

Chapter 28
Changes Accepted by Council
As of 9/20/2019

1. **Section 28-3. Definitions.**

The substance of this definition is included within *Device*.

Delete:

Human Device definition.

2. **Section 28-9. Transition of Compliance with Chapter 28 for Internal Combustion Engine (I.C.E.) Vehicles.**

(1) Unless granted an exception, an I.C.E. vehicle registered under a valid annual permit at the time of adoption of this Section may remain and is grandfathered until **July 1, 2025**. Where feasible and commercially reasonable, this existing I.C.E. vehicle should be replaced with an electric vehicle when it cycles out of service or becomes unserviceable.

(2) The Director, for good cause shown, may grant an exception as needed.

(3) Special Use Permit requirements will become effective July 1, 2020.

(4) The cost-of-living adjustments will be based on the Consumer Price Index for all Urban Consumers, "CIP-U."

b. For clarity, the Committee recommends adding the word "the remaining" before "one-half (1/2) cost-of-living adjustment" for the year 2021-2022.

Add:

2021-2022 "Increase I.C.E. annual fees by *the remaining* one-half (1/2) cost-of-living adjustment, 2000-2021"

c. The Committee recommends reinserting language from the 8/12/19 draft to the 2023-2024 paragraph in this section.

Re-insert with year change:

2024-25 "Transition for I.C.E. vehicles complete, as appropriate."

d. In Transition year 2022-2023

Delete:

Increase I.C.E. **annual** fees by cost-of-living adjustment, 2021-2022

Increase I.C.E. **daily** fees by cost-of-living adjustment, 2021-2022

Add:

Evaluate I.C.E. annual and daily fees increases.

3. **Section 28-38. Streets with Vehicle Restrictions**

Reference to essential island vehicles must be stated.

Add:

(b) **Exceptions.** Emergency vehicles, government vehicles, and Official Island Transportation System vehicles are exempt from the provisions of this Section.

4. **Section 28-40. Vehicles on Beaches**

The term “service vehicle” is not included within Section 28-3. Definitions, and the umbrella label of “government vehicles” is inclusive.

Delete:

“and service vehicles”

5. **Section 28-51. Mandatory Registration of Personal-Use Electric Vehicles**

The Committee recommends reinserting revised re-inspection language to give the Director time to develop a workable schedule.

Council proposes that maintenance of safety standards be added to the Rules of the Road rather than imposing a re-inspection schedule.

Add:

Article II, Division 1, General Rules of the Road

Penalties: New Section 28-31. Improper Equipment.

Requirements. The owner of any vehicle is responsible for the proper maintenance of all equipment and specifications at the time of the original registration inspection.

Other changes needed:

1. A penalty must be established.
2. This also necessitates renumbering all **Division 1, Rules of the Road**, in the contents and the body of the document.
3. Section 28-8, Schedule of Penalties, must be modified to incorporate the new penalty

6. **Section 28-53. Personal-Use Electric Vehicle Equipment and Specifications**

(a) *Physical Inspections.*

The Committee recommends reinserting the grab-bar language for safety purposes.

Reinsert: (Previously #8)

“(7) Rear-facing passenger safety grab bar(s).”

7. **Section 28-53. Personal-Use Electric Vehicle Equipment and Specifications**

The majority of the Committee prefers golf carts to electric vehicles for personal use.

This recommendation to change the horsepower is a compromise.

Change phrasing:

(d) **Horsepower Limits.**

“No personal-use electric vehicle that derives its power from an electric motor that produces 5.5 horsepower or more shall be registered or otherwise approved for use on Village street. Any personal-use electric vehicle with a valid annual registration at the time of adoption of this Section may remain and is grandfathered. Any non-compliant personal-use electric vehicle should be replaced with a compliant electric vehicle when it is cycled out of service or becomes unserviceable.”

????????? Council recommendation is to require a speedometer for any electric motor that produces greater than 5.5 horsepower. ?????????? UNRESOLVED QUESTIONS

AROSE

8. **Division 3 – Commercial-Use Vehicles**

This recommended addition clearly incorporates the use of Official Island Transportation System vehicles to the Division overview.

Add:

“Vehicles powered by internal combustion engines (I.C.E.) and primarily designed for the transport of passengers are prohibited on the Village streets except for **Official Island Transportation System vehicles.**”

9. **Section 28-70. Purpose**

Deletion of the word “vehicle” from the second sentence confirms the preference to golf carts alone or in combination with trailers.

Delete: “(vehicles)” to read:

(2) This Division also is intended to grant special preference to the commercial use of electric golf carts alone or in combination with trailers.

Replace with:

(a) *(2) This Division also is intended to grant special preference to those commercial-use electric vehicles with maximum overall dimensions of 160 inches in length and 60 inches in width, ~~golf carts~~ alone or in combination with trailers.*

This requires change as in Number 10.

10. **Section 28-73. Electric Commercial-Use Vehicle Equipment and Specifications.**

The Committee recommends adding maximum dimensions specifically for electric golf carts to the dimensions for electric commercial-use vehicles. These dimensions mirror those approved by Council in 2018 for personal-use golf carts, and in this proposed Chapter 28, personal-use electric vehicles.

Add:

(b) *Dimensions.* No electric commercial-use vehicle shall be permitted or approved for use on Bald Head Island if the overall dimensions exceed:

(1) ***For workday-restriction exemption,*** *commercial-use electric vehicles maximum overall dimensions: Length - 160.00 inches, and width - 60.00 inches*

(2) ***Other*** Electric Vehicles: Length - 215.00, and Width - 82.00 inches

This also requires a change to **Section 28-76. Time of Operation**

Change:

(2) The only commercial-use electric vehicles without workday restrictions are those whose maximum overall dimensions do not exceed 160 inches in length and 60 inches in width.

11. **Section 28-75. Special Use Permit for Internal Combustion Engine (I.C.E.) Vehicles**

a. This adds emergency vehicles, government vehicles and Official Island Transportation System vehicles for island-wide street access during both workday and non-workday hours.

b. This merges Heavy Equipment Vehicles and Public Utility Vehicles in the same class for Special Use Permit fees.

Add:

(a) ***Classes of Special Use Permits.***

(1) *Emergency vehicles, government vehicles, and Official Island Transportation System vehicles.* By virtue of the nature of these vehicles, they are automatically granted a Special Use Permit status to operate freely on Village streets without workday restrictions.

(2) *Heavy Equipment Vehicles and Public Utility Vehicles.* An annual Special Use Permit may be granted to operate a heavy equipment vehicle or a public utility vehicle on Village streets. The fees associated with such annual Special Use Permits shall be in lieu of all other I.C.E. annual permit fees.

12. **Section 28-77. Parking of Commercial-Use Vehicles.**

The original golf cart language was to accommodate those companies that require their island employees to use their commercial vehicle for personal use. This would NOT apply to electric vehicles.

Amend:

(b) ***Exceptions:*** The prohibitions of sub-section (a)(2) do not apply to those electric ***golf carts*** used in the Village for both personal and commercial purposes.