

AN ORDINANCE TO PERMIT AND REGULATE LOW SPEED VEHICLES ON CERTAIN PUBLIC STREETS DESIGNATED AS MULTI-USE ROADWAYS BY THE CITY OF HEADLAND

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HEADLAND

Section 1

Purpose

The City of Headland intends to satisfy the desires of its constituents to allow alternative forms of transportation on certain city owned streets within the city's jurisdiction. The purpose of this ordinance is to provide a uniform set of guidelines outlining the laws and regulations pertaining to the use of Low Speed Vehicles in the city of Headland. Notwithstanding the previous statements under this section, the City of Headland and its council members confirm their position of not endorsing or promoting the use of any Low Speed Vehicle on any public roadways. Due to limited visibility restrictions among several other relaxed safety features of Low Speed Vehicles, this Ordinance does not recognize that Low Speed Vehicles are considered safe for road use, rather this Ordinance recognizes the desire of constituents to use these vehicles as a substitute for certain trips within the city, and aims to allow them to do so as is permitted by federal law. All constituents partaking in the operation of Low Speed Vehicles on the designated streets within the City of Headland are assumed to have recognized and accepted all risks associated with the operation thereof. The City of Headland does not accept responsibility for any accident, injury, or death that may be associated with the use of Low Speed Vehicles.

Section 2

Authorization

This Ordinance is pursuant to the City of Headland's general powers and authorities and is enacted following the provisions, guidelines, and restrictions of Low-Speed Vehicles as set forth in the Code of Federal Regulations Title 49, Subtitle B, Chapter V, Part 571, Subpart B, 571.500. The City of Headland, by this Ordinance, is authorizing the operation of low-speed vehicles upon the roads and streets of the municipality under the limited circumstances and conditions being set forth hereafter.

Section 3

Definitions

Unless the context of a word's usage clearly describes a different meaning, these definitions shall apply throughout the Ordinance.

- A. "ALDOT" - Alabama Department of Transportation

- B. “C. F. R.” - Refers to the Code of Federal Regulations
- C. “Multi-Use Roadway” - A multi-use roadway, or MUR, is a city owned and maintained road or street that has been designated as appropriate for the use of Low-Speed Vehicles in addition to all other motor vehicles that meet all state and federal regulations.
- D. “FHWA” - Federal Highway Administration
- E. “Gross Vehicle Weight Rating” - The Gross Vehicle Weight Rating, or GVWR, means the value specified by the manufacturer as the loaded weight of a single vehicle.
- F. “Low-Speed Vehicle” - A Low-Speed Vehicle, or LSV, is a motor vehicle that is four (4) - wheeled, whose speed attainable on a paved level surface in one (1) mile is more than twenty (20) miles per hour and not more than twenty-five (25) miles per hour, and whose GVWR is less than 3,000 pounds. This definition is set forth in C.F.R. Title 49, Subtitle B, Chapter V, Part 571, Subpart B, 571.3.
- G. “Motor Vehicle” - A vehicle driven or drawn by mechanical power and manufactured primarily for use on public streets, roads and highways. This definition is set forth in the U.S.C. Title 49, Subtitle VI, Part A, Chapter 301, Subchapter 1, Section 30102.
- H. “U.S.C.” - United States Code
- I. “V.I.N.” - Refers to the 17-digit Vehicle Identification Number that conforms to the National Highway Safety and Transportation Administration standards

Section 4

Determination of Appropriate Roads and Streets

The City of Headland, by this ordinance, is determining which roads and streets will be recognized as MURs by considering the speed limit requirements of LSVs as set forth in the C.F.R. Title 49, Subtitle B, Chapter V, Part 571, Subpart A, 571.3 (b). Unless otherwise stated, any mention hereinafter of an LSV is only referring to their use on city designated Multi-Use Roadways. This ordinance does not seek to impose any regulations regarding the operation of any motor vehicle on privately owned property.

