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HOUSE BILL NO. 899**AMENDMENT IN THE NATURE OF A SUBSTITUTE**(Proposed by the House Committee on Transportation
on January 29, 2004)

(Patron Prior to Substitute—Delegate Wardrup)

A BILL to amend and reenact §§ 46.2-100 and 46.2-676 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 8 of Title 46.2 an article numbered 13.1, consisting of sections numbered 46.2-916.1, 46.2-916.2 and 46.2-916.3, relating to registration and operation of golf carts and utility vehicles.

Be it enacted by the General Assembly of Virginia:

1. That §§ 46.2-100 and 46.2-676 of the Code of Virginia are amended and reenacted, and that the Code of Virginia is amended by adding in Chapter 8 of Title 46.2 an article numbered 13.1, consisting of sections numbered 46.2-916.1, 46.2-916.2 and 46.2-916.3, as follows:

§ 46.2-100. Definitions.

The following words and phrases when used in this title shall, for the purpose of this title, have the meanings respectively ascribed to them in this section except in those instances where the context clearly indicates a different meaning:

"Antique motor vehicle" means every motor vehicle, as defined in this section, which was actually manufactured or designated by the manufacturer as a model manufactured in a calendar year not less than 25 years prior to January 1 of each calendar year and is owned solely as a collector's item.

"Automobile or watercraft transporters" means any tractor truck, lowboy, vehicle, or combination, including vehicles or combinations that transport motor vehicles or watercraft on their power unit, designed and used exclusively for the transportation of motor vehicles or watercraft.

"Bicycle" means a device propelled solely by human power, upon which a person may ride either on or astride a regular seat attached thereto, having two or more wheels in tandem, including children's bicycles, except a toy vehicle intended for use by young children. For purposes of Chapter 8 (§ 46.2-800 et seq.) of this title, a bicycle shall be a vehicle while operated on the highway.

"Bicycle lane" means that portion of a roadway designated by signs and/or pavement markings for the preferential use of bicycles, electric power-assisted bicycles, and mopeds.

"Business district" means the territory contiguous to a highway where 75 percent or more of the property contiguous to a highway, on either side of the highway, for a distance of 300 feet or more along the highway, is occupied by land and buildings actually in use for business purposes.

"Camping trailer" means every vehicle that has collapsible sides and contains sleeping quarters but may or may not contain bathing and cooking facilities and is designed to be drawn by a motor vehicle.

"Cancel" or "cancellation" means that the document or privilege cancelled has been annulled or terminated because of some error, defect, or ineligibility, but the cancellation is without prejudice and reapplication may be made at any time after cancellation.

"Chauffeur" means every person employed for the principal purpose of driving a motor vehicle and every person who drives a motor vehicle while in use as a public or common carrier of persons or property.

"Commission" means the State Corporation Commission.

"Commissioner" means the Commissioner of the Department of Motor Vehicles of the Commonwealth.

"Crosswalk" means that part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway; or any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

"Decal" means a device to be attached to a license plate that validates the license plate for a predetermined registration period.

"Department" means the Department of Motor Vehicles of the Commonwealth.

"Disabled parking license plate" means a license plate that displays the international symbol of access in the same size as the numbers and letters on the plate and in a color that contrasts with the background.

"Disabled veteran" means a veteran who (i) has either lost, or lost the use of, a leg, arm, or hand; (ii) is blind; or (iii) is permanently and totally disabled as certified by the U.S. Veterans Administration. A veteran shall be considered blind if he has a permanent impairment of both eyes to the following extent: (i) central visual acuity of 20/200 or less in the better eye, with corrective lenses, or central visual acuity of more than 20/200, if there is a field defect in which the peripheral field has contracted

60 to such an extent that the widest diameter of visual field subtends an angular distance no greater than 20
61 degrees in the better eye.

62 "Driver's license" means any license, including a commercial driver's license as defined in the
63 Virginia Commercial Driver's License Act (§ 46.2-341.1 et seq.), issued under the laws of the
64 Commonwealth authorizing the operation of a motor vehicle.

65 "Electric personal assistive mobility device" means a self-balancing two-nontandem-wheeled device
66 that is designed to transport only one person and powered by an electric propulsion system that limits
67 the device's maximum speed to 15 miles per hour or less. For purposes of Chapter 8 of this title, an
68 electric personal assistive mobility device shall be a vehicle when operated on a highway.

