

Chapter F. Streets and Rights-of Way

Article I: Generally

Section 1: Uniform Rules of the Road adopted by reference.

- A. Adoption by reference. The Uniform Rules of the Road, O.C.G.A. § 40-6-1 and the definitions contained in O.C.G.A. § 40-1-1 are hereby adopted as and for the traffic regulations of the Authority, with like effect as if recited in full herein.
- B. Penalties. Any person convicted of a violation of any provision of this section shall be punished as provided and stipulated by law.
- C. Repeal. All ordinances, code sections, or parts of ordinances or code sections inconsistent with the provisions of this section are hereby repealed.

Section 2: Authorized areas for motor vehicles.

- A. Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:
 - 1. ***Motor vehicle*** means every vehicle which is self-propelled as defined by O.C.G.A. § 40-1-1(33), including but not limited to mopeds, as defined by O.C.G.A. § 40-1-1(28), low-speed vehicles as defined by O.C.G.A. § 40-1-1(25.1), and personal transportation vehicle as defined by O.C.G.A. § 40-1-1(43.1).
- B. All motor vehicles shall be restricted to streets and parking areas only and shall be prohibited from all other areas including, but not limited to, the beaches, dune areas and the approaches thereto, the bicycle paths, the golf cart paths, and the nature walking trails.
- C. Golf carts, as defined by O.C.G.A. § 40-1-1(17.3), used in conjunction with the game of golf and during play shall be allowed on dedicated golf cart paths on the Island.
 - 1. Only golf carts owned by the Authority shall be used on the golf courses owned by the Authority. No privately owned carts are allowed.

Section 3: Overnight parking.

- A. There shall be no overnight parking of motorized vehicles and/or trailers/campers in the public areas of the Authority that have not otherwise specifically set aside and designated for camping by the Authority.
- B. The Georgia State Patrol monitors these areas and shall strictly enforce this prohibition between the hours of 2:30 am and 6:00 am.

Section 4: Abandonment of motor vehicles.

- A. It shall be unlawful for any person to abandon or to leave unattended for a period in excess of forty-eight (48) hours any motor vehicle, golf-cart, bicycle, or electronic-assisted bicycle, boat or trailer on any street, road, alley or other public way within the Island.

Article II: Motorized Carts

Section 1: Purpose and definitions.

- A. Purpose. There is a public interest in having a means of travel that is cost effective, energy efficient and an alternate means of travel for short distances on the Island instead of using motor vehicles. This article establishes the minimum standards for the operator to use when traveling upon public streets, roads and highways and property owned or leased by the Authority.
- B. Definitions. For the purposes of this section, the following words and phrases shall have the meanings respectively ascribed to them:
 - 1. ***All-terrain vehicle or ATV*** means a motorized vehicle originally manufactured for off-highway use which is equipped with three or more nonhighway tires, is 80 inches or less in width with a dry weight of 2,500 pounds or less, and is designed for or capable of cross-country travel on or immediately over land, water, snow, ice, marsh, swampland, or other natural terrain. This definition is the same as set forth in O.C.G.A. § 40-1-1(3). Any amendments to the definition set forth in O.C.G.A. § 40-1-1(3) shall automatically be incorporated herein.
 - 2. ***Golf car or golf cart*** means any motorized vehicle designed for the purpose and exclusive use of conveying one or more persons and equipment to play the game of golf in an area designated as a golf course. For such a vehicle to be considered a golf car or golf cart, its average speed shall be less than 15 miles per hour (24 kilometers per hour) on a level road surface with a 0.5% grade (0.3 degree) comprising a straight course composed of a concrete or asphalt surface that is dry and free from loose material or surface contamination with a minimum coefficient of friction of 0.8 between tire and surface. This definition is the same as set forth in O.C.G.A. § 40-1-1(17.3). Any amendments to the definition set forth in O.C.G.A. § 40-1-1(17.3) shall automatically be incorporated herein.
 - 3. ***Low-Speed Vehicle or LSV*** means any four-wheeled vehicle whose top speed attainable in one mile is greater than 20 miles per hour but not greater than 25 miles per hour on a paved level surface and which is manufactured or converted to comply with standards based upon those federal motor vehicle safety standards for low-speed vehicles set forth in Title 49 Subtitle B Chapter V Part 571 Subpart A § 571.3, as amended. This definition is the same as set

forth in O.C.G.A. § 40-1-1(25.1). Any amendments to the definition set forth in O.C.G.A. § 40-1-1(25.1) shall automatically be incorporated herein.

