

OPINION NO. 90-043**Syllabus:**

1. A golf cart – i.e., a four-wheeled motorized vehicle that is designed and manufactured for the primary purpose of transporting people and equipment on a golf course – is a "motor vehicle" as that term is defined in R.C. 4501.01, 4503.01, and 4505.01.
2. A golf cart may not lawfully be operated on public streets and highways unless it satisfies the statutory requirements that are applicable to motor vehicles.
3. A golf cart may not be operated on public streets and highways unless it is registered pursuant to R.C. Chapter 4503; it complies with operating requirements imposed by R.C. Chapter 4511 and equipment requirements imposed by R.C. Chapter 4513; its owner meets financial responsibility requirements imposed by R.C. Chapter 4509; and its operator has a driver's license.

To: Lowell S. Peterson, Ottawa County Prosecuting Attorney, Port Clinton, Ohio
By: Anthony J. Celebrezze, Jr., Attorney General, June 20, 1990

I have before me your request for an opinion concerning the operation of golf carts upon the public streets and highways of the State of Ohio. You have raised the following questions:

1. May four-wheeled golf carts legally be operated upon the public streets and highways of the State of Ohio?

2. May golf carts be qualified by safety inspectors to be regulated as motor vehicles and assigned standard motor vehicle license registration and license plates?
3. If a golf cart may be so regulated, may it then be operated on the public streets and highways of the State of Ohio?

Throughout this opinion, I shall use the term "golf cart" to refer to a four-wheeled motorized vehicle that is designed and manufactured for the primary purpose of transporting people and equipment on a golf course.

An attachment to your letter indicates that your questions relate to the Village of Put-In-Bay on South Bass Island in Ottawa County, and that the issue may also be relevant to Kelleys Island in Erie County. In these locations, golf carts have been licensed as motor vehicles and operated on public streets and highways. Concern has arisen that golf carts create traffic hazards because of their slow speed and their increasing numbers.

Ohio law does not directly address the question whether a golf cart may be operated on public streets and highways. It does, however, impose certain requirements upon motor vehicles that are operated on public streets and highways. R.C. 4501.01 provides a general definition of "motor vehicle":

(B) "*Motor vehicle*" means any vehicle, including manufactured homes and recreational vehicles, propelled or drawn by power other than muscular power or power collected from overhead electric trolley wires, except motorized bicycles, road rollers, traction engines, power shovels, power cranes, and other equipment used in construction work and not designed for or employed in general highway transportation, well drilling machinery, ditch digging machinery, farm machinery, trailers used to transport agricultural produce or agricultural production materials between a local place of storage or supply and the farm when drawn or towed on a public road or highway at a speed of twenty-five miles per hour, or less, threshing machinery, hay baling machinery, corn sheller, hammermill and agricultural tractors and machinery used in the production of horticultural, agricultural, and vegetable products. (Emphasis added.)

"Vehicles" is defined to mean "everything on wheels or runners, including motorized bicycles, but does not mean vehicles operated exclusively on rails or tracks or from overhead electric trolley wires and vehicles belonging to any police department, municipal fire department, or volunteer fire department or used by such department in the discharge of its functions." R.C. 4501.01(A). A motorized golf cart clearly comes within this definition of "motor vehicle." See generally *Metropolitan Property & Liability Insurance Co. v. Kott*, 62 Ohio St. 2d 114, 403 N.E.2d 985 (1980) (finding that a snowmobile is a "motor vehicle" under R.C. 4501.01(B) because it is propelled by other than muscular power and is not included in the enumerated exceptions); *City of Cleveland v. Copley*, Nos. 48595 and 48596 (Ct. App. Cuyahoga County March 14, 1985) (LEXIS, Ohio library, App file) (unreported) (finding under city ordinances that a three-wheeled all-terrain vehicle is a motor vehicle and that a person driving it on the streets is required to have an operator's license); *State v. Carkhuff*, 26 Ohio Misc. 216, 218, 270 N.E.2d 379, 380 (Ashtabula Mun. Ct. 1971) (finding that a snowmobile is a motor vehicle as defined in R.C. 4511.01(B) and citing *Nepstad v. Randall*, 82 S.D. 615, 152 N.W.2d 383 (1967), for the proposition that "courts have previously determined that golf carts, when driven upon a highway, are defined as motor vehicles"). It follows that a golf cart may not lawfully be operated on public streets and highways unless it satisfies the statutory requirements that are applicable to motor vehicles.

