a municipality designates a highway on which a person may operate a golf cart, the municipality shall not designate a highway with a maximum speed limit higher than 50 km/h.

(2) In a golf cart bylaw, a municipality may designate a location where a golf cart operator may drive the golf cart across a highway that has a maximum speed limit higher than 50 km/h.

Registrar bylaw requirements

6(1) The Registrar may specify provisions that are required to be included in a golf cart bylaw.

(2) The Registrar shall publish the required provisions, if any, on the website of the Minister's Department.

Changes to Registrar bylaw requirements

7(1) The Registrar may add, remove and modify provisions that a municipality is required to include in a golf cart bylaw under section 6.

(2) If the Registrar has approved a golf cart bylaw, the Registrar shall notify the participating municipality in writing of the additions, removals or modifications under subsection (1).

Submission to and approval of Registrar

8(1) A municipality shall submit a golf cart bylaw made by the municipality to the Registrar for approval.

(2) With the golf cart bylaw, the municipality shall submit to the Registrar

(a) a document that, in relation to highways designated for golf cart operation,

(i) explains why the highways were selected for designation in the golf cart bylaw, and

(ii) demonstrates consideration of

(A) collision statistics for the designated highways,

(B) traffic volume for the designated highways, and

(C) whether the designated highways are primarily used for local or recreational traffic,

and

(b) any additional information or documents requested by the Registrar.

(3) The Registrar may approve the golf cart bylaw if

(a) the Registrar is satisfied with the golf cart bylaw and with the information and documents provided under subsection (2),

(b) the bylaw complies with this Regulation, and

(c) in the opinion of the Registrar, it is in the public interest to approve the golf cart bylaw.

(4) The Registrar shall provide written notice to the municipality of the Registrar's decision to approve or not to approve the bylaw.

Exemptions

9(1) Subject to subsection (3), if a golf cart has a subsisting golf cart permit issued under a golf cart bylaw that has a subsisting approval of the Registrar, a person operating the golf cart is exempt from

(a) section 51 of the Act and all requirements related to operator's licences in the Act or the regulations under the Act,

(b) section 52 of the Act and all requirements related to



registration in the Act or the regulations under the Act,

- (c) section 53 of the Act and all requirements related to licence plates in the Act or the regulations under the Act,
- (d) section 54 of the Act and all requirements related to insurance in the Act or the regulations under the Act,
- (e) the *Operator Licensing and Vehicle Control Regulation* (AR 320/2002), except Part 5 of that Regulation,
- (f) the *Vehicle Equipment Regulation* (AR 122/2009), and
- (g) Division 13 of Part 1 of the *Use of Highway and Rules of the Road Regulation* (AR 304/2002).

(2) Subject to subsection (3), if a golf cart

- (a) has a subsisting golf cart permit issued under a golf cart bylaw that has a subsisting approval of the Registrar, and
- (b) does not have signalling devices, head lamps, stop lamps and hazard warning lamps that comply with the *Vehicle Equipment Regulation* (AR 122/2009),

a person operating the golf cart is exempt from all signalling, headlamp, stop lamp and hazard warning lamp requirements of the *Use of Highway and Rules of the Road Regulation* (AR 304/2002), including sections 9, 10, 11, 15(2), 24, 35, 49 and 88(2).

(3) The exemptions in subsections (1) and (2) only apply if the golf cart is being operated

- (a) on a designated highway within the participating municipality that issued the golf cart permit for the golf cart,
- (b) in compliance with this Regulation, and
- (c) in compliance with the golf cart bylaw of the participating municipality that issued the golf cart permit.

Amendment or repeal of bylaw

10(1) Subject to subsections (2) and (3), if a participating municipality amends a golf cart bylaw approved under section 8, the participating municipality shall submit the amendment to the Registrar for approval in accordance with section 8.

(2) If an amendment to a golf cart bylaw by a participating municipality only removes the designation of a highway for golf cart operation or parking,

- (a) the participating municipality shall notify the Registrar of the amendment within 30 days of the amendment coming into force, and
- (b) the approval of the Registrar is not required for the amendment.

(3) If a participating municipality repeals the golf cart bylaw and does not replace it with a new golf cart bylaw,

- (a) the participating municipality shall notify the Registrar of the repeal within 30 days of the repeal, and
- (b) the approval of the Registrar is not required for the repeal.

(4) If an approval of the Registrar is required for an amendment to a golf cart bylaw, the amendment to the golf cart bylaw has no effect unless approved by the Registrar in accordance with section 8.

Amendment due to change in Registrar requirements

11(1) Subject to subsection (2), if

- (a) a participating municipality has a golf cart bylaw



approved under section 8, and

- (b) under section 7, the Registrar adds or modifies the provisions that a municipality is required to include in a golf cart bylaw,

the participating municipality shall amend its golf cart bylaw to comply with the additional or modified requirements and submit the golf cart bylaw amendment to the Registrar for approval in accordance with section 8.