4. *Personal transportation vehicle or PTV* means
- a. Any motor vehicle:
 1. With a minimum of four (4) wheels;
 2. Capable of a maximum level ground speed of less than 20 miles per hour;
 3. With a maximum gross vehicle unladen or empty weight of 1,375 pounds; and
 4. Capable of transporting not more than eight (8) persons.
 - b. The term does not include mobility aids, including electric personal assistive mobility devices, power wheelchairs, and scooters, that can be used indoors and outdoors for the express purpose of enabling mobility for a person with a disability. The term also does not include any all-terrain vehicle or multipurpose off-highway vehicle.
 - c. This definition is the same as set forth in O.C.G.A. § 40-1-1(43.1). Any amendments to the definition set forth in O.C.G.A. § 40-1-1(43.1) shall automatically be incorporated herein.

Section 2: **Legality.**

- A. This section shall not apply to authorized Authority or state agency employees in the performance of their duties, including police officers, fire department, and rangers.
- B. The operation of ATVs on the public streets, roads and highways within the geographic boundaries of Jekyll Island and on property owned or leased by the Authority is prohibited.
- C. The operation of Golf Carts on the public streets, roads and highways within the geographic boundaries of Jekyll Island and on property owned or leased by the Authority is prohibited, except as follows:
 1. Golf Carts may cross public streets and roads while playing the game of golf in an area designated as a golf course and may be operated in an area designated as a golf course; and
 2. Golf Carts may be operated on public streets and roads and on property owned or leased by the Authority if operated in connection with a parade, a festival, or other special event, provided the consent of the sponsor is obtained and such vehicle is used only in conjunction with such event.
- D. The operation of LSVs and PTVs in compliance with the rules and regulations of this section and state law shall be permitted.

- E. LSVs and PTVs shall be parked in the same manner and place as designated parking for other motor vehicles. Stopping, standing or parking LSVs and PTVs in places and in a manner not allowed for vehicle parking or so as to impede the flow of traffic, pedestrian walkways or passageways are prohibited. Parking in reserved handicapped locations requires the appropriate handicap placard or sticker.

Section 3: Low Speed Vehicles.

- A. LSVs are regulated by state law. State law requires LSVs operating on public streets to register with the State of Georgia, to obtain and maintain insurance coverage, and to adhere to the equipment requirements of all applicable provisions of Article 1, Chapter 8, Title 40 and Part 3, Article 13, Chapter 6, Title 40 of the Official Code of Georgia Annotated.
- B. Further, in accordance with state law, LSVs may only be operated on public streets which have a posted speed limit of thirty-five (35) miles per hour or less. All LSVs operating on the public streets of Jekyll Island shall comply with all applicable provisions of state law.
- C. LSVs shall not be operated on sidewalks, bike paths, pedestrian-only paths in the Jekyll Island Club National Historic Landmark District, unimproved trails, service roads, or golf-cart paths at any time.

Section 4: Personal Transportation Vehicles.

- A. Insurance Required.
 - 1. No owner of a PTV shall operate, or authorize any other person to operate, the PTV on public streets unless the owner has liability insurance with limits of not less than the amounts specified in subparagraph (a)(1)(A) of O.C.G.A. § 33-7-11, as amended.
 - 2. The owner or operator of a PTV shall keep proof of the required insurance coverage in the PTV at all times.
 - 3. The Executive Director, at his or her discretion, may waive these insurance requirements for special events of a limited duration when it is likely that out-of-county residents may bring PTVs as participants. Such special events shall last no longer than seven calendar days.
- B. Equipment.
 - 1. In addition to any equipment required by state law, all PTVs shall be equipped with:
 - a. a braking system, including a parking brake, sufficient for the weight and passenger capacity of the vehicle;

