



Town Council Workshop

Tuesday, August 26, 2025 at 5:30 PM

Theodore D. Washington Municipal Building, Henry "Emmett" McCracken Jr. Council Chambers,
20 Bridge Street, Bluffton, SC

AGENDA

This meeting can be viewed live on [BCTV](#), on Sparklight Channel 9 and 113 or on Spectrum Channel 1304.

1. **CALL TO ORDER**
2. **PUBLIC COMMENTS** - Pertaining only to agenda items
3. **WORKSHOP AGENDA ITEMS**
 1. Update on the South Carolina Law H3292 Related to Golf Carts - Kevin Icard, Director of Growth Management
4. **ADJOURNMENT**

"FOIA Compliance – Public notification of this meeting has been published and posted in compliance with the Freedom of Information Act and the Town of Bluffton policies."

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the Town of Bluffton will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. The Town of Bluffton Council Chambers are ADA compatible. Auditory accommodations are available. Any person requiring further accommodation should contact the Town of Bluffton ADA Coordinator at 843.706.4500 or adacoordinator@townofbluffton.com as soon as possible but no later than 48 hours before the scheduled event.

Executive Session – The public body may vote to go into executive session for any item identified for action on the agenda.

**Please note that each member of the public may speak at one public comment session and a form must be filled out and given to the Town Clerk. To submit a public comment online, please click here: <https://www.townofbluffton.sc.gov/FormCenter/Town-15/Public-Comment-60>
Public comment is limited to 3 minutes per speaker.*

TOWN COUNCIL

STAFF REPORT Department of Administration



MEETING DATE:	August 26, 2025
PROJECT:	Input and Discussion on Proposed Amendments to Chapter 26 Traffic and Motor Vehicles Ordinance Related to Golf Carts Hours and Locations, Requiring Seat Belts for Certain Passengers and Other Matters Related Thereto
PROJECT MANAGER:	Kevin Icard, Director of Growth Management

REQUEST: Request public input and comments on proposed amendments to the Town’s Code of Ordinances, Chapter 26 – *Traffic and Motor Vehicles*, in response to recent changes to Section 56-2-90 of the South Carolina Code of Laws. The amended law allows local jurisdictions to adopt ordinances regulating the operation of golf carts and other specialized vehicles, including restrictions on hours and locations of use, safety belt requirements for certain passengers, and other related matters.

BACKGROUND: On May 22, 2025, Governor Henry McMaster signed Act 64 of the 126th Session of the South Carolina General Assembly. This legislation includes provisions allowing local jurisdictions to regulate the operation of Specialized Vehicles. These provisions address hours of operation, restrictions on specific roadways, and safety requirements, such as mandatory seat belt use for certain passengers.

The intent of the new law is to enhance community engagement, improve mobility and accessibility, and contribute to the overall quality of life for residents and visitors.

Attached is the proposed ordinance, which includes definitions for *Specialized Vehicles*, registration and insurance requirements, mandatory equipment, limitations on use, and operational guidelines for public roadways.

Key Highlights:

- Children under the age of twelve (12) must wear a seatbelt at all times while riding in a specialized vehicle.
- The ordinance limits the use of specialized vehicles on certain high-traffic roadways and in roundabouts for safety reasons.
- Any Specialized Vehicle operating on a public roadway shall have proof of liability insurance in conformance with S.C. Code Ann. Sec. 38-77-40.

At the August 12th Town Council meeting, Town Council discussed this item as a workshop agenda item. They directed staff to proceed with a public workshop prior to the regularly scheduled October Town Council workshop.

CONSIDERATIONS:

- To date, Beaufort County Council has not adopted a similar ordinance for areas immediately outside the Town limits.

Is there a public interest to request that Town Council allow golf carts to be operated at night?

Is there public interest to require safety measures on golf carts, such as lights, seat belts or child restraints?

NEXT STEPS: If Town Council would like to move forward with the adoption of this Ordinance, Town Staff will place this item on the September Town Council meeting as a first reading with a second reading in October.

