

**INTRODUCED BY: ALDERMAN PLUFKA
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**ALDERWOMAN PARKER TICE
ALDERWOMAN SIMS
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ALDERWOMAN O'NEILL**

AN ORDINANCE PERTAINING TO THE OPERATION OF LOW-SPEED VEHICLES UPON THE STREETS OF THE CITY OF BRENTWOOD.

Whereas, the Board of Aldermen of the City of Brentwood, Missouri, recognizes that the presence of low-speed vehicles on certain roadways poses a risk to the well-being of other vehicle operators and interferes with the orderly flow of traffic on streets and highways in the City; and

Whereas, the Board of Aldermen also recognizes the advantages low-speed vehicles offer to their operators, including reduced fuel consumption and accessibility for those persons with a disability; and

Whereas, the Board of Aldermen believes that the adoption of an ordinance regulating the operation of low-speed vehicles on the streets of the City of Brentwood and balancing these aforementioned interests is in the best interests of the City and its residents;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BRENTWOOD, MISSOURI AS FOLLOWS:

Section 1. Chapter 340 of the Brentwood City Code is hereby amended by the addition of six new Sections, initially to be designated as Sections 340.260 through 340.285, to read as follows:

CHAPTER 340

Miscellaneous Driving Rules

Section 340.260

Low-Speed Vehicle Defined; Golf Cart Distinguished and Prohibited.

- A. As used in Sections **340.260** through **340.285**, the term "low-speed vehicle" means the same as "low-speed vehicle" in Section 304.029, RSMo., and 49 CFR 571.3, as amended.
- B. As used in this Section "golf cart" means a motor vehicle constructed and configured substantially like vehicles primarily designed and manufactured for operation on a golf course for sporting or recreational purposes whether equipped with a storage area for golf equipment or additional seating in lieu of the

traditional golf bag storage.

- C. No person may operate or ride a golf cart on any roadway, street, whether publicly or privately owned, right-of-way, vehicular easement, including any associated berm or shoulder, sidewalk, trail, walkway, or park property within the City of Brentwood.
- D. The operation of golf carts for special events exclusively on private property owned by the vehicle owner, and the use of golf carts on pedestrian ways and streets substantially closed to vehicular access by governmental agencies for emergency, public safety, administrative, maintenance, construction, and similar public purposes, are specifically exempted from the prohibitions provided for in Subsection (C) of this Section.

**Section 340.265 Operation Of Low-Speed Vehicles On
Certain Streets Permitted.**

- A. A low-speed vehicle may be operated upon the streets of the City of Brentwood if it meets the requirements of Sections **340.260** through **340.285**. Every person operating a low-speed vehicle shall be granted all the rights and shall be subject to all the duties applicable to the driver of any other motor vehicle except as to the special regulations in Sections **340.260** through **340.285**.
- B. The operator of a low-speed vehicle shall observe all State and City traffic laws and rules of the road. No low-speed vehicle may be operated in a careless manner that may endanger the safety or property of others or occupants of the low-speed vehicle. No person may operate a low-speed vehicle while under the influence of alcohol or a controlled substance.
- C. A low-speed vehicle shall not be operated on a street or highway with a posted speed limit greater than thirty (30) miles per hour or any roadway listed in this Section. This provision shall not be construed to prohibit a low-speed vehicle from crossing, at an intersection or permitted crossing point, a street or highway with a posted speed limit greater than thirty (30) miles per hour. State, County, and local roads within the City of Brentwood wherein the operation of low-speed vehicles is prohibited include: Brentwood Boulevard, Hanley Road, Manchester Road, and all roads with a speed limit greater than thirty (30) miles per hour.