No provision of the Revised Code directly prohibits the operation of golf carts on public streets and highways.¹ R.C. 4503.11(A) does, however, provide

¹ By way of comparison, R.C. 4519.40(A) expressly prohibits the operation of any snowmobile or all purpose vehicle "[o]n any limited access highway or freeway or the right-of-way thereof, except for emergency

travel only during such time and in such manner as the director of highway safety shall designate." R.C. 4519.41(B) provides that "[s]nowmobiles and all purpose vehicles being used for winter travel" may be operated "[o]n highways in the county or township road systems whenever the local authority having jurisdiction over such highways so permits." See also R.C. 4519.48 ("[n]othing contained in [R.C. Chapter 4519] shall prevent local authorities from regulating the operation of snowmobiles and all purpose vehicles on streets and highways and other public property under their jurisdiction, and within the reasonable exercise of the police power, except that no local authority shall require the registration or licensing of any snowmobile or all purpose vehicle required to be registered under such chapter").

In *Sharp v. Norfolk & Western Railway Co.*, No. E-85-49, slip op. at 15 (Ct. App. Erie County Nov. 28, 1986) (LEXIS, Ohio library, App file) (unreported), the court considered R.C. 4519.41(B) and concluded that it prohibited the operation of snowmobiles on township roads unless the township authority permits such operation. I relied on that opinion in 1987 Op. Att'y Gen. No. 87-077, concluding that "[i]t is not generally permissible to operate a snowmobile or all purpose vehicle...on a public highway." Op. No. 87-077 (syllabus, paragraph 2). Subsequent to the issuance of that opinion, the Ohio Supreme Court, in *Sharp v. Norfolk & Western Railway Co.*, 36 Ohio St. 3d 172, 175 n. 1, 522 N.E.2d 528, 530-31 n.1 (1988), rejected the court of appeals' interpretation of the law as prohibitory. The Ohio Supreme Court's decision raises questions about the conclusions of Op. No. 87-077 concerning the permissibility of operating snowmobiles or all purpose vehicles on public streets and highways.

That issue does not appear to be directly relevant to this opinion, since vehicles "principally used in playing golf" are expressly excluded from the definition of "all purpose vehicle" used in R.C. Chapter 4519. See R.C. 4519.01(B). I assume, for purposes of this opinion, that the vehicles with which you are concerned may be so categorized. I am aware, however, that it might be argued on the basis of particular facts that a specific golf cart is not a vehicle "principally used in playing golf." See generally *State v. Conner*, 13 Ohio App. 3d 179, 468 N.E.2d 320 (Darke County 1983) (discussing "use" standard for determining whether a vehicle is a "motor vehicle" or "farm machinery" under R.C. 4501.01 for purposes of R.C. 4503.11); *State v. Devilbliss*, 16 Ohio Op. 2d 404, 177 N.E.2d 74 (C.P. Highland County 1961) (finding that the test for determining whether a vehicle is a "motor vehicle" or "farm machinery" under R.C. 4501.01 is the use made of the vehicle, and not the kind of vehicle); 1979 Op. Att'y Gen. No. 79-098 (discussing requirement for a factual analysis as to whether a particular structure meets the statutory definition of a house trailer); 1943 Op. Att'y Gen. No. 6467, p. 594 (discussing usage requirement relating to free registration of publicly-owned motor vehicles). If this argument is accepted and such a vehicle is otherwise within the definition of "all purpose vehicle" set forth in R.C. 4519.01(B), that vehicle will come within the provisions of R.C. Chapter 4519 and may be registered and operated in accordance with that chapter. See R.C. 4519.01(B) (defining "[a]ll purpose vehicle" to mean "any self-propelled vehicle designed primarily for cross-country travel on land and water, or on more than one type of terrain, and steered by wheels or caterpillar treads, or any combination thereof, including vehicles that operate on a cushion of air, vehicles commonly known as all-terrain vehicles, all season vehicles, mini-bikes, and trail bikes, but excluding any self-propelled vehicle not principally used for purposes of personal transportation, any vehicle principally used in playing golf, any motor vehicle or aircraft required to be registered under Chapter 4503, or 4561, of the Revised Code, and any vehicle excepted from definition as a motor vehicle by division (B) of section 4501.01 of the Revised Code" (emphasis added)). It appears, however, that a golf cart that is used on public streets and highways may be excluded from the definition of "all purpose vehicle" on the grounds that it is a motor vehicle under R.C.