Section 5

Conditions

An LSV may only be operated on city designated Multi Use Roadways under the following conditions:

- A. Only operators with a valid Alabama driver’s license or other equivalent license may operate LSVs. All federal and Alabama traffic laws and guidelines will apply to the operation of LSVs.
- B. The LSV will meet all federal and state laws, rules, and regulations governing safety, emissions, and anti theft standards, including but not limited to the safety standards provided in the C.F.R.
- C. The LSV has a V.I.N., and either the manufacturer’s statement of origin that states the vehicle complies with the safety standards for an LSV or the vehicle complies with all

requirements listed by the C.F.R. 49 Section 571.500 and in this Ordinance, and the vehicle has affixed thereto a decal certifying that the vehicle meets these safety standards as is determined by the City of Headland.

- D. The vehicle has a current, officially issued license plate.
- E. LSV's may only be operated during the daylight hours between dawn and dusk except during certain city sponsored special events, in which case the city will communicate these extended permitted hours via social media and/or the city's website. LSV's will be required to operate their headlights at all times, regardless of the time of day.

Section 6

Rules and Regulations

- A. LSVs may not be operated on any public street, road, or highway that has not been designated a Multi-Use Roadway by the City of Headland.
- B. Adherence to this Ordinance and any subsequent additions hereto, as well as all state and federal laws pertaining to the operation of motor vehicles is required by all persons operating an LSV within the City of Headland. This applies but is not limited to the use of alcohol, turn signals, and the use of adequate lighting.
- C. Operators of LSVs may not pass and overtake other vehicles in the same lane occupied by the vehicle being overtaken. LSVs may not be operated between lanes of traffic or between adjacent lines or rows of vehicles. LSVs may not be operated two (2) or more abreast with any other operating vehicle in a single lane.
- D. LSVs must yield the right-of-way to any overtaking vehicles at all times.
- E. The maximum capacity of any LSV will be the number of approved seat belts the vehicle has. All LSVs will follow the guidelines set forth by the Alabama Safety Belt Use Act of 1991 as is applicable.
- F. LSVs are not allowed on sidewalks and must remain either on private property or Multi-Use Roadways.
- G. LSVs are not allowed on walking or biking trails unless otherwise officially noted at the entrances of the trail. If access to these trails is deemed allowable by the City of Headland, there shall be a posted speed of no greater than ten (10) miles per hour pertaining to LSVs.
- H. Only LSVs with a valid annual permit sticker placed in the upper drivers side corner of the vehicle's windshield will be allowed on Multi Use Roadways. Any LSV that may have been certified for use on public roadways elsewhere will still need to attain a permit sticker from the City of Headland before use will be allowed. An initial purchase fee of \$100 will be charged to the owner of the LSV being permitted. A yearly fee of \$25 will be charged for renewal of this permit based on the calendar year or prorated portion thereof.

