**A** **BILL**

TO AMEND SECTION 56‑2‑105, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OPERATION OF GOLF CARTS AND THE ISSUANCE OF GOLF CART PERMIT DECALS AND REGISTRATION BY THE DEPARTMENT OF MOTOR VEHICLES SO AS TO PROVIDE THAT THIS PROVISION ALSO APPLIES TO ALL‑TERRAIN VEHICLES, AND TO DEFINE THE TERM “ALL‑TERRAIN VEHICLE” OR “ATV”.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 56‑2‑105 of the 1976 Code, as added by Act 177 of 2012 is amended to read:

“Section 56‑2‑105. (A) For the purposes of this section~~,~~:

(1)’~~gated~~ Gated community’ means any homeowners’ community with at least one access‑controlled ingress and egress which includes the presence of a guard house, a mechanical barrier, or another method of controlled conveyance.

(2) ‘All‑terrain vehicle’ or ‘ATV’ means any vehicle contained in Section 56‑1‑10(20). (B) An individual or business owner of a vehicle commonly known as a golf cart or an ‘all‑terrain vehicle’ or ‘ATV’ may obtain a permit decal and registration from the Department of Motor Vehicles upon presenting proof of ownership and liability insurance for the golf cart or ‘ATV’ and upon payment of a five dollar fee.

(1) During daylight hours only, a permitted golf cart or ‘ATV’ may be operated within four miles of the address on the registration certificate and only on a secondary highway or street for which the posted speed limit is thirty‑five miles an hour or less.

(2) During daylight hours only, a permitted golf cart or ‘ATV’ may be operated within four miles of a point of ingress and egress to a gated community and only on a secondary highway or street for which the posted speed limit is thirty‑five miles an hour or less.

(3) During daylight hours only, within four miles of the registration holder’s address, and while traveling along a secondary highway or street for which the posted speed limit is thirty‑five miles an hour or less, a permitted golf cart or ‘ATV’ may cross a highway or street at an intersection where the highway has a posted speed limit of more than thirty‑five miles an hour.

(4) During daylight hours only, a permitted golf cart or ‘ATV’ may be operated along a secondary highway or street for which the posted speed limit is thirty‑five miles an hour or less on an island not accessible by a bridge designed for use by automobiles.

(C) A person operating a permitted golf cart or ‘ATV’ must be at least sixteen years of age and hold a valid driver’s license. The operator of a permitted golf cart or ‘ATV’ being operated on a highway or street must have in his possession:

(1) the registration certificate issued by the department;

(2) proof of liability insurance for the golf cart or ‘ATV’; and

(3) his driver’s license.

(D)(1) A golf cart or ‘ATV’ permit must be replaced with a new permit every five years, or at the time the permit holder changes his address.

(2) Golf cart owners holding golf cart permits on or before October 1, 2012, will have until September 30, 2015, to obtain a replacement permit.

(E) A political subdivision may, on designated streets or roads within the political subdivision’s jurisdiction, reduce the area in which a permitted golf cart or ‘ATV’ may operate from four miles to no less than two miles. However, a political subdivision may not reduce or otherwise amend the other restrictions placed on the operation of a permitted golf cart or ‘ATV’ contained in this section.

(F) The provisions of this section that restrict the use of a golf cart or ‘ATV’ to certain streets, certain hours, and certain distances shall not apply to a golf cart or ‘ATV’ used by a public safety agency in connection with the performance of its duties.”

SECTION 2. This act takes effect upon approval by the Governor.

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