that, with certain exceptions that are not applicable to your questions, "no person who is the owner or chauffeur of a motor vehicle operated or driven upon the public roads or highways shall fail to file annually the application for registration or to pay the tax therefor." For purposes of R.C. 4503.11, R.C. 4503.01 adopts the definition of "motor vehicle" appearing in R.C. 4505.01 and also includes motorized bicycles. R.C. 4505.01 defines "motor vehicle" to include "manufactured homes and recreational vehicles, and trailers and semitrailers whose weight exceeds four thousand pounds." This definition thus appears to expand upon the definition appearing in R.C. 4501.01(B), which is applicable to R.C. Chapter 4505 and certain other chapters of Title 45 "except as otherwise provided."² R.C. 4501.01; *see, e.g., State v. Conner*, 13 Ohio App. 3d 179, 468 N.E.2d 320 (Darke County 1983) (applying the definition of "motor vehicle" in R.C. 4501.01 to the matter of registration under R.C. 4503.11); *State v. Avery*, 15 Ohio Misc. 1, 234 N.E.2d 622 (Butler County Court 1968) (applying the definitions listed in R.C. 4501.01 to R.C. Chapter 4503). *See generally* 1979 Op. Att'y Gen. No. 79-098. A golf cart is, therefore, a motor vehicle for purposes of R.C. 4503.11, and it may not be operated or driven upon the public roads or highways unless it is registered.

Provisions governing the registration of a motor vehicle and payment of appropriate taxes appear in R.C. Chapter 4503. R.C. 4503.02 provides: "An annual license tax is hereby levied upon the operation of motor vehicles on the public roads or highways....Such tax shall be at the rates specified in [R.C. 4503.04] and shall be paid to and collected by the registrar of motor vehicles or deputy registrar at the time of making application for registration." R.C. 4503.04 contains a schedule of rates for various classes of motor vehicles. Golf carts are not specifically listed and appear to come within division (J): "The minimum tax for any vehicle having motor

4501.01(B) and is required to be registered under R.C. Chapter 4503. *See generally* note 2, *infra*.

² It appears to follow from this interpretation of "motor vehicle" as used in R.C. Chapter 4505 that the owner of a golf cart is required to obtain a certificate of title for such motor vehicle. *See* R.C. 4505.03 (providing, except for salvage motor vehicles, that no person shall "purchase or otherwise acquire a motor vehicle without obtaining a certificate of title for it in his name"); R.C. 4505.18 ("[n]o person shall: (A) Operate in this state a motor vehicle for which a certificate of title is required without having such certificate..."). As a practical matter, this requirement does not appear to come into effect with respect to a golf cart that is not operated on public roads or highways, and even if a golf cart is operated on public roads or highways, it may be registered to a new owner upon presentation of documentation other than a certificate of title. *See* R.C. 4503.10; *see also* R.C. 4503.02; R.C. 4503.11. *See generally* *State v. Avery*, 15 Ohio Misc. 1, 3, 234 N.E.2d 622, 623 (Butler County Court 1968) ("[m]ost certainly [R.C. 4503.11, the motor vehicle registration statute] could have no force and effect against a motor vehicle which is not using the highway in any manner"). As a theoretical matter, however, every object that is classed as a "motor vehicle" under R.C. 4501.01(B) appears to be a "motor vehicle" under R.C. 4505.01(A)(2) and to be subject to statutory provisions governing certificates of motor vehicle title that are not conditioned upon operation of a motor vehicle on public roads or highways. *See, e.g.,* R.C. 4505.04(A) ("[n]o person acquiring a motor vehicle from its owner...shall acquire any right, title, claim, or interest in or to the motor vehicle until such person has had issued to him a certificate of title to the motor vehicle, or delivered to him a manufacturer's or importer's certificate for it"). *See generally* R.C. 4519.01(B) (excluding from classification as an "all purpose vehicle" "any motor vehicle...required to be registered under [R.C. Chapter 4503]...and any vehicle excepted from definition as a motor vehicle by [R.C. 4501.01(B)]." thus suggesting that all purpose vehicles are included as motor vehicles under R.C. 4501.01(B) but are not required to be registered under R.C. Chapter 4503; there may be an underlying assumption that all purpose vehicles will not be operated on public streets or highways, *see* 1987 Op. Att'y Gen. No. 87-077).

