

CITY OF SALEM, ILLINOIS
ALTERNATIVE TRANSPORTATION APPLICATION AND INSPECTION REPORT
NON HIGHWAY VEHICLES – GOLF CARTS AND UTILITY TERRAIN VEHICLES

Applicant Name: _____

Address: _____ Phone No. _____
(Street) (City) (State) (Zip)

Serial Number: _____ Make/Model: _____

Vehicle Description: _____

Name, address and policy number of liability insurance carrier: _____

I have read the *Rules Concerning Alternate Transportation for the City of Salem (Golf Carts and Utility Terrain Vehicles)* as set forth in the City of Salem Code of Ordinances and agree to abide thereby.

Signature of Applicant

Date

INSPECTION REPORT

To be completed by City Police Department Designated Officer

_____ Horn	_____ Headlights (as required)
_____ Brakes and Brake Lights	_____ Tail Lamps (<i>as required</i>)
_____ Turn Signals	_____ Seat Belts for Operator and All Passengers
_____ Steering Wheel Apparatus	_____ Proof of Liability Insurance – Copy
_____ Tires	_____ Hold Harmless/Release of Liability Form
_____ Review Mirror	_____ Valid Drivers License – Copy
_____ Approved “Slow Moving Vehicle”	_____ If Physically Handicapped, Certificate
_____ Emblem	_____ Signed by Physician
_____ Red Reflector Warning Devices (<i>front and rear</i>)	

The above described vehicle was inspected and is in compliance with regulations set forth by the City of Salem Code of Ordinances.

Date & Time of Inspection: _____, _____ am/pm

Inspector Signature: _____

For Office of City Clerk Use Only:

_____ \$35.00 Fee for Three (3) Year Permit; Permit No. _____

Permit issue Date: _____ Expiration Date: _____

**UNCONDITIONAL AND FULL GENERAL RELEASE OF LIABILITY, WAIVER,
DISCHARGE AND COVENANT NOT TO SUE**

This is a legally binding UNCONDITIONAL AND FULL GENERAL RELEASE OF LIABILITY, WAIVER, DISCHARGE, AND COVENANT NOT TO SUE made by me (hereinafter referred to as Operator) to the City of Salem (hereinafter referred to as City).

I fully recognize that there are dangers and risks to which I may be exposed by operating a non-highway vehicle (*golf cart or utility terrain vehicle*) on City streets. The following are examples of significant dangers and risks associated with this activity: Injury to myself or others; damage to my property or the property of others; death to myself or others.

In no event shall the City be liable for direct, indirect, special, incidental or consequential damages, whether arising in tort, contract or any other legal theory, in connection with or arising out of Operator's use of a non-highway vehicle (*golf cart or utility terrain vehicle*) on City streets.

The Operator, as of the date below, shall hereinafter save, hold harmless and indemnify the City against any and all liability, claims, causes of action, and costs of whatsoever, kind and nature including, without being limited to, injury, damage, loss including death, resulting from arising out of, or occurring in connection with my use of this non-highway vehicle (*golf cart or utility terrain vehicle*) on City streets.

I understand that the City has an Ordinance governing the use of qualified golf carts on City streets and hereby agree to conform with all requirements of the City Ordinance at all times. I have had the opportunity to read said Ordinance and my signature below acknowledges that I will comply with the Ordinance as well as all of the applicable traffic laws of the State of Illinois at all times when operating the golf cart on City Streets.

I therefore, agree to assume and take on myself all of the risks and responsibilities in any way associated with this activity in consideration and in return for the opportunity to operate a non-highway vehicle on City streets. I release the City and the City Council, employees and agents from any and all liability, claims and actions that may arise from injury or harm to me or others, including death, or from damage to my property or property of any other in connection with this activity. I understand that this release also covers liability, claims and actions caused entirely or in part by any acts or failures to act, including but not limited to, negligence, mistake, or failure to enforce, supervise or maintain.

I assure the City that there are no health-related reasons or problems which preclude or restrict my participation in this activity. I further assure the City that I have adequate health and liability insurance necessary to provide for and pay any medical costs or property damage that may directly or indirectly result from my participation in this activity, and I will indemnify and hold the City harmless for any such medical costs or property damage.

I understand that this Release means I am giving up, among other things, rights to sue the City, its City Council, employees, and/or agents for injuries (including death), damages, or losses I may incur or cause. I also understand that this Release binds my heirs, executors, administrators, and assigns, as well as my self.

I HAVE READ THIS ENTIRE RELEASE, I FULLY UNDERSTAND IT, AND I AGREE TO BE LEGALLY BOUND BY IT.

Operator's Signature

Date

Witness

Date

**RULES CONCERNING ALTERNATE TRANSPORTATION
FOR THE CITY OF SALEM FROM THE CITY CODE
(*GOLF CARTS AND UTILITY TERRAIN VEHICLES*)**

Sec. 12-6. – Non-Highway Vehicles (*Golf Carts and Utility Terrain Vehicles*) as defined in **Sec. 12-7** shall be allowed on City streets under the conditions stated herein.

Sec. 12-7. - Definitions.

City streets means any of the streets within the boundaries of the City of Salem, Illinois, excluding State highways.

Golf cart, as defined herein, means a vehicle specifically designed and intended for the purposes of transporting one (1) or more persons and their golf clubs or maintenance equipment while engaged in the playing of golf, supervising the play of golf or maintaining the condition of the grounds on a public or private golf course.