69 "Electric power-assisted bicycle" means a bicycle equipped with an electric motor that reduces the
70 pedal effort required of the rider, but does not eliminate the rider's need to pedal. For the purposes of
71 Chapter 8 of this title, an electric power-assisted bicycle shall be a vehicle when operated on a highway.

72 "Essential parts" means all integral parts and body parts, the removal, alteration, or substitution of
73 which will tend to conceal the identity of a vehicle.

74 "Farm tractor" means every motor vehicle designed and used as a farm, agricultural, or horticultural
75 implement for drawing plows, mowing machines, and other farm, agricultural, or horticultural machinery
76 and implements including self-propelled mowers designed and used for mowing lawns.

77 "Federal safety requirements" means applicable provisions of 49 U.S.C. § 30101 et seq. and all
78 administrative regulations and policies adopted pursuant thereto.

79 "Financial responsibility" means the ability to respond in damages for liability thereafter incurred
80 arising out of the ownership, maintenance, use, or operation of a motor vehicle, in the amounts provided
81 for in § 46.2-472.

82 "Foreign market vehicle" means any motor vehicle originally manufactured outside the United States,
83 which was not manufactured in accordance with 49 U.S.C. § 30101 et seq. and the policies and
84 regulations adopted pursuant to that Act, and for which a Virginia title or registration is sought.

85 "Foreign vehicle" means every motor vehicle, trailer, or semitrailer that is brought into the
86 Commonwealth otherwise than in the ordinary course of business by or through a manufacturer or dealer
87 and that has not been registered in the Commonwealth.

88 "Golf cart" means a self-propelled vehicle that is designed to transport persons playing golf and their
89 equipment on a golf course.

90 "*Governing body*" means the board of supervisors of a county, council of a city, or council of a
91 town, as context may require.

92 "Gross weight" means the aggregate weight of a vehicle or combination of vehicles and the load
93 thereon.

94 "Highway" means the entire width between the boundary lines of every way or place open to the use
95 of the public for purposes of vehicular travel in the Commonwealth, including the streets and alleys,
96 and, for law-enforcement purposes, the entire width between the boundary lines of all private roads or
97 private streets that have been specifically designated "highways" by an ordinance adopted by the
98 governing body of the county, city, or town in which such private roads or streets are located.

99 "Intersection" means (i) the area embraced within the prolongation or connection of the lateral
100 curblines or, if none, then the lateral boundary lines of the roadways of two highways that join one
101 another at, or approximately at, right angles, or the area within which vehicles traveling on different
102 highways joining at any other angle may come in conflict; (ii) where a highway includes two roadways
103 30 feet or more apart, then every crossing of each roadway of such divided highway by an intersecting
104 highway shall be regarded as a separate intersection, in the event such intersecting highway also
105 includes two roadways 30 feet or more apart, then every crossing of two roadways of such highways
106 shall be regarded as a separate intersection; or (iii) for purposes only of authorizing installation of
107 traffic-control devices, every crossing of a highway or street at grade by a pedestrian crosswalk.

108 "Law-enforcement officer" means any officer authorized to direct or regulate traffic or to make
109 arrests for violations of this title or local ordinances authorized by law. For the purposes of access to
110 law-enforcement databases regarding motor vehicle registration and ownership only, this term shall also
111 include city and county commissioners of the revenue and treasurers, together with their duly designated
112 deputies and employees, when such officials are actually engaged in the enforcement of §§ 46.2-752,
113 46.2-753 and 46.2-754 and local ordinances enacted thereunder.

114 "License plate" means a device containing letters, numerals, or a combination of both, attached to a
115 motor vehicle, trailer, or semitrailer to indicate that the vehicle is properly registered with the
116 Department.

117 "Light" means a device for producing illumination or the illumination produced by the device.

118 "Low-speed vehicle" means any four-wheeled electrically-powered vehicle, except a motor vehicle or
119 low-speed vehicle that is used exclusively for agricultural or horticultural purposes or a golf cart, whose
120 maximum speed is greater than 20 miles per hour but not greater than 25 miles per hour and is
121 manufactured to comply with safety standards contained in Title 49 of the Code of Federal Regulations,

§ 571.500.

"Manufactured home" means a structure subject to federal regulation, transportable in one or more sections, which in the traveling mode is eight body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein.

"Moped" means a conveyance that is either (i) a bicycle-like device with pedals and a helper motor that is rated at no more than two brake horsepower and that produces speeds up to a maximum of 30 miles per hour or (ii) a motorcycle with an engine displacement of 50 cubic centimeters or less and a maximum speed of less than 30 miles per hour. For purposes of Chapter 8 (§ 46.2-800 et seq.) of this title, a moped shall be a vehicle while operated on a highway.