power other than a farm truck, a motor bicycle, or motorcycle is ten dollars and eighty cents...." Motor vehicle license taxes may also be imposed by counties, townships, and municipal corporations. See R.C. 4503.10(F); R.C. Chapter 4504.

R.C. 4503.10 governs the application for registration. R.C. 4503.10(A) provides generally that "every owner of a motor vehicle and every person mentioned as owner in the last certificate of title, bill of sale, or sworn statement of ownership of a motor vehicle which is operated or driven upon the public roads or highways" shall cause to be filed each year³ an application or preprinted registration renewal notice for registration for the following registration year. See R.C. 4503.102. An application for registration is to be made on blanks furnished by the registrar and is to contain specified information relating to the owner and the motor vehicle. R.C. 4503.10. When an applicant first registers a motor vehicle in his name, "he shall present for inspection proper bills of sale or sworn statement of ownership, the originals of which have been filed with the clerk of the court of common pleas, or a certificate of the clerk certifying that such bills of sale or sworn statement of ownership have been filed with the clerk, or a certificate of title or a memorandum certificate showing title to the motor vehicle to be registered in the applicant." R.C. 4503.10(B). When a motor vehicle emission inspection and maintenance program is in effect under R.C. 3704.14, the applicant must present an inspection certificate for a vehicle that is required to be inspected. R.C. 4503.10(B).

R.C. 4503.20 requires that an application for the registration of a motor vehicle contain a statement signed by the applicant which, among other things, states "that the applicant will not operate a motor vehicle in this state, unless he maintains, with respect to that motor vehicle or the operation of such vehicle, proof of financial responsibility." See also R.C. 4509.101 (prohibiting the operation of a motor vehicle if proof of financial responsibility is not maintained). Financial responsibility requirements are set forth in R.C. Chapter 4509, and R.C. 4503.20 adopts the definition of "motor vehicle" appearing in R.C. 4509.01. R.C. 4509.01(I) defines "motor vehicle" in terms that nearly parallel those of R.C. 4501.01(B). R.C. 4509.01(H) defines "vehicle" to mean "every device by which any person or property may be transported upon a highway, except devices moved by power collected from overhead electric trolley wires, or used exclusively upon stationary rails or tracks, and except devices other than bicycles moved by human power." It is clear that a golf cart that is operated on public streets and highways comes within this definition of "motor vehicle." Thus, if a golf cart is to be registered as a motor vehicle and operated upon public roads and highways, its owner must meet financial responsibility requirements imposed by R.C. Chapter 4509. See generally *Metropolitan Property & Liability Insurance Co. v. Kott*, 62 Ohio St. 2d at 115 n. 2, 403 N.E.2d at 986 n. 2 (indicating that a snowmobile is a motor vehicle under R.C. 4509.01(I) for purposes of compliance with financial responsibility requirements).

