

GATEWAY GREENS COMMUNITY ASSOCIATION, INC.

Title: Private Golf Cart and Low Speed Vehicle (LSV) Policy (Draft Copy—Dec.17, 2020)(Rev.—Jan.5, 2021)(Final Version-Board Approved—Jan. 21, 2021)

Vehicle Definition

This Policy addresses the use and operation of golf cart type vehicles on the Association's Private Roads and Designated Cart Paths. While Florida law defines a "Golf Cart" as a motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of 20 mph AND a Low Speed Vehicle (LSV) as any four-wheeled vehicle whose top speed is greater than 20 mph, this Policy is equally applicable to both types of vehicles on the Association's private roads and designated cart paths. **Any person operating a LSV on Association roads and/or designated cart paths must have a valid driver's license/permit in their possession and be at least 16 years old. Any person operating a Golf Cart must be at least 14 years of age.**

This Policy is not applicable to the operation of a Golf Cart or LSV while on the golf course property of The Club at Gateway nor is it applicable to the golf carts and course maintenance vehicles owned by The Club at Gateway. This Policy is also not applicable to the operator of a Golf Cart/LSV on public roads or other roads not within the jurisdiction of the Gateway Greens Community Association, Inc.

Minimum Equipment Standards

All vehicles covered by this Policy and operated on Association roads and designated cart paths must meet the minimum equipment standards established by Florida Statute, including the following safety equipment:

- Headlamps (Only if driving cart at night)
- Front and rear turn signals
- Stop and Tail Lamps
- Exterior driver's side mirror and rear-view mirror
- Parking brake
- Windshield
- Manufacturer's Serial Number

The number of passengers per vehicle must not exceed the passenger limit and load capacity designated by the vehicle's manufacturer. During the operation of any vehicle on Association roads or designated cart paths, all persons are required to be seated in an installed seat specifically designed for such purpose. At no time shall any person stand up or be seated on any non-seat portion of the vehicle while it is being operated. Any pets riding in the vehicle must be leashed and under the owner's control at all times. Pets must be riding in the vehicle, not walking alongside it.

Registration Requirements

All Golf Carts and LSVs must be registered with the Gateway Greens Community Association, Inc. in order to operate on Association roads and designated cart paths within the Committed Property. This Policy includes vehicles owned by persons not living within Gateway Greens, but wanting to operate their vehicles inside the Community. Registration will be performed by the Association's Access Control Team,

which is located at the Golf Maintenance Facility at the west end of Gateway Greens Drive. Attached to this Policy as Exhibit C is a copy of the annual Registration Form.

When registering Golf Carts and/or LSVs, Owners shall bring to the Access Control offices the completed annual Registration Form along with proof of the required, valid insurance. If you are intending on purchasing a transponder, you will also need to bring a check in the amount of Twenty-Five Dollars (\$25.00) made payable to the Gateway Greens Community Association, Inc. This transponder will be affixed to the windshield or the headlight of the registered Golf Cart by an Access Control Staff member. **Portable transponders shall not be issued nor allowed for use with registered Golf Carts and/or LSVs.** Proof of insurance shall show a minimum \$10,000 PDL and \$10,000 PIP. **The Gateway Greens Community Association, Inc. shall be shown as an additional co-insured on the insurance policy.** The Access Control Team shall place an Annual Registration Decal on the windshield of the registered Cart upon completion of the registration process. This registration process will be performed annually.

Other than completing the Registration Form and providing Proof of Insurance and possibly purchasing an Entrance Transponder, there will be no fee for Vehicle Registration. Vehicle Registration must be secured annually.

Golf Cart and Low Speed Vehicle Operation

All Golf Carts and LSVs shall be operated only on Association roads and designated cart paths. Designated cart paths are defined in Exhibit B. Golf Carts and LSVs shall not be operated on sidewalks within Gateway Greens, unless the sidewalk is identified in Exhibit B as a Designated Cart Path. Note: Cart paths on the golf course are not a part of the Association's Committed Property, but are considered "PRIVATE" not for public use.

Golf Cart operation on Association roads shall be limited to the hours between sunrise and sunset unless the cart is equipped with lights, reflectors, etc. as required by Florida Statute. LSVs with operable lights, reflectors are not limited to this time limitation.

All golf carts and LSVs operators shall abide by traffic control devices and operation standards established by Florida Uniform Traffic Control Laws, as maybe amended. Anyone operating a golf cart must abide by the rules of the road that apply to all motor vehicles, including laws that prohibit driving while under the influence of drugs and/or alcohol.

Vehicle operators shall come to a complete STOP at all intersections between a Designated Cart Path and any road or pedestrian sidewalk.

Community Access

Owners, Country Club members, Tenants and guests and those living outside Gateway Greens, while operating a Golf Cart or LSV and seeking entrance into the Community, and not having a Entrance Transponder, shall use the "Guest Lane" when entering the Community at either of the two (2) manned gates and present their driver's license. Operators who are unable to provide a valid driver's license may be denied access to the Community.

Property Damage, Accidents, Injury and Liability

Any damage, accident or injury caused during the operation of a Golf Cart or LSV on Association roads or designated cart paths should be reported to the Lee County Sheriff's Office (LCSO). **The Gateway Greens Community Association, Inc. shall not be responsible for the failure of any Owner, Country Club member, Tenant or Guest to abide by this Policy, nor for the safety of any Owner, Country Club member, Tenant or Guest in connection with the operation of a Golf Cart or Low Speed Vehicle on any Committed Property. By operating a Golf Cart or LSV on Association roads and Designated Cart Paths, the vehicle operator (and any adult responsible for a minor operating this vehicle) agrees to indemnify and hold the Association harmless from any liability in connection with the Golf Cart or LSV. No person under 14 years of age is permitted to operate a LSV or Golf Cart regardless of whether or not supervised by an adult.**

Policy Violations and Enforcement

The Lee County Sheriff's Office will be requested to enforce Florida Statutes and Laws.

Violations of this Policy shall be referred to the GGCA Property Manager, CAM in accordance with the Association's Compliance and Fining Policy. Both Gateway Greens and Non-Gateway Greens property Owners may have their Golf Cart/LSV Registration revoked upon violation of this Policy. The requirements of this Policy shall be in full force and effect thirty (30) days after approval by the Gateway Greens Board of Governors or February 1, 2021, whichever occurs first.

Exhibits

Exhibit A---Applicable Florida Statutes

F.S. 316.212 (5) and (6) (2018)

316.212 (6) (2018)

320.01 (22) and (41)

322.04

Exhibit B—Designated Cart Paths

The following Designated Cart Paths are operated under joint easements between the Club at Gateway and the Gateway Greens Community Association, Inc.

1. The Villas Designated Cart Path
This is described as the complete path from behind the 18th green west to Championship Drive and then north to the crossing of Championship Drive.
2. The Hampton Greens Designated Cart Path
This is described as the asphaltic path from behind the 9th green west along the south side of Gateway Greens Drive to the crossing of Gateway Greens Drive at the 1st Tee.
3. Designated Cart Path Road Crossings
 - a. The path crossing Championship Drive from the Villas to the Cart Barn.
 - b. The path crossing Hampton Greens Entrance Drive.
 - c. The path crossing Gateway Greens Drive at the Hampton Greens Entrance

- d. The path crossing Gateway Greens Drive from the Club House to the 1st Tee.
- e. The path crossing Callaway Greens Drive from the Par 3 Practice Hole to the Par 4 Practice Hole
- f. The path crossing Brassie Bend Drive from the 15th green to the 16th Tee in Hidden Links

Exhibit C—Golf Cart Registration Form