"Motor home" means every private motor vehicle with a normal seating capacity of not more than 10 persons, including the driver, designed primarily for use as living quarters for human beings.

"Motor vehicle" means every vehicle as defined in this section that is self-propelled or designed for self-propulsion except as otherwise provided in this title. Any structure designed, used, or maintained primarily to be loaded on or affixed to a motor vehicle to provide a mobile dwelling, sleeping place, office, or commercial space shall be considered a part of a motor vehicle. For the purposes of this title, any device herein defined as a bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or moped shall be deemed not to be a motor vehicle.

"Motorcycle" means every motor vehicle designed to travel on not more than three wheels in contact with the ground, except any vehicle included within the term "farm tractor" or "moped" as defined in this section.

"Nonresident" means every person who is not domiciled in the Commonwealth, except: (i) any foreign corporation that is authorized to do business in the Commonwealth by the State Corporation Commission shall be a resident of the Commonwealth for the purpose of this title; in the case of corporations incorporated in the Commonwealth but doing business outside the Commonwealth, only such principal place of business or branches located within the Commonwealth shall be dealt with as residents of the Commonwealth; (ii) a person who becomes engaged in a gainful occupation in the Commonwealth for a period exceeding 60 days shall be a resident for the purposes of this title except for the purposes of Chapter 3 (§ 46.2-300 et seq.) of this title; (iii) a person, other than a nonresident student as defined in this section, who has actually resided in the Commonwealth for a period of six months, whether employed or not, or who has registered a motor vehicle, listing an address in the Commonwealth in the application for registration shall be deemed a resident for the purposes of this title, except for the purposes of the Virginia Commercial Driver's License Act (§ 46.2-341.1 et seq.).

"Nonresident student" means every nonresident person who is enrolled as a full-time student in an accredited institution of learning in the Commonwealth and who is not gainfully employed.

"Operation or use for rent or for hire, for the transportation of passengers, or as a property carrier for compensation," and "business of transporting persons or property" mean any owner or operator of any motor vehicle, trailer, or semitrailer operating over the highways in the Commonwealth who accepts or receives compensation for the service, directly or indirectly; but these terms do not mean a "truck lessor" as defined in this section and do not include persons or businesses that receive compensation for delivering a product that they themselves sell or produce, where a separate charge is made for delivery of the product or the cost of delivery is included in the sale price of the product, but where the person or business does not derive all or a substantial portion of its income from the transportation of persons or property except as part of a sales transaction.

"Operator" or "driver" means every person who either (i) drives or is in actual physical control of a motor vehicle on a highway or (ii) is exercising control over or steering a vehicle being towed by a motor vehicle.

"Owner" means a person who holds the legal title to a vehicle; however, if a vehicle is the subject of an agreement for its conditional sale or lease with the right of purchase on performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee or if a mortgagor of a vehicle is entitled to possession, then the conditional vendee or lessee or mortgagor shall be the owner for the purpose of this title. In all such instances when the rent paid by the lessee includes charges for services of any nature or when the lease does not provide that title shall pass to the lessee on payment of the rent stipulated, the lessor shall be regarded as the owner of the vehicle, and the vehicle shall be subject to such requirements of this title as are applicable to vehicles operated for compensation. A "truck lessor" as defined in this section shall be regarded as the owner, and his vehicles shall be subject to such requirements of this title as are applicable to vehicles of private carriers.

"Passenger car" means every motor vehicle other than a motorcycle designed and used primarily for

183 the transportation of no more than 10 persons including the driver.

184 "Payment device" means any credit card as defined in 15 U.S.C. § 1602(k) or any "accepted card or
185 other means of access" set forth in 15 U.S.C. § 1693a(1). For the purposes of this title, this definition
186 shall also include a card that enables a person to pay for transactions through the use of value stored on
187 the card itself.

188 "Pickup or panel truck" means every motor vehicle designed for the transportation of property and
189 having a registered gross weight of 7,500 pounds or less.

190 "Private road or driveway" means every way in private ownership and used for vehicular travel by
191 the owner and those having express or implied permission from the owner, but not by other persons.

192 "Reconstructed vehicle" means every vehicle of a type required to be registered under this title
193 materially altered from its original construction by the removal, addition, or substitution of new or used
194 essential parts.