In addition to meeting registration and financial responsibility requirements, the owner or operator of a golf cart that is operated on public streets and highways must assure that there is compliance with relevant requirements relating to the operation and condition of motor vehicles. R.C. Chapter 4511 contains provisions governing the operation of motor vehicles. R.C. 4511.01(B) defines "motor vehicle" in language similar to R.C. 4501.01(B), and R.C. 4511.01(A) defines "vehicle" to mean "every device, including a motorized bicycle, in, upon, or by which any person or property may be transported or drawn upon a highway," with limited exceptions. It appears, therefore, that a golf cart that may be operated on a highway is a motor vehicle for purposes of R.C. Chapter 4511 and is subject to provisions set forth in that chapter. See generally *Metropolitan Property & Liability Insurance Co. v. Kott*, 62 Ohio St. 2d at 115 n. 2, 403 N.E.2d at 986 n. 2 (indicating that a snowmobile is a motor vehicle under R.C. 4511.01(B) for purposes of compliance with traffic laws). For example, R.C. 4511.21(A) provides that "[n]o person shall operate a motor vehicle...at a speed greater or less than is reasonable or proper, having due regard to the traffic, surface, and width of the street or highway and any other conditions...." R.C. 4511.22 provides that "[n]o person shall operate a vehicle...at

³ R.C. 4503.103 provides for multi-year registration. I am not considering that procedure in this opinion.

such a slow speed as to impede or block the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation or to comply with law," and authorizes the establishment of minimum speed limits on controlled-access highways, expressways, or freeways. R.C. 4511.20 states: "No person shall operate a vehicle...on any street or highway in willful or wanton disregard of the safety of persons or property."

Further, R.C. Chapter 4513 sets forth equipment requirements that apply, in general, to motor vehicles operated on public highways. R.C. 4513.01 adopts, for purposes of R.C. 4513.01-.37, the definitions set forth in R.C. 4511.01, thus including a golf cart that may be operated on a highway as a motor vehicle and making it subject to the equipment requirements established for motor vehicles.⁴ See, e.g., R.C. 4513.021 (governing bumper height); R.C. 4513.04 (motor vehicles other than motorcycles shall be equipped with at least two headlights); R.C. 4513.05 (tail lights and illumination of rear license plate); R.C. 4513.071 ("[a]ll motor vehicles when operated upon a highway shall be equipped with at least one stop light mounted on the rear of the vehicle which shall be actuated upon application of the service brake..."); R.C. 4513.14 (motor vehicles must have two lighted lights displayed on the front during hours of darkness); R.C. 4513.15 (headlights); R.C. 4513.20 (brake equipment); R.C. 4513.21 (horns); R.C. 4513.22 (mufflers); R.C. 4513.23 (rear view mirrors); R.C. 4513.24 (windshields and wipers); R.C. 4513.26 (safety glass); R.C. 4513.261 (directional signals). See generally 1975 Op. Att'y Gen. No. 75-018 (finding that a three-wheeled vehicle equipped with an engine and a bench seat is a motor vehicle for purposes of R.C. Chapter 4513).

R.C. 4513.02 provides generally that "[n]o person shall drive or move, or cause or knowingly permit to be driven or moved, on any highway any vehicle...which is in such unsafe condition as to endanger any person," and authorizes state highway patrolmen to stop and inspect motor vehicles to determine whether they are unsafe or not equipped as required by law. R.C. 4513.02 states, in part:

(B) When directed by any state highway patrolman, the operator of any motor vehicle shall stop and submit such motor vehicle to an inspection and such tests as are necessary to determine whether it is unsafe or not equipped as required by law, or that its equipment is not in proper adjustment or repair, or in violation of the equipment provisions of Chapter 4513. of the Revised Code.

Such inspection shall be made with respect to the brakes, lights, turn signals, steering, horns and warning devices, glass, mirrors, exhaust system, windshield wipers, tires, and such other items of equipment as designated by the superintendent of the state highway patrol by rule or regulation adopted pursuant to sections 119.01 to 119.13 of the Revised Code.

Upon determining that a motor vehicle is in safe operating condition and its equipment in conformity with Chapter 4513. of the Revised Code, the inspecting officer shall issue to the operator an official inspection sticker, which shall be in such form as the superintendent prescribes except that its color shall vary from year to year.