- b. a reverse warning device functional when the directional control is in the reverse position;
 - c. a main power switch - when the switch is in the “off” position, or the key or other device that activates the switch is removed, the motive power circuit shall be inoperative. If the switch uses a key, it shall be removable only in the “off” position;
 - d. functional headlights and taillights;
 - e. functional front and rear turn signals;
 - f. functional stop lamps (brake lights);
 - g. reflex reflectors;
 - h. a rearview mirror;
 - i. a horn;
 - j. hip restraints;
 - k. hand holds;
 - l. a seat belt for each designated seat; and
 - m. a slow-moving vehicle emblem consisting of a fluorescent, orange equilateral triangle with a 2-inch red retroreflective border. The emblem shall be affixed to the rear of the PTV.
2. Gasoline-powered PTVs shall be equipped with an exhaust system in good working order and in constant operation to prevent the escape of excessive smoke or fumes and to prevent excessive noise.
- D. Operation.
- 1. PTVs shall not be operated on sidewalks, bike paths, pedestrian-only paths in the Historic District, unimproved trails, service roads, golf-cart paths, or upon highways that are part of the state highway system at any time.
 - 2. Each person occupying a PTV shall be restrained by a seat belt while the PTV is being operated on a public street.
 - 3. Every operator that transports a child under the age of eight years in a PTV on a public street shall provide for the proper restraint of such child in a child passenger restraining system that is installed and used in accordance with the manufacturer’s directions for such system. The child may be restrained by a seat belt if such child weighs at least forty (40) pounds or if the child’s height is over four feet and nine inches.
 - 4. PTVs must use headlights and taillights when operated on public streets during non-daylight hours, when it is raining, or when there is not sufficient visibility to render clearly discernible persons and/or vehicles at a distance of 500 feet ahead.

5. The maximum occupancy of a PTV shall be one occupant per designated seatbelt.
 6. Operators of PTVs shall not overtake or pass in the same lane occupied by the vehicle being overtaken or passed.
 7. Operators of PTVs must possess a valid Driver's License and must be at least 16 years of age.
 8. Operators of PTVs shall not operate between lanes of traffic or between adjacent lines or rows of vehicles.
 9. PTVs shall not be operated two or more abreast in a single lane.
 10. Operators of PTVs shall pull off the road at the first opportunity to safely do so if there are two or more motor vehicles immediately following the PTV.
 11. Operators of PTVs shall abide by all traffic regulations applicable to vehicular traffic using public streets.
 12. PTVs operated on Jekyll Island are not required to be registered with Glynn County.
 13. PTVs operated by commercial delivery companies must abide by the requirements set forth in O.C.G.A. § 40-6-331(e), as amended.
- E. This subsection shall not apply to PTVs owned by golf courses, country clubs, or other such organized entities which own PTVs and make them available to or for use by members or the public on a rental or licensed basis, provided that such PTVs are used only on the premises of such golf courses, country clubs, or other such organized entities.
- F. **Liability Disclaimer:** This section is adopted to address the interest of public safety. PTVs are not designed or manufactured to be used on public streets and the Jekyll Island Authority in no way advocates or endorse their operation on public streets or roads. The Jekyll Island Authority, by regulating such operation is merely trying to address obvious safety issues, and adoption of this section is not to be relied upon as a determination that operating on public streets is safe or advisable if done in accordance with this section. All persons who operate or ride upon PTVs on public streets or roads do so at their own risk and peril, and must be observant of, and attentive to the safety of themselves and others, including their passengers, other motorists, bicycles, and pedestrians. The Jekyll Island Authority has no liability under any theory of liability and the Authority assumes no liability for permitting PTVs to be operated on public streets and roads under the laws passed by the Georgia Legislature.

Section 5: Penalties.

- A. Violations of the provisions of this Article shall be punishable as a misdemeanor by a fine not to exceed \$1,000.00 per offense. Any person that violates this Article shall be cited to appear before the Glynn County Magistrate Court as provided and stipulated by law.

Article III: Rental of Certain Vehicles

Section 1: Definitions.