ATTACHMENTS:

1. Draft Ordinance
2. South Carolina Act 64

ORDINANCE 2025-_____

AN ORDINANCE AMENDING CHAPTER 26 ARTICLE II OF THE TOWN CODE TO ESTABLISH RULES OF OPERATION FOR SPECIALIZED VEHICLES AND OTHER MATTERS RELATED THERETO

WHEREAS, Bluffton Town Council (the "*Council*") is the governing body of the Town of Bluffton ("*Town*") and to the best of its ability, approves and establishes laws and ordinances for the health, safety, and general welfare of the Town and its residents; and,

WHEREAS, effective May 22, 2025, the South Carolina Code of Laws Section 56-2-90 was amended to allow local jurisdictions to adopt ordinances regulating the operation of golf carts as it relates to hours and locations, requiring certain passengers to wear safety belts, and other matters related thereto; and,

WHEREAS, use of golf carts, low speed vehicles and utility terrain vehicles (collectively hereinafter "*Specialized Vehicles*") have become beloved and practical modes of transportation for many residents of the Town, particularly in the area commonly known as Old Town Bluffton, where their use contributes to the unique charm of the community, enhances access to locally owned businesses and restaurants, and supports the vitality of the local economy; and,

WHEREAS, establishing rules of operation for Specialized Vehicles such as times of operation, prohibiting use on certain roadways, and requiring certain passengers to wear safety belts will further promote community engagement, improve accessibility, and enhance the quality of life for residents and visitors alike; and,

WHEREAS, the Council has determined that it is in the best interests of the citizens and visitors of the Town to adopt the ordinance as shown in "Exhibit A", attached hereto and incorporated herein by reference, which promotes safety and allows for improved and optimized usage of Specialized Vehicles within the Town.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BLUFFTON, SOUTH CAROLINA, AS FOLLOWS:

1. ***Amendment.*** Chapter 26 of the Town Code is amended as shown in "Exhibit A", attached hereto and incorporated herein by reference, whereby the newly added language is illustrated with an underline and deleted language is illustrated with ~~striketrough~~.
2. ***Severability.*** Severability is intended throughout and within the provisions of this Ordinance. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this Ordinance.
3. ***Repeal.*** All ordinances or parts of ordinances in conflict with this Ordinance, or inconsistent with its provisions, are hereby repealed or superseded to the extent necessary to give this Ordinance full force and effect.
4. ***Effective Date.*** This Ordinance shall be effective immediately upon its adoption by the Town Council of the Town of Bluffton, South Carolina.

DONE, RATIFIED and ENACTED this ____ day of _____, 2025.

This Ordinance was read and passed at first reading on _____, _____, 2025.

Larry C. Toomer, *Mayor*
Town of Bluffton, South Carolina

Marcia Hunter, *Town Clerk*
Town of Bluffton, South Carolina

This Ordinance was read and passed at Second reading on _____, _____, 2025.

Larry C. Toomer, *Mayor*
Town of Bluffton, South Carolina

Marcia Hunter, *Town Clerk*
Town of Bluffton, South Carolina

EXHIBIT A

Sec. 26-52 – Specialized Vehicles

(a) **Definitions.** For purposes of this Section the terms are defined as follows:

- i. Golf Cart means a four-wheeled motor vehicle whose speed attainable in one mile is no more than twenty miles per hour (20 mph) on a paved level surface.
- ii. Low Speed Vehicle (LSV) means a four-wheeled motor vehicle whose speed attainable in one mile is more than twenty miles per hour (20 mph) and not more than twenty-five miles per hour (25 mph) on a paved level surface. The gross vehicle weight rating (GVWR) of an LSV must be less than three thousand pounds; to include modified golf carts.
- iii. Public Roadway means any road that is controlled and maintained by the Town or another public authority and is accessible for vehicular use by the general public.
- iv. Specialized Vehicle means a motorized vehicle limited to golf carts, low speed vehicles and utility terrain vehicles.
- v. SCDMV means the South Carolina Department of Motor Vehicles.
- vi. Utility Terrain Vehicle (UTV) means a side-by-side, four-wheeled drive, off-road vehicle intended to transport individuals, cargo, or both with a top speed of over thirty-five miles an hour; a motor of at least four hundred and fifty cubic centimeters; eighty inches or less overall width; designed to travel on four or more wheels, two or four tracks, or combinations of four or more tracks and wheels; using a steering wheel for steering control; with a non-straddle seat; and with a Gross Vehicle Weight Rating of no more than four thousand pounds.

(b) **Required Registration and Insurance.**

- i. Registration. Any Golf Cart or LSV operating on a Public Roadway shall be registered with SCDMV. Upon registering with the SCDMV, a valid permit decal must be displayed on the front left lower corner of the windshield.
- ii. Insurance. Any Specialized Vehicle operating on a Public Roadway shall have proof of liability insurance in conformance with S.C. Code Ann. Sec. 38-77-140.

(c) **Required Equipment.** Any Specialized Vehicle operating on a Public Roadway must be equipped with a rearview mirror. Any Specialized Vehicle operated before sunrise and after sunset must, at a minimum, be equipped with functioning headlights, taillights, and turn signals.