(2) If the change in the requirements of the Registrar only removes a provision that a participating municipality is required to include in its golf cart bylaw under section 7, subsection (1) does not apply.

(3) If an amendment to a golf cart bylaw is required under subsection (1), the amendment to the golf cart bylaw has no effect unless approved by the Registrar in accordance with section 8.

(4) If a participating municipality does not submit an amendment to its golf cart bylaw to the Registrar for approval within 60 days of a notice under section 7(2) of a change in provision requirements, the Registrar may suspend or cancel the Registrar's approval of the golf cart bylaw.

(5) Section 12(2) to (4) apply to a suspension and a cancellation under subsection (4).

Suspension or cancellation of Registrar's approval

12(1) The Registrar may suspend or cancel the approval of a golf cart bylaw under section 8.

(2) The Registrar shall give notice in writing of the suspension or cancellation to the municipality.

(3) If the Registrar has suspended the approval of a golf cart bylaw, the Registrar may, on notice in writing to the participating municipality,

- (a) cancel the Registrar's approval of the bylaw, or
- (b) end the suspension.

(4) If the approval of the Registrar is suspended or cancelled, the golf cart bylaw has no effect and the municipality shall notify a person with a golf cart permit that the golf cart bylaw has no effect.

Sign requirement

13 A participating municipality shall erect signs at locations determined by the participating municipality indicating that there may be golf carts on highways in the participating municipality.

Prohibitions and obligations

14(1) A person shall not operate a golf cart on a highway except on a designated highway.

(2) A person shall not park a golf cart on a designated highway unless authorized by a golf cart bylaw.

(3) A person shall not operate a golf cart on a designated highway except in accordance with

- (a) this Regulation, and
- (b) a golf cart bylaw that has a subsisting approval of the Registrar under section 8.

(4) A person shall not operate a golf cart on a designated highway in a participating municipality unless there is a subsisting golf cart permit issued by the participating municipality in respect of the golf cart.

(5) A person who is less than 14 years old shall not operate a golf cart on a designated highway.

(6) A person shall not operate a golf cart on a designated highway during nighttime.

(7) A person shall not operate a golf cart on a designated highway if the number of passengers in the golf cart exceeds the number of passenger seats available.

(8) A person shall not use a golf cart to tow vehicles or equipment on a designated highway.

Turning or changing course or direction

15 A person shall not start, turn or change the course or direction of a golf cart or stop a golf cart on a designated highway, unless the person has determined that there is sufficient space to safely make the movement.

Maintenance and modifications

16(1) A person shall not operate a golf cart on a designated highway unless the person ensures that the golf cart is maintained in good working order and to the manufacturer's specifications.

(2) A person shall not operate a modified golf cart on a designated highway unless the modification is in accordance with the manufacturer's operator and service manuals.

Producing permits for peace officer

17(1) On the request of a peace officer, a person operating a golf cart shall produce to the peace officer for inspection the subsisting golf cart permit in respect of the golf cart.

(2) A peace officer shall not make a request under subsection (1) unless the peace officer has reasonable grounds to believe that the golf cart was operated on a designated highway.

Collision reports

18(1) Subject to subsection (2), if

- (a) a golf cart is involved in a collision on a highway, and
- (b) the golf cart has a subsisting golf cart permit from a participating municipality,

the golf cart operator shall provide a report of the collision forthwith to the participating municipality in the form and manner specified by the participating municipality.

(2) Subsection (1) does not apply if

- (a) no one is injured or dies as a result of the collision, and
- (b) there is no property damage caused by the collision.

(3) If the operator is incapable of making the report required by subsection (1) and there is a passenger of the golf cart capable of making the report, the passenger shall make the report forthwith.

(4) If a report has not been made under subsection (1) or (3) and the operator or passenger is not the owner of the golf cart, the owner shall make the report forthwith after learning of the collision.

Collection of information

19(1) The Registrar may specify information that a participating municipality is required to collect respecting golf cart use on highways.

(2) The participating municipality shall collect the information and provide the information to the Registrar at the times and in the form and manner specified by the Registrar.