....
(E) When any motor vehicle is found to be unsafe for operation, the inspection officer may order it removed from the highway and not operated, except for purposes of removal and repair, until it has been repaired pursuant to a repair order as provided in division (F) of this section.

⁴ For purposes of the federal motor vehicle safety standards, "motor vehicle" is defined to mean "any vehicle driven or drawn by mechanical power manufactured primarily for use on the public streets, roads, and highways, except any vehicle operated exclusively on a rail or rails." 15 U.S.C. §1391(1)(3) (1988). Since golf carts are manufactured primarily for use on golf courses, rather than on public streets, roads, and highways, it does not appear that they are subject to federal motor vehicle safety standards.

(F) When any motor vehicle is found to be defective or in violation of Chapter 4513. of the Revised Code, the inspection officer may issue a repair order, in such form and containing such information as the superintendent shall prescribe, to the owner or driver of the motor vehicle. The owner or driver shall thereupon obtain such repairs as are required and shall, as directed by the inspection officer, return the repair order together with proof of compliance with its provisions.

Pursuant to R.C. 4513.02(C), a political subdivision may implement an inspection program in accordance with standards promulgated by the Superintendent of the State Highway Patrol. See 6 Ohio Admin. Code Chapter 4501:2-1. Rules 4501:2-1-05 to 4501:2-1-20 establish standards for motor vehicle safety inspections. See, e.g., 6 Ohio Admin. Code 4501:2-1-05 (standards for steering); 6 Ohio Admin. Code 4501:2-1-06 (standards for tires); 6 Ohio Admin. Code 4501:2-1-07 (standards for wheels and rims); 6 Ohio Admin. Code 4501:2-1-08 (standards for brakes); 6 Ohio Admin. Code 4501:2-1-09 (standards for lighting); 6 Ohio Admin. Code 4501:2-1-10 (standards for turn signals); 6 Ohio Admin. Code 4501:2-1-11 (standards for glass); 6 Ohio Admin. Code 4501:2-1-12 (standards for seat belts); 6 Ohio Admin. Code 4501:2-1-13 (standards for license plates); 6 Ohio Admin. Code 4501:2-1-14 (standards for exhaust system); 6 Ohio Admin. Code 4501:2-1-15 (standards for rear view mirror); 6 Ohio Admin. Code 4501:2-1-16 (standards for windshield wipers and washers); 6 Ohio Admin. Code 4501:2-1-17 (standards for horns); 6 Ohio Admin. Code 4501:2-1-19 ("[n]o motor vehicle shall be equipped with or permitted to have protruding objects or broken sharp edges of body or vehicle parts, which would be dangerous to any person coming in contact with same"); 6 Ohio Admin. Code 4501:2-1-20 ("[e]very motor vehicle manufactured on or after January 1, 1968, must be equipped with a certified motor vehicle pollution control device which is correctly installed and in good working order at all times"). See generally *State v. Carkhuff*, 26 Ohio Misc. at 218, 270 N.E.2d at 381 (finding that a snowmobile operated on a state highway, as a motor vehicle under R.C. Chapter 4511, must comply with safety standards for motor vehicles, and concluding: "This court realizes that Snowmobiles are not designed for use on the public streets or highways, however, the defendant in this particular case was operating a Snowmobile on a highway and the Snowmobile does not qualify as being a safe motor vehicle. It must, therefore, follow that the defendant is guilty of operating an unsafe motor vehicle on the highway contrary to R.C. 4513.02"). There appear to be serious questions as to whether a typical golf cart can comply with equipment and safety requirements that are applicable to motor vehicles. A golf cart that does not so comply is subject to removal from the highway pursuant to R.C. 4513.02.

It appears, further, that an individual who operates a golf cart on a public street or highway must have a driver's license. See R.C. 4507.01(A) (adopting the definition of "motor vehicle" appearing in R.C. 4501.01); R.C. 4507.02.