- B. The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:
 1. ***Vehicle*** means a motor vehicle, bicycle, golf cart, low speed vehicle, personal transportation vehicle, Electric personal assistive mobility device, any foot-powered vehicle, electric assisted bicycle, and any wind-driven land vehicle including sand sailer, land yacht, and beach sail boat.
 2. ***Annual license*** means the license issued by the Authority authorizing the holder thereof to engage in the business of renting vehicles on the island for one calendar year.
 3. ***Bicycle*** means every device propelled by human power only, including devices having two tandem wheels and any device generally recognized as a bicycle though equipped with two front or two rear wheels, such as a surrey bicycle, tandem bicycle, and tricycles, or quadricycle.
 4. ***Daily license*** means the license issued by the Authority authorizing the holder thereof to engage in the business of renting vehicles on the island for a term of not more than three consecutive calendar days.
 5. ***Electric Assisted Bicycle, or e-bike***, means a device with two or three wheels which has a saddle and fully operative pedals for human propulsion and also has an electric motor having a power output of not more than 750 watts.
 6. ***Electric personal assistive mobility device or EPAMD*** means a self-balancing, two non-tandem wheeled device designed to transport only one person and having an electric propulsion system with average power of 750 watts (1 horsepower) and a maximum speed of less than 20 miles per hour on a paved level surface when powered solely by such propulsion system and ridden by an operator who weighs 170 pounds.
 7. ***License*** means annual license and daily license.
 8. ***Licensee*** means a person who holds a valid license to engage in the business of renting vehicles on the island issued by the Authority pursuant to this division.

9. ***Person.***

- a. The term "***person***" means any individual, firm, partnership, cooperative, joint venture, association, corporation (profit or nonprofit), trust, business trust or other legal entity, public or private or quasi-public, and the plural as well as the singular number.
- b. The term "***person***" shall not be deemed to include the Authority.

10. ***Renting*** means to grant the possession and enjoyment of a vehicle for an agreed sum to be paid for the possession and use of that vehicle for a certain period of time.

11. ***Tour(s)*** shall mean the use of vehicles to conduct a tour for hire whether or not the tour is conducted while the vehicle is operational or whether they are used for transportation to various locations where the tour is conducted.

Section 2: Licensing requirement.

- A. No person shall engage in the business of renting vehicles on the island or for delivery to the island, unless licensed to do so by the Authority. Any person engaging in the business of renting vehicles on the island, who does not possess a valid license or does not fully comply with the provisions of this division as approved and adopted, and from time to time lawfully amended, shall be in violation of this division. The licensing requirement shall not apply to the rental, whether free or for charge, of EPAMDs rented solely for handicapped accessibility, but shall apply to all EPAMD tours.
- B. No license shall be issued for the renting of e-bikes on the island or for delivery to the island.
- C. No person shall operate or cause to be operated tours on a vehicle on the island without the expressed permission or authorization from the Authority. E-bike tours and rentals are prohibited.
- D. The Authority may enforce maximum limits on the number of licenses issued and number of vehicles licensed on an annual basis under this section.

Section 3: Bicycle rental requirements.

- A. All rented bicycles shall be equipped with a warning device, such as a bell or horn.
- B. All rented bicycles shall abide by state law as to helmet requirements.

Section 4: Rented on demand devices.

- A. Purpose. The purpose of this section is to prohibit rented on demand devices from being placed in the public right-of-way or on public property, operated in the public right-of-way or on public property, or offered for use anywhere on

Jekyll Island, so as to allow for adequate pedestrian traffic flow and to promote public safety.

B. Definition.

1. ***Rented on demand device*** means any wheeled device, other than an automobile, motorcycle, electric personal assistive mobility device, electric assisted bicycle, electric personal transportation vehicles, moped, golf cart, or personal transportation vehicle as those devices are defined by state law, that is powered by a motor; is accessed via an on-demand portal, whether a smartphone application, membership card, or similar method; is operated by a private entity that owns, manages, and maintains devices for shared use by members of the public; and is available to members of the public in unstaffed, self-service locations.

C. General requirements.

1. It is unlawful to park, leave standing, leave lying, abandon, or otherwise place a rented on demand device on property owned or leased by the Authority, including but not limited to any public right-of-way or public property within the geographic boundaries of Jekyll Island.
2. It is unlawful to operate a rented on demand device on property owned or leased by the authority, including but not limited to any public right-of-way or public property within the boundaries of Jekyll Island.
3. It is unlawful to provide or offer for use a rented on demand device anywhere within the boundaries of Jekyll Island.

D. Violations.

1. Violations of this section will subject the offender to a fine set by court system or as shall be provided and stipulated by law.
2. Georgia State Patrol officers, Authority code enforcement officers, and those Authority officials or designees otherwise designated by the Executive Director of the Authority are authorized to impound any rented on demand device that has been offered for use, placed in the public right-of-way or on public property, or operated in a public right-of-way or on public property in violation of this section. The impoundment shall be subject to an impound and storage fee as may from time to time be established by the Authority.