

**ORDINANCE NO. 16
SERIES 2018**

**AN ORDINANCE AMENDING CHAPTER 8 OF TITLE 7 OF THE VAIL
TOWN CODE, REGARDING LOW-SPEED ELECTRIC VEHICLES AND
GOLF CARS**

WHEREAS, pursuant to C.R.S. § 42-4-111, the Town is empowered to regulate the operation of low-speed electric vehicles and golf cars within its jurisdiction.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VAIL, COLORADO, THAT:

Section 1. Chapter 8 of Title 7 of the Vail Town Code is hereby repealed in its entirety and reenacted to read as follows:

**CHAPTER 8
LOW-SPEED ELECTRIC VEHICLES AND GOLF CARS**

7-8-1: DEFINITIONS:

For purposes of this Chapter, the following terms shall have the following meanings:

GOLF CAR: A self-propelled vehicle with: a design speed of less than twenty (20) miles per hour; at least three (3) wheels in contact with the ground; an empty weight of not more than one thousand three hundred (1,300) pounds; and a carrying capacity of not more than four (4) persons.

LOW-SPEED ELECTRIC VEHICLE (LSEV): A vehicle that: is operated by a licensed driver; is self-propelled utilizing electricity as its primary propulsion method; has at least three (3) wheels in contact with the ground; does not use handlebars to steer; exhibits the manufacturer's compliance with 49 C.F.R. 565 or displays a seventeen-character vehicle identification number pursuant to 49 C.F.R. 565; and complies with 49 C.F.R. 571.500.

7-8-2: GOLF CARS:

The Vail Golf Course and its employees may use and operate golf cars at the Vail Golf Course for loading and delivery operation and golf operations and maintenance. Persons playing golf at Vail Golf Course are permitted to use golf cars on the Vail Golf Course, but individual use of golf cars outside of Vail Golf Course operations is prohibited. Golf cars shall at all times yield to pedestrians, bicycles and motor vehicles.

7-8-3: LOW SPEED ELECTRIC VEHICLES:

A. An LSEV shall only be used for the transportation of persons and their belongings on Town streets with speed limits not exceeding thirty-five (35) miles per hour.

B. An LSEV may only be operated on Town streets if:

1. The operator holds a valid driver's license;
2. The LSEV is properly equipped and registered as provided by law;
3. The owner of the LSEV holds a complying insurance policy or certificate of self-insurance;
4. The LSEV is not carrying a greater number of passengers or load than that specified by the manufacturer;
5. The driver and passengers are all seated in seats designed and intended for such purpose; and
6. The driver and all passengers comply with the Model Traffic Code, this Code and other applicable law.

7-8-4: DESIGNATED AREAS:

A. Golf cars: Other than their permitted uses on Vail Golf Course property, employees of Vail Golf Course may operate golf cars and travel on the following Town roadways related to Vail Golf Course operations:

1. Sunburst Drive from the Vail Golf Course Clubhouse to Vail Valley Drive;
2. Vail Valley Drive from Sunburst Drive to the crossover from hole six (6) to hole seven (7); and
3. Golf cars may also cross Sunburst Drive between holes one (1) and two (2) and holes eight (8) and nine (9);

B. LSEVs: A LSEV may be operated upon any public street in the Town where the posted speed limit is thirty-five (35) miles per hour or less.

C. Ford Park: LSEVs and golf cars may travel on the paved paths immediately surrounding Ford Park and the Gerald Ford Amphitheater, including the two (2) paved parking lots, but may not travel

on any sidewalk bordering the South Frontage Road. The Town may limit the total number of golf cars or LSEVs allowed in Ford Park at any one time.

7-8-5. EXEMPTIONS:

A. The Town recognizes that golf cars and LSEVs can be useful tools to assist the elderly and handicapped in certain situations, and grants the Chief of Police or designee the power to approve limited, controlled use of golf cars when specially requested in other areas of the Town. Such uses shall not include travel on any frontage road, Interstate 70 or Bighorn Road, and may not exceed a distance of one-quarter (1/4) mile from their point of origin when in operation.

B. The Chief of Police or designee may also designate a section of Vail Valley Drive from Northwoods condominiums to the east end of the soccer field as open to approved golf car travel during special community events for associated travel.

7-8-6: PROHIBITIONS:

A. The following acts are prohibited in the operation of golf cars:

1. Engaging in the transport of either passengers or goods, which are neither employees or patrons of Vail Golf Course nor property belonging to the same.
2. Picking up or dropping off employees along any public roadway.
3. Traveling on any dedicated recreation path or sidewalk not specifically indicated in this Chapter.
4. Traveling on any portion of roadway not specifically permitted by this Chapter.

B. The following acts are prohibited in the operation of LSEVs:

1. Traveling on any dedicated recreation path or sidewalk not specifically permitted by this Chapter.
2. Traveling on any roadway not specifically permitted by this Chapter.
3. Operating a LSEV on a state highway in the Town, except that a LSEV may be operated to directly cross a state highway that has a speed limit greater than thirty-five (35) miles per hour at an

at-grade crossing to continue traveling along a roadway with a speed limit equal to or less than thirty-five (35) miles per hour.

C. It is unlawful for a person under the age of eighteen (18) to operate or ride in a golf car or LSEV on a public street without being secured by at least a two-point safety harness (seat belt), except for a person with a physically or psychologically disabling condition whose physical or psychological disability prevents appropriate restraint by a safety harness.

7-8-7: VIOLATION; PENALTY:

A. It is unlawful to violate any provision of this Chapter.

B. Violations of this Chapter shall be punished as provided in Section 7-1-6.

Section 2. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance; and the Town Council hereby declares it would have passed this ordinance, and each part, section, subsection, sentence, clause or phrase thereof, regardless of the fact that any one or more parts, sections, subsections, sentences, clauses or phrases be declared invalid.

Section 3. The amendment of any provision of the Vail Town Code in this ordinance shall not affect any right which has accrued, any duty imposed, any violation that occurred prior to the effective date hereof, any prosecution commenced, nor any other action or proceeding as commenced under or by virtue of the provision amended. The amendment of any provision hereby shall not revive any provision or ordinance previously repealed or superseded unless expressly stated herein.

Section 4. All bylaws, orders, resolutions and ordinances, or parts thereof, inconsistent herewith are repealed to the extent only of such inconsistency. This repealer shall not be construed to revise any bylaw, order, resolution or ordinance, or part thereof, theretofore repealed.

INTRODUCED, READ ON FIRST READING, APPROVED, AND ORDERED PUBLISHED ONCE IN FULL ON FIRST READING this 4th day of September, 2018 and a public hearing for second reading of this Ordinance is set for the ___ day of _____, 2018, in the Council Chambers of the Vail Municipal Building, Vail, Colorado.

Dave Chapin, Mayor

ATTEST:

Patty McKenny, Town Clerk

READ AND APPROVED ON SECOND READING AND ORDERED PUBLISHED
this ____ day of _____, 2018.

Dave Chapin, Mayor

ATTEST:

Patty McKenny, Town Clerk