Utility Terrain Vehicle, as defined herein means a motorized off-highway device designed to travel primarily off-highway, traveling on four (4) or more non-highway tires, designed with a seat for operator use and a steering wheel for steering control EXCEPT equipment such as lawn mowers or three or four-wheel all-terrain vehicles.

Sec. 12-8 – Requirements.

All persons wishing to operate a non-highway vehicle on the city streets must ensure compliance with the following requirements:

- (1) Proof of current liability insurance.
- (2) Must be certified with the city and have the vehicle certified with the city by inspection by the city police chief or designated representative.
- (3) Must comply with the published "Rules Concerning Alternate Transportation for The City of Salem" as periodically updated.
- (4) Must display city permit decal on the rear of the vehicle.
- (5) Must have a current, valid Illinois driver's license.
- (6) Operators of golf carts must be 16 years of age or older; operators of utility terrain vehicles must be 21 years of age or older.
- (7) Golf carts and UTVs must be equipped as follows:
 - a. Horn;
 - b. Brakes and brake lights;
 - c. Turn signals;
 - d. A steering wheel apparatus;
 - e. Tires;
 - f. Rearview mirror;
 - g. Approved "Slow Moving Vehicle" emblem on the rear of the vehicle (625 ILCS 5/12-709 on all non-highway vehicles. Red reflector warning devices in both the front and rear;

- i. Headlights that emit a white light visible from a distance of five hundred (500) feet to the front which must illuminate when in operation;
 - j. Tail lamps that emit a red light visible from at least one hundred (100) feet from the rear which must be illuminated when in operation;
 - k. Seat belts for operator and all passengers;
 - l. Any additional requirements which may be amended to 65 ILCS 5/11-1428 or the Illinois Motor Vehicle Code.
- (8) Must obey all traffic laws of the State of Illinois and the City of Salem. Operator and all passengers shall wear seat belts when the golf cart is in operation.
- (9) Must be operated only on city streets, except where prohibited.
- (10) May not be operated on U.S. Highway 50 or U.S. Highway 37.
- (11) Golf carts must not be operated in excess of posted speed limit or twenty (20) miles per hour, whichever is less. Utility terrain vehicles must comply with posted speed limits.
- (12) A person operating or who is in actual physical control of a golf cart or utility terrain vehicle, as described herein, on a roadway while under the influence is subject to Section 11-500 through 11-502 of the Illinois Compiled Statutes [625 ILCS 5/11-500-11-502].
- (13) Golf carts and Utility Terrain Vehicles shall not be operated on sidewalks or in any non-roadway city park property, including the nature and walking trails.
- (14) Golf carts may not be operated on streets and highways and roads under the jurisdiction of the Illinois Department of Transportation (US Highway 50 and US Highway 37).

Sec. 12-9 - Permits.

- (1) No person shall operate a qualified non-highway vehicle without first obtaining a permit from the city clerk as provided herein. Permits shall be granted for a period of three (3) years. The cost of the permit is thirty-five dollars (\$35.00). Insurance coverage is to be verified to be in effect by the police department when obtaining and renewing a permit.
- (2) Every application for a permit shall be made on a form supplied by the city and shall contain the following information:
 - (a) Name and address of applicant;
 - (b) Name of liability insurance carrier and policy number;
 - (c) The serial number, make, model and description of golf cart;
 - (d) Signed waiver of liability by applicant releasing the City of Salem and its employees, and agreeing to indemnify and hold the city harmless from any and all future claims resulting from the operation of their golf cart on the City of Salem streets;
 - (e) Photocopy of applicable liability insurance coverage card specifically for the vehicle to be operated pursuant to the permit;
 - (f) Such other information as the city may require.
- (3) No permit shall be granted unless the following conditions are met:
 - (a) The vehicle must be inspected by the city chief of police (or designee) to insure that the vehicle is safe to operate on city streets and is in compliance with this article and with the State of Illinois Motor Vehicle Code;

- (b) A physically handicapped applicant must submit a certificate signed by a physician, certifying that the applicant is able to safely operate a qualified non-highway vehicle on city streets;
 - (c) The applicant must provide evidence of insurance in compliance with the provisions of the Illinois Statutes regarding minimum liability insurance for passenger motor vehicles to be operated on the roads of the State of Illinois.
- (4) The city may suspend or revoke a permit granted hereunder upon a finding that the holder thereof has violated any provision of this article or there is evidence that permittee cannot safely operate a qualified non-highway vehicle on the designated roadways.

Sec. 12-10 - Violations.

Any person who violates any provision of this article shall be guilty of a petty misdemeanor and shall be punished by a fine of one hundred dollars (\$100.00). Any second or subsequent offense shall result in the revocation of the permit for a period of not less than three (3) nor more than five (5) years. To the extent that any violation of this article also constitutes a violation of a criminal statute of the State of Illinois, then the violator shall also be subject to criminal prosecution.

Sec. 12-11 - Miscellaneous.

- (1) In the event that a court of competent jurisdiction declares any particular provision of this article to be invalid or unenforceable, the remaining provisions of this article shall be construed to be valid and enforceable. The invalidity of any part of this article shall not affect any part or parts thereof.
- (2) This article shall be in full force and effect from and after passage and approval as provided by law.
- (3) Any ordinance, or portion thereof, of the City of Salem which is contrary to this article shall be deemed to be repealed.