195 "Residence district" means the territory contiguous to a highway, not comprising a business district,
196 where 75 percent or more of the property abutting such highway, on either side of the highway, for a
197 distance of 300 feet or more along the highway consists of land improved for dwelling purposes, or is
198 occupied by dwellings, or consists of land or buildings in use for business purposes.

199 "Revoke" or "revocation" means that the document or privilege revoked is not subject to renewal or
200 restoration except through reapplication after the expiration of the period of revocation.

201 "Roadway" means that portion of a highway improved, designed, or ordinarily used for vehicular
202 travel, exclusive of the shoulder. A highway may include two or more roadways if divided by a physical
203 barrier or barriers or an unpaved area.

204 "Safety zone" means the area officially set apart within a roadway for the exclusive use of
205 pedestrians and that is protected or is so marked or indicated by plainly visible signs.

206 "School bus" means any motor vehicle, other than a station wagon, automobile, truck, or commercial
207 bus, which is: (i) designed and used primarily for the transportation of pupils to and from public, private
208 or parochial schools, or used for the transportation of the mentally or physically handicapped to and
209 from a sheltered workshop; (ii) painted yellow and bears the words "School Bus" in black letters of a
210 specified size on front and rear; and (iii) is equipped with warning devices prescribed in § 46.2-1090. A
211 yellow school bus may have a white roof provided such vehicle is painted in accordance with
212 regulations promulgated by the Department of Education.

213 "Semitrailer" means every vehicle of the trailer type so designed and used in conjunction with a
214 motor vehicle that some part of its own weight and that of its own load rests on or is carried by another
215 vehicle.

216 "Shared-use path" means a bikeway that is physically separated from motorized vehicular traffic by
217 an open space or barrier and is located either within the highway right-of-way or within a separate
218 right-of-way. Shared-use paths may also be used by pedestrians, skaters, users of wheel chairs or wheel
219 chair conveyances, joggers, and other nonmotorized users.

220 "Shoulder" means that part of a highway between the portion regularly travelled by vehicular traffic
221 and the lateral curbline or ditch.

222 "Sidewalk" means the portion of a street between the curb lines, or the lateral lines of a roadway,
223 and the adjacent property lines, intended for use by pedestrians.

224 "Snowmobile" means a self-propelled vehicle designed to travel on snow or ice, steered by skis or
225 runners, and supported in whole or in part by one or more skis, belts, or cleats.

226 "Specially constructed vehicle" means any vehicle that was not originally constructed under a
227 distinctive name, make, model, or type by a generally recognized manufacturer of vehicles and not a
228 reconstructed vehicle as herein defined.

229 "Stinger-steered automobile or watercraft transporter" means an automobile or watercraft transporter
230 configured as a semitrailer combination wherein the fifth wheel is located on a drop frame behind and
231 below the rearmost axle of the power unit.

232 "Superintendent" means the Superintendent of the Department of State Police of the Commonwealth.

233 "Suspend" or "suspension" means that the document or privilege suspended has been temporarily
234 withdrawn, but may be reinstated following the period of suspension unless it has expired prior to the
235 end of the period of suspension.

236 "Towing and recovery operator" means a person engaged in the business of (i) removing disabled
237 vehicles, parts of vehicles, their cargoes, and other objects to facilities for repair or safekeeping and (ii)
238 restoring to the highway or other location where they either can be operated or removed to other
239 locations for repair or safekeeping vehicles that have come to rest in places where they cannot be
240 operated.

241 "Tractor truck" means every motor vehicle designed and used primarily for drawing other vehicles
242 and not so constructed as to carry a load other than a part of the load and weight of the vehicle attached
243 thereto.

244 "Traffic infraction" means a violation of law punishable as provided in § 46.2-113, which is neither a

felony nor a misdemeanor.

"Traffic lane" or "lane" means that portion of a roadway designed or designated to accommodate the forward movement of a single line of vehicles.

"Trailer" means every vehicle without motive power designed for carrying property or passengers wholly on its own structure and for being drawn by a motor vehicle, including manufactured homes.

"Truck" means every motor vehicle designed to transport property on its own structure independent of any other vehicle and having a registered gross weight in excess of 7,500 pounds.

"Truck lessor" means a person who holds the legal title to any motor vehicle, trailer, or semitrailer that is the subject of a bona fide written lease for a term of one year or more to another person, provided that: (i) neither the lessor nor the lessee is a common carrier by motor vehicle or restricted common carrier by motor vehicle or contract carrier by motor vehicle as defined in § 46.2-2000; (ii) the leased motor vehicle, trailer, or semitrailer is used exclusively for the transportation of property of the lessee; (iii) the lessor is not employed in any capacity by the lessee; (iv) the operator of the leased motor vehicle is a bona fide employee of the lessee and is not employed in any capacity by the lessor; and (v) a true copy of the lease, verified by affidavit of the lessor, is filed with the Commissioner.