You have asked whether golf carts may be qualified by safety inspectors to be regulated as motor vehicles and assigned standard motor vehicle license registration and license plates. Under the procedure outlined above, golf carts may be registered as motor vehicles without any particular inspection or qualification, provided that the necessary documentation is presented. See R.C. 4503.10. Apart from emission inspections that may be required under R.C. 3704.14 to promote air quality, see R.C. 4503.10(B), the only statutory procedures established for inspection of a vehicle prior to registration relate to inspection required for issuance of a certificate of title. R.C. 4505.061 provides that, "[i]f the application for a certificate of title refers to a motor vehicle last previously registered in another state, the application shall be accompanied by a physical inspection certificate issued by the department of highway safety verifying the make, body type, model, and manufacturer's serial number of the motor vehicle for which the certificate of title is desired." R.C. 4505.061 also provides for the physical inspection of a salvage vehicle owned by an insurance company. R.C. 4505.111 states: "Every motor vehicle [other than certain salvage vehicles] that is assembled from component parts by a person other than the manufacturer, shall be inspected by the state highway patrol prior to issuance of title to the motor vehicle." Rules governing such inspection appear in 6 Ohio Admin. Code Chapter 4501-33. Pursuant to R.C. 4503.10(B), a motor vehicle may be registered to a new owner upon presentation of either a certificate of title or other documentation specified in that

provision. *See generally* note 2, *supra*. It appears, therefore, that a golf cart is not necessarily required to be inspected under R.C. 4505.061 or R.C. 4505.111. A golf cart that is operated on a highway is, however, subject to inspection for safety violations under R.C. 4513.02.

The statutory provisions governing the titling and registration of motor vehicles, and the definitions contained therein, appear on their face to include golf carts that are operated on public streets and highways, as discussed herein. It is, however, not altogether clear that the General Assembly intended that golf carts should be so operated. In R.C. Chapter 4519, the General Assembly has provided special registration procedures for snowmobiles and all purpose vehicles (excluding vehicles principally used in playing golf). Those provisions prohibit the operation of such special vehicles on limited access highways or freeways, with exceptions for emergencies, *see* R.C. 4519.40, but they are not clear on the question whether such special vehicles may be operated on other public streets or highways. *See* notes 1 and 2, *supra*. Your questions raise issues that have not been directly addressed by the General Assembly. Clarification or modification of the provisions discussed in this opinion might be provided by appropriate legislation. *See generally State v. Hilderbrand*, 40 Ohio App. 3d 42, 42, 531 N.E.2d 775, 776 (Montgomery County 1987) (holding that, "while R.C. 4511.01(A) is no paradigm of clarity, it does include bicycles in the definition of 'vehicle'"); *State v. Shepard*, 1 Ohio App. 3d 104, 106, 439 N.E.2d 920, 921 (Hamilton County 1981) (considering R.C. 4511.01(A), which defines "vehicle" for the purpose of state traffic laws, and stating: "R.C. 4511.01(A) is, admittedly, no exemplar of lucidity..."); *State v. Devilbliss*, 16 Ohio Op. 2d 404, 406, 177 N.E.2d 74, 76 (C.P. Highland County 1961) (applying various definitions appearing in R.C. Title 45 and stating: "The situation is one...that must be resolved by the Legislature, if any change is desired").

It is, therefore, my opinion, and you are hereby advised, as follows:

1. A golf cart - *i.e.*, a four-wheeled motorized vehicle that is designed and manufactured for the primary purpose of transporting people and equipment on a golf course - is a "motor vehicle" as that term is defined in R.C. 4501.01, 4503.01, and 4505.01.
2. A golf cart may not lawfully be operated on public streets and highways unless it satisfies the statutory requirements that are applicable to motor vehicles.
3. A golf cart may not be operated on public streets and highways unless it is registered pursuant to R.C. Chapter 4503; it complies with operating requirements imposed by R.C. Chapter 4511 and equipment requirements imposed by R.C. Chapter 4513; its owner meets financial responsibility requirements imposed by R.C. Chapter 4509; and its operator has a driver's license.