- i. Seatbelts. Any child under the age of twelve (12) must wear a seatbelt at all times when riding in a Specialized Vehicle being operated on a Public Roadway.
- ii. Safety Restraints. Any child under the age of twelve (12) who are too small to safely be secured with a standard seatbelt must be otherwise safely and securely restrained while riding in a Specialized Vehicle. This may include, but is not limited to, the use of a child safety seat, harness system, or other secure method of restraint. It is permissible to use a device that safely secures an infant child to the body of an adult passenger whereby the device must allow for the adult to remain hands-free at all times. At no time may a child be held in an adult's arms or lap without being properly fastened by an independent restraint system or as otherwise described herein.

(d) Operation Limitations.

- i. Speed Limit. Specialized Vehicles shall only be operated on Public Roadways where the posted speed limit does not exceed 35 miles per hour.
- ii. Roadway Restrictions. Unless otherwise permitted in this Section, Specialized Vehicles are prohibited from:
 - a. Entering, operating or traveling in any roundabout, also commonly referred to as a traffic circle, and;
 - b. Entering, operating or traveling on any four-lane highway or four-lane parkway, but a Specialized Vehicle may cross over a four-lane highway or four-lane parkway at a light intersection only.
- iii. Exemption. The operation limitations established in this Section do not apply to Specialized Vehicles being used for a public purpose including, but not limited to, maintaining or repairing publicly owned roadways, facilities or other infrastructure.

(e) Operation on Public Roadway. Specialized Vehicles are permitted to operate on Public Roadways at any time of the day in compliance with this Section. During daylight hours, turn signals or hand signals shall be used while operating a Specialized Vehicle on a Public Roadway. The use of a Specialized Vehicle on a Public Roadway is subject to all traffic laws and regulations applicable to the operation of motor vehicles, and any violation may result in penalties as established by law.

The operator of a Specialized Vehicle must be at least sixteen (16) years of age with a valid driver's license and while operating on a Public Roadway have in their possession as follows:

- i. Operator of a Golf Cart or LSV.
 - a. The registration certificate issued by the SCDMV; and,
 - b. Proof of liability insurance; and,
 - c. A valid driver's license.
 - ii. Operator of a UTV.
 - a. Proof of liability insurance for the UTV; and,
 - b. A valid driver's license.
- (f) Severability.** Should any section, clause or provision of these regulations be declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of these regulations as a whole or any part thereof other than the part declared to be unconstitutional or invalid; each section, clause or provision hereof being declared severed.
- (g) Penalty.** Any person found in violation of the provisions of this Section shall be deemed guilty of a misdemeanor and shall be subject to a fine not to exceed \$500.00 or imprisonment not to exceed thirty (30) days.

Sec. 26-523. – Penalty.

The penalty for a violation of sections 26-50 and 26-51 may be confiscation of said bicycle until a fine which may be imposed by the Municipal Court is paid.

Secs. 26-534-26-77.- Reserved.

South Carolina General Assembly
126th Session, 2025-2026

A64, R92, H3292

STATUS INFORMATION

General Bill

Sponsors: Reps. Hixon, Pedalino, W. Newton, Forrest, B.L. Cox, Erickson, Taylor, Hartz, Atkinson and Pace
Document Path: LC-0063CM25.docx

Introduced in the House on January 14, 2025

Introduced in the Senate on February 18, 2025

Last Amended on May 7, 2025

Currently residing in the House

Governor's Action: May 22, 2025, Signed

Summary: Golf carts

HISTORY OF LEGISLATIVE ACTIONS

Date	Body	Action Description with journal page number
12/5/2024	House	Prefiled
12/5/2024	House	Referred to Committee on Education and Public Works
1/14/2025	House	Introduced and read first time (House Journal-page 157)
1/14/2025	House	Referred to Committee on Education and Public Works (House Journal-page 157)
1/16/2025	House	Member(s) request name added as sponsor: B.L. Cox
2/4/2025	House	Member(s) request name added as sponsor: Erickson, Bradley
2/5/2025	House	Member(s) request name removed as sponsor: Bradley
2/6/2025	House	Committee report: Favorable Education and Public Works (House Journal-page 11)
2/11/2025	House	Member(s) request name added as sponsor: Taylor, Hartz, Atkinson
2/11/2025		Scrivener's error corrected
2/12/2025	House	Debate adjourned until Thur., 2-13-25 (House Journal-page 83)
2/13/2025	House	Member(s) request name added as sponsor: Pace
2/13/2025	House	Read second time (House Journal-page 18)
2/13/2025	House	Roll call Yeas-98 Nays-1 (House Journal-page 18)
2/13/2025	House	Unanimous consent for third reading on next legislative day (House Journal-page 19)
2/18/2025	Senate	Introduced and read first time (Senate Journal-page 8)