"Utility vehicle" means a motor vehicle that is (i) designed for off-road use, (ii) powered by an engine of no more than 25 horsepower, and (iii) used for general maintenance, security, agricultural, or horticultural purposes. "Utility vehicle" does not include all-terrain vehicles as defined in § 46.2-915.1, riding lawn mowers, or any other vehicle whose definition is included in this section.

"Vehicle" means every device in, on or by which any person or property is or may be transported or drawn on a highway, except devices moved by human power or used exclusively on stationary rails or tracks. For the purposes of Chapter 8 (§ 46.2-800 et seq.) of this title, bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, and mopeds shall be vehicles while operated on a highway.

"Wheel chair or wheel chair conveyance" means a chair or seat equipped with wheels, typically used to provide mobility for persons who, by reason of physical disability, are otherwise unable to move about as pedestrians. The term includes both three-wheeled and four-wheeled devices. So long as it is operated only as provided in § 46.2-677, a self-propelled wheel chair or self-propelled wheel chair conveyance shall not be considered a motor vehicle.

§ 46.2-676. Registration certificates, license plates or decals for any golf cart Golf carts and utility vehicles; fees.

A. No person shall be required to obtain the registration certificates, license plates or decals, or to pay any registration fee, for any golf cart ~~which or utility vehicle that either (i) is not operated on or over any public highway in the Commonwealth for any other purpose other than operating it across a highway from one portion of a golf course to another portion thereof or to another adjacent golf course.~~ Nor shall any person be required to obtain registration certificates, license plates or decals, or to pay any fees to operate a golf cart across any highway if the person driving the golf cart has with him in the vehicle a valid special parking placard issued to him under § 46.2-1241 or (ii) is operated on or over a public highway as authorized by Article 13.1 (§ 46.2-916.1 et seq.) of Chapter 8 of this title.

B. No person shall be required to obtain registration certificates, license plates or decals, or to pay any registration fee to operate a golf cart along a road between his home and golf course if: (i) the trip would not be longer than one-half mile in either direction; (ii) the speed limit on the road is no more than 35 miles per hour; (iii) the driver of the vehicle is at least 16 years old; and (iv) while operating along a highway, the vehicle displays a slow-moving vehicle emblem in conformity with § 46.2-1081.

C. No person shall be required to obtain registration certificates, license plates or decals, or to pay any registration fee to operate a golf cart owned by the County of Halifax on the public highways if such golf cart displays a slow-moving vehicle emblem in conformity with § 46.2-1081 and is being operated on highways with speed limits of 35 miles per hour or less within the Town of Halifax on official business of the maintenance department of the County of Halifax by an employee of that department who is a licensed driver.

D. No person shall be required to obtain registration certificates, license plates or decals, or to pay any registration fee to operate a golf cart owned by the County of Goochland on the public highways if such golf cart displays a slow-moving vehicle emblem in conformity with § 46.2-1081 and is being operated on highways with speed limits of 35 miles per hour or less at Goochland Courthouse on official business of the maintenance department of the County of Goochland by an employee of that department who is a licensed driver.

E. No person shall be required to obtain registration certificates, license plates or decals, or to pay any registration fee to operate a golf cart on the public highways within the Town of Colonial Beach if such golf cart displays a slow-moving vehicle emblem in conformity with § 46.2-1081, is operated by a licensed driver, and is not operated on Virginia Route 205. The Town Council of the Town of Colonial Beach may, by ordinance, impose additional limitations and restrictions on the operation of golf carts on

the public highways within the Town.

F. No person shall be required to obtain registration certificates, license plates or decals, or to pay any registration fee to operate a golf cart on the public highways within the Town of Cape Charles if such golf cart displays a slow-moving vehicle emblem in conformity with § 46.2-1081, is operated by a licensed driver, and is not operated on Virginia Route 184 east of Fulcher Street. The Town Council of the Town of Cape Charles may, by ordinance, impose additional limitations and restrictions on the operation of golf carts on the public highways within the Town.