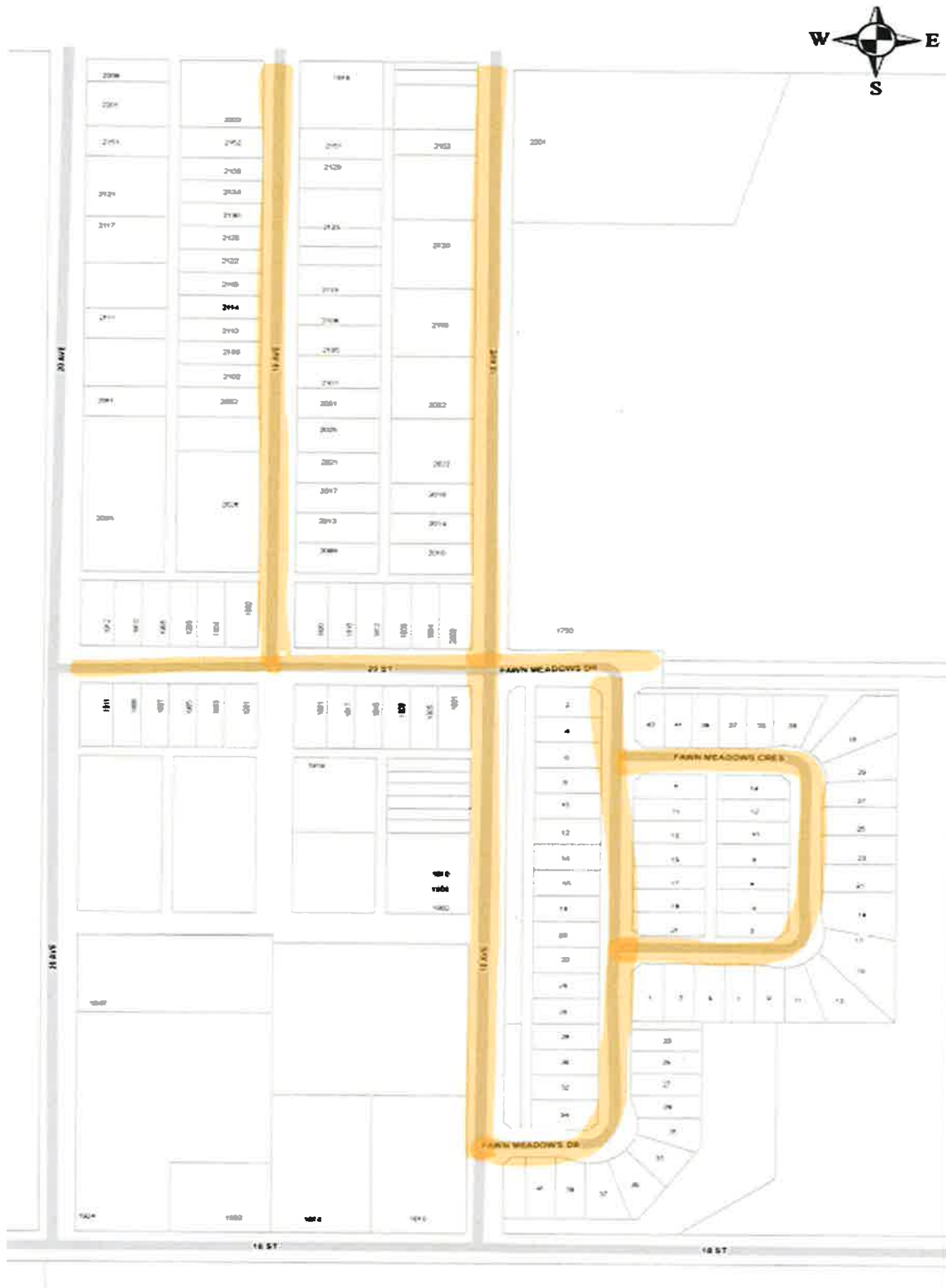
(3) If a municipality ceases to be a participating municipality, the obligation to provide information in subsection (2) continues in respect of information collected when the municipality was a participating municipality.

Repeal

20 This Regulation is made under section 18.1 of the Act and is subject to repeal under section 18.1(3) of the Act.

SCHEDULE B

Permitted Route for Golf Carts



Permitted Access Routes are highlighted in Orange.

Non-Permitted Areas:

- u. School ground,
- v. Developed or landscaped area,
- w. Recreation area,
- x. Private property without permission of the owner or occupant of such property,
- y. Trail system

SCHEDULE C



Handwritten signature

SCHEDULE D

Specified Penalties – Violation Tag

Bylaw Section	Offence	Fine
4	Operator restrictions and responsibilities	\$125.00
7.3	Fail to stop for an Enforcement Officer	\$250.00
7.3 (b) ii	Fail to produce documents for inspection	\$125.00
7.3 (b) iii	Fail to remain stopped	\$250.00
Second offence within a 12-month period	Two times the fine indicated above	
Third offence within a 12 month period	Three times the fine indicated above	

Specified Penalties – Violation Ticket

Bylaw Section	Offence	Fine
4	Operator restrictions and responsibilities	\$250.00
7.3	Fail to stop for an Enforcement Officer	\$500.00
7.3 (b) ii	Fail to produce documents for inspection	\$250.00
7.3 (b) iii	Fal to remain stopped	\$500.00
Second offence within a 12-month period	Two times the fine indicated above	
Third offence within a 12 month period	Three times the fine indicated above	