2/18/2025 Senate Referred to Committee on **Transportation** (Senate Journal-page 8)
 5/1/2025 Senate Committee report: Favorable with amendment **Transportation** (Senate Journal-page 14)
 5/6/2025 Senate Committee Amendment Adopted (Senate Journal-page 68)
 5/6/2025 Senate Read second time (Senate Journal-page 68)
 5/6/2025 Senate Roll call Ayes-44 Nays-0 (Senate Journal-page 68)
 5/7/2025 Senate Amended (Senate Journal-page 40)
 5/7/2025 Senate Read third time and returned to House with amendments (Senate Journal-page 40)
 5/7/2025 Senate Roll call Ayes-42 Nays-1 (Senate Journal-page 40)
 5/8/2025 House Concurred in Senate amendment and enrolled (House Journal-page 98)
 5/8/2025 House Roll call Yeas-105 Nays-6 (House Journal-page 98)
 5/20/2025 Ratified R 92
 5/22/2025 Signed By Governor
 5/27/2025 Effective date 05/22/25
 5/27/2025 Act No. 64

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VERSIONS OF THIS BILL

[12/05/2024](#)
[02/06/2025](#)
[02/11/2025](#)
[05/01/2025](#)
[05/06/2025](#)
[05/07/2025](#)
 (A64, R92, H3292)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-2-90 SO AS TO PROVIDE FOR THE REGISTRATION AND OPERATION OF GOLF CARTS ALONG THE STATE'S PUBLIC HIGHWAYS, TO PROVIDE MUNICIPALITIES AND COUNTIES MAY ADOPT ORDINANCES TO REGULATE THE OPERATION OF GOLF CARTS WITHIN THEIR JURISDICTIONS, AND TO PROVIDE CERTAIN PASSENGERS MUST WEAR SAFETY BELTS; AND TO REPEAL SECTION 56-2-105 RELATING TO THE REGISTRATION AND OPERATION OF GOLF CARTS.

Be it enacted by the General Assembly of the State of South Carolina:

Golf carts

SECTION 1. Article 1, Chapter 2, Title 56 of the S.C. Code is amended by adding:

Section 56-2-90. (A) To operate a vehicle commonly known as a golf cart on a public highway, the owner must obtain a permit decal and registration certificate from the Department of Motor Vehicles. Proof of ownership, proof of liability insurance, and payment of a five-dollar fee must be provided. The permit decal must be replaced every five years, or at the time the owner changes his address, whichever is sooner.

(B) A person operating a golf cart on a public highway must be at least sixteen years of age, hold a valid driver's license, and have in his possession:

- (1) the registration certificate;
- (2) proof of liability insurance in conformance with Section 38-77-140; and
- (3) his driver's license.

(C) A municipality or a county within its unincorporated portions, may:

(1) by ordinance stipulate the hours, methods, and locations of golf cart operations, provided that golf carts may be operated only on a highway where the speed limit is thirty-five miles per hour or less;

(2) by ordinance permit the operation of golf carts at night, provided that golf carts are equipped with working headlights and taillights, and provided that golf carts may be operated only on a highway where the speed limit is thirty-five miles per hour or less; and

(3) on the shoulder of primary highways, secondary highways, streets and roads, designate separate golf cart paths for the purpose of golf cart transportation, provided that:

- (a) the municipality or county obtains the necessary approvals, if any, to create golf cart paths; and
- (b) the golf cart path is:
 - (i) separated from the traffic lanes by a hard concrete curb;
 - (ii) separated from the traffic lanes by parking spaces; or
 - (iii) separated from the traffic lanes by a distance of four feet or more.

(4) not require proof of property ownership or proof of long-term rental agreement within the municipality or a county within its unincorporated portions as a requirement in which to receive a decal to operate a golf cart within its limits.

(D) In the absence of an ordinance enacted pursuant to subsection (C), a permitted golf cart may:

- (1) be operated only during daylight hours;
- (2) be operated only on a secondary highway where the speed limit is thirty-five miles per hour or less;
- (3) be operated only within four miles of the address on the registration certificate, or only within four miles of a point of ingress and egress of a gated community if the address is within a gated community; and
- (4) cross a highway at an intersection where the speed limit is more than thirty-five miles an hour.

(E) Each golf cart passenger that is under the age of twelve years old, when it is being operated on the public streets and highways of this State, must wear a fastened safety belt.

Repeal

SECTION 2. Section 56-2-105 of the S.C. Code is repealed.

Time effective

SECTION 3. This act takes effect upon approval by the Governor.

Ratified the 20th day of May, 2025.

Approved the 22nd day of May, 2025.