- I. Each LSV will require its own permit. Every registered LSV with the city will require full payment of the corresponding fees, regardless if the owner already has a registered LSV.
- J. In the event an LSV is acquired that has already been permitted by the city under a different owner's name, the LSV will be treated as a new permit purchase. Permits are not transferable.
- K. Each registered LSV will be considered a motor vehicle and therefore will be required to have minimum liability coverage as is required by the Code of Alabama Title 32 Section 7A.
- L. Each LSV shall meet the minimum requirements of eligibility by possessing each of the following safety and identification features set forth in C.F.R. Title 49, Subtitle B, Chapter V, 571.500 and additionally required by the City of Headland:
 - a. Seatbelts compliant with C.F.R. Title 49, Subtitle B, Chapter V, 571.209
 - b. Operable steering wheel
 - c. Headlights at least 42 in above ground but not exceeding 52 in above ground
 - d. Taillights
 - e. Operable brakes
 - f. Brake Lights
 - g. Windshield compliant with C.F.R. Title 49, Subtitle B, Chapter V, 571.205
 - h. Front and rear turn signals
 - i. An exterior mirror mounted on the driver's side of the vehicle and either an exterior mirror mounted on the passenger's side of the vehicle or an interior rearview mirror to comply with the rear visibility requirements specified in C.F.R. Title 49, Subtitle B, Chapter V, 571.111 S6
 - j. Parking brake
 - k. A V.I.N. compliant with C.F.R. Title 49, Subtitle B, Chapter V, 565
 - l. Reflex reflectors: one red on each side as far to the rear as practicable, and one red on the rear
 - m. A current license plate issued by the tag office
 - n. Officially issued city permit sticker placed on the upper driver's side of the windshield
 - o. An alert sound as required by C.F.R. Title 49, Subtitle B, Chapter V, 571.141
 - p. A roof
 - q. A reflective slow moving vehicle placard attached to the back at all times. This placard should still be visible if there are passengers riding in the back of the vehicle.
 - r. FHWA and ALDOT approved tires for use on a public roadway as pursuant to AL Code 32-5-210
 - s. No lighting shall be lit on the underside of any LSV. If there are lights installed on the bottom of any LSVs they may only be lit when on private property.

- M. Any motor vehicle not designed for roadway use that does not meet the listed requirements above and the requirements and specifications listed in the Code of Federal Regulations will not be allowed on any street or road in the City of Headland.
- N. The crossing of US HWY 431 by an LSV will not be permitted at any location.
- O. Any subdivision with an HOA may apply their own rules regarding the allowance of LSVs, but all certifications, specifications, requirements, and traffic laws will remain the same. If an HOA wishes to add or redact their streets from the official Designated Multi Use Roadway Map, they may approach City Council with their request at one of the regularly scheduled public meetings.
- P. LSV's may be allowed on appropriate designated MURs after dusk on certain city sponsored event days specified and announced by City Hall and the Headland Police Department given that they meet all the safety requirements and specifications required by state and federal law, and listed in this Ordinance. All regulations and specifications regarding lighting and visibility shall be followed according to state and federal law.

Section 7

Violations

Any violation of this Ordinance and applicable traffic laws may constitute a city ordinance penalty carried out by the City by way of a monetary fine in any amount no less than \$25 and up to but not exceeding \$500. Any court costs incurred are not included in this fine. Any violation that constitutes a trial in court may have penalties and fines determined at the discretion of the court trying the case. In the event of the assessment of any incurred civil penalty or court conviction against the owner, the privileges of the owner to acquire a permit sticker for an LSV may be revoked if deemed appropriate by the acting Chief of Police.

Violations of this ordinance may include but are not limited to the following:

- A. The operation of any LSV in violation of the rules and regulations listed above.
- B. The operation of any LSV, certified or not, on any street, road, or highway not designated as a Multi Use Roadway by the City of Headland.
- C. The operation of any LSV on a designated Multi Use Roadway without displaying the permit sticker that is provided by the City of Headland after appropriate registration and license fees have been paid. Even if an LSV meets the safety and specification requirements, any operation performed on public roads without proper registration, licensing, and permit sticker placement will be considered a violation of this Ordinance.
- D. Failure to pay any required fee(s).
- E. Operating any LSV on a public roadway or in a public space while under the influence of alcohol or any illegal drugs.

Section 8
Severability

In the event that any section, subsection, sentence, clause, or phrase of this Ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the other sections, sentences, clauses or phrases of this Ordinance, which shall remain in full force and effect, as if the section, subsection, sentence, clause or phrase so declared or adjudged invalid or unconstitutional were not originally a part thereof.

Section 9
Repealer

All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed.

Section 10
Effective Date

This Ordinance shall become effective on _____ upon its adoption and publication as required by law.

Adopted this _____ day of _____ .
Date of Implementation: _____ day of _____ .
APPROVED:

Mayor of Headland

Attest:

City Clerk