- D. A low-speed vehicle shall not be operated on any pathway, as that term is defined in Section 300.010 of the Brentwood City Code, sidewalk, multi-use trail, path, pedestrian underpass, or walkway designed for use by pedestrians or operators of non-motorized vehicles. Provided, however, that in order to facilitate the use of low-speed vehicles while avoiding passage over dangerous roadways as specified in Subsection (C), above, and the prohibition in Section 340.104 of this Code of Ordinances against motorized vehicles on pathways, sidewalks and walkways notwithstanding, low-speed vehicles are permitted to travel on the following Brentwood pathways: (1) from the northern point of Swim Club Lane to Hanley Industrial Ct.; (2) from the northern end of Louis Ave. east to Rosalie Ave./Litzsinger Road; (3) from the northern end of Salem Rd. east to Rosalie/Litzsinger Road, and (4) from White Ave. east of Swim Club Lane to Swim Club Lane. While on these limited sections of the Brentwood pathways, low speed vehicle operators will take extra care to avoid pedestrians using the pathway. Appropriate signage and other designations to alert of restrictions to low-speed vehicles and pedestrian interactions will be placed as needed.
- E. No low-speed vehicle shall be parked or stopped in any manner so as to block a driveway, pathway, sidewalk, multi-use trail, path, pedestrian underpass, or walkway as well as any trails or paths in a City park.
- F. The maximum number of passengers in a low-speed vehicle operated on a street or highway within the City of Brentwood shall not exceed the number of seats designed by the manufacturer for occupancy.

Section 340.270 Low-Speed Vehicle Standards.

- A. A low-speed vehicle shall:
1. Meet the definitional requirements contained in Section **340.260**;
 2. Be manufactured in compliance with the National Traffic Safety Administration and comply with the standards in 49 CFR 571.500; and

3. Be equipped with:
 - a. Headlamps;
 - b. Front and rear turn signals;
 - c. Stop lamps;
 - d. Reflex reflectors; one (1) red on each side as far to the rear as practicable and one (1) red on the rear;
 - e. An exterior mirror mounted on the driver's side and either an exterior mirror on the passenger side or an interior rearview mirror;
 - f. A parking brake;
 - g. A windshield that conforms to the requirements of the Federal motor vehicle safety standard of glazing materials (49 CFR 571.205);
 - h. A serial number, manufacturer's code, or vehicle identification number; and
 - i. A type 1 or type 2 seatbelt assembly conforming to 49 CFR 571.209 and Federal Motor Vehicle Standard 209 for each designated seating position.

Section 340.275 Low-Speed Vehicles — Driver's License And Insurance Required.

- A. Every operator of a low-speed vehicle shall:
 1. Possess a valid driver's license issued by the State pursuant to Chapter 302, RSMo., or a valid license issued by the operator's home State; and
 2. Maintain financial responsibility as required by Chapter 303, RSMo.

Section 340.280 Low-Speed Vehicles — Title And Registration.

- A. It shall be the responsibility of the operator and owner of a low-speed vehicle to comply with State titling or registration requirements.
- B. Low-Speed Vehicles owned and operated by governmental entities shall be exempt from this requirement.

Section 340.285 Penalty.

Every person convicted of a violation of any provision of Sections **340.260** through **340.285** shall be punished by a fine of not more than fifty dollars (\$50.00) for each violation.

Section 2. The Chapter, Article, Division and/or Section assignments designated in this Ordinance may be revised and altered by the codification company servicing the City’s Code of Ordinances upon supplementation of such code if, in the discretion of the editor, an alternative designation would be more reasonable. In adjusting such designations, the editor may also change other designations and numerical assignment of code sections to accommodate such changes.

Section 3. It is hereby declared to be the intention of the Board of Aldermen that the sections, paragraphs, sentences, clauses, phrases and words of this ordinance are severable, and if any section, paragraph, sentence, clause, phrase or word(s) of this ordinance shall be declared unconstitutional or otherwise invalid, such unconstitutionality or invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses, phrases and words or this ordinance since the same would have been enacted by the Board of Aldermen without the incorporation in this ordinance of any such unconstitutional or invalid portion of the ordinance.

Section 4. This Ordinance shall be in full force and take effect from and after the date of its final passage by the Board of Aldermen and approval by the Mayor.

PASSED BY THE BOARD OF ALDERMEN THIS 7TH DAY OF NOVEMBER 2022.

ATTEST:





 David A. Dimmitt, Presiding Officer



Kelle Silvey, Deputy City Clerk

APPROVED BY THE MAYOR THIS 7TH DAY OF NOVEMBER 2022.



David A, Dimmitt, Mayor

ATTEST:



Kelle Silvey, Deputy City Clerk



1ST READING: OCTOBER 17, 2022
2ND READING: NOVEMBER 7, 2022