G. No person shall be required to obtain registration certificates, license plates or decals, or to pay any registration fee, to operate a golf cart, utility vehicle, or similar vehicle intended for off-road use having no more than 25 horsepower, on any highway within the property limits of any public or private two-year or four-year institution of higher education, provided such vehicle: (i) displays a slow-moving vehicle emblem in conformity with § 46.2-1081, (ii) is being operated on highways with speed limits of 35 miles per hour or less, and (iii) is operated by an employee of the institution of higher education who is a licensed driver, on official business of such institution.

H. Every vehicle operated upon a highway pursuant to this section shall be operated only between sunrise and sunset unless equipped with such lights as are required in Article 3 (§ 46.2-1010 et seq.) of Chapter 10 of this title, for different classes of vehicles.

Article 13.1.

Golf Cart and Utility Vehicle Operation.

§ 46.2-916.1. *Golf cart and utility vehicle operations on public highways not otherwise designated for such operation.*

No person shall operate a golf cart or utility vehicle on or over any public highway in the Commonwealth except as provided in this article.

§ 46.2-916.2. *Designation of public highways for golf cart and utility vehicle operations.*

A. *No portion of the public highways may be designated for use by golf carts and utility vehicles unless the governing body of the county, city, or town in which that portion of the highway is located has reviewed and approved such highway usage.*

B. *The governing body of any county, city or town may by ordinance authorize the operation of golf carts and utility vehicles on designated public highways within its boundaries after (i) considering the speed, volume, and character of motor vehicle traffic using such highways, and (ii) determining that golf cart and utility vehicle operation on particular highways is compatible with state and local transportation plans and consistent with the Commonwealth's Statewide Pedestrian Policy provided for in § 33.1-23.03:001.*

C. *Notwithstanding the other provisions of this section, no town that has not established its own police department, as defined in § 9.1-165, may authorize the operation of golf carts or utility vehicles.*

D. *No public highway shall be designated for use by golf carts and utility vehicles if such golf cart and utility vehicle operations will impede the safe and efficient flow of motor vehicle traffic.*

E. *The county, city or town that has authorized the operation of golf carts or utility vehicles shall be responsible for the installation and continuing maintenance of any signs pertaining to the operation of golf carts or utility vehicles. Such county, city or town may include in its ordinance for designating highways the ability to recover its costs of the signs and maintenance pertaining thereto from organizations, individuals or entities requesting the designations. The cost of installation and continuing maintenance of any signs pertaining to the operation of golf carts or utility vehicles shall not be paid by the Virginia Department of Transportation.*

§ 46.2-916.3. *Limitations on golf cart and utility vehicle operations on designated public highways.*

A. *Golf cart and utility vehicle operations on designated public highways shall be in accordance with the following limitations:*

1. *A golf cart or utility vehicle may be operated only on designated public highways where the posted speed limit is 25 miles per hour or less. No golf cart or utility vehicle shall cross any highway at an intersection where the highway being crossed has a posted speed limit of more than 25 miles per hour;*

2. *No person shall operate any golf cart or utility vehicle on any public highway unless he has in his possession a valid driver's license;*

3. *Every golf cart or utility vehicle, whenever operated on a public highway, shall display a slow-moving vehicle emblem in conformity with § 46.2-1081; and*

4. *Golf carts and utility vehicles shall be operated upon the public highways only between sunrise and sunset, unless equipped with such lights as are required in Article 3 (§ 46.2-1010 et seq.) of Chapter 10 of this title, for different classes of vehicles.*

B. *The limitations of subdivision A 1 shall not apply to golf carts and utility vehicles being operated as follows:*

1. *To cross a highway from one portion of a golf course to another portion thereof or to another adjacent golf course; or to travel between a person's home and golf course if (i) the trip would not be*

368 longer than one-half mile in either direction, and (ii) the speed limit on the road is no more than 35
369 miles per hour;

370 2. To the extent necessary for local government employees, operating only upon highways located
371 within the locality, to fulfill a governmental purpose, provided the golf cart or utility vehicle is being
372 operated on highways with speed limits of 35 miles per hour or less; and

373 3. As necessary by employees of public or private two-year or four-year institutions of higher
374 education if operating on highways within the property limits of such institutions, provided the golf cart
375 or utility vehicle is being operated on highways with speed limits of 35 miles per hour or less.

376 C. The governing body of any county, city, or town may by ordinance impose additional restrictions
377 or limitations on operations of golf carts, utility vehicles, or both, on public highways within its
378 boundaries, provided that the restrictions or limitations imposed by any such ordinance are no less
379 stringent than the restrictions and limitations contained in this article. In the event that any provision of
380 any such ordinance conflicts with any provision of this section, the provision of the ordinance shall be
381 controlling.