



## LEGAL SERVICES DIVISION

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**TO:** Members of the Safety and Licensing Committee

**FROM:** Darrin M. Glad, Assistant City Attorney

**DATE:** July 25, 2019

**RE:** Resolution #7-R-19/Croatt – Alternate Mode of Transportation  
Our File No. A19-0313

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This memo is intended to provide the Safety and Licensing Committee background information relating to Resolution #7-R-19 regarding Alternate Mode of Transportation, including applicable Wisconsin Statutes.

Section 19-1 of our Municipal Code adopts the Wisconsin State Traffic Laws, including the definitions in Wis. Stat. §340.01. A golf cart is not defined in Wis. Stat. §340.01, however, under those definitions, what an ordinary person would understand a golf cart to mean would fit the definitions of “motor vehicle” and “vehicle” and be subject to the applicable laws, including registration, operator’s licensing requirements, and the prohibition of vehicles on sidewalks. However, under Wis. Stat. §341.05, a golf cart does not need to be registered if it is being operated in accordance with Wis. Stat. §349.18. Wis. Stat. §349.18 allows cities to adopt ordinances that allow golf carts to operate in the following ways:

1. Establish a golf cart crossing point upon a highway within its limits. An ordinance enacted under this paragraph shall require that a golf cart stop and yield the right-of-way to all vehicles approaching on the highway before crossing the highway. The ordinance may require that a golf cart be equipped with reflective devices as specified in the ordinance. The city shall place a sign of a type approved by the Wisconsin Department of Transportation to mark the crossing point on both sides of the highway.
2. Regulate the operation of a golf cart to and from a golf course for a distance not to exceed one mile upon a highway under its exclusive jurisdiction. The city shall place a sign of a type approved by the Wisconsin Department of Transportation to mark any golf cart travel route designated by the ordinance.
3. Except as provided below, a city may allow the operation of golf carts on any highway that has a speed limit of 25 miles per hour or less and that is located within the territorial boundaries of the city, regardless of whether the city has jurisdiction, for maintenance purposes, over the highway.

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- a. An ordinance may not allow the operation of golf carts on or, except as provided below, across any state trunk highway or connecting highway.
- b. A city may allow the operation of golf carts across a state trunk or connecting highway if the state trunk or connecting highway:
  - i. has a speed limit of 35 miles per hour or less,
  - ii. the highway crossing will connect highways designated for golf cart operation as described above, and
  - iii. the city provides sufficient funds to the Wisconsin Department of Transportation to cover the costs of erecting and maintaining highway crossing signs.

Additionally, an ordinance created under Wis. Stat. §349.18 may include a definition of the term “golf cart.”

Please feel free to reach out to me directly if you have any other questions, as this was intended to just give a broad overview of some of the statutory constraints related to the proposed resolution.