

## Keeping Our Common Areas Safe: Electric Vehicle Guidelines

### **Electric and Motorized Vehicles Not Permitted on Common Property**

To help ensure the safety of all residents and to protect our common areas, the Association would like to remind everyone that **electric and motorized vehicles are not permitted on Legacy Park common property.**

This restriction applies to **all electric and motorized vehicles**, including but not limited to:

- E-bikes
- Electric scooters and mopeds
- Motorbikes
- Golf carts (electric or gas)
- Any other motorized or electric transportation devices

Common property includes sidewalks, trails, green spaces, parks, and other shared amenities maintained by the Association.

These guidelines are in place to reduce safety risks to pedestrians, prevent damage to sidewalks and trails, and ensure our common areas remain enjoyable for residents of all ages.

### **City of Kennesaw Guidelines**

To provide additional clarity, we are including a **City of Kennesaw informational pamphlet** outlining what types of vehicles are permitted on **city sidewalks, roads, and public rights-of-way**. City rules may differ from Association rules, and residents are encouraged to review the pamphlet carefully so they are aware of what is allowed beyond HOA-maintained property.

Please note that **City allowances do not override Association restrictions** on Legacy Park common property.

We appreciate everyone's cooperation and understanding as we work together to maintain a safe and welcoming community. If you have questions about these guidelines or need help determining where a specific device may be used, please contact the management office.

Thank you for helping keep Legacy Park safe for all.

### Personal Transportation Vehicle

40-1-1(43.4) Any motor vehicle having no fewer than three wheels and an unladen weight of 1,300 pounds or less and which cannot operate at more than 20 miles per hour if such vehicle was authorized to operate on local roads by a local authority prior to January 1, 2012. Such vehicles may also be referred to as “motorized carts” in some local ordinances;

AND

Any motor vehicle: (i) with a minimum of four wheels; (ii) capable of a maximum level ground speed of less than 20 miles per hour; (iii) with a maximum gross vehicle unladen or empty weight of 1,375 pounds; (iv) capable of transporting not more than eight persons.

Does not include mobility aids, including electric personal assistive mobility devices, power wheelchairs, and scooters, that can be used indoors and outdoors for the express purpose of enabling mobility for a person with a disability. The term also does not include any all-terrain vehicle or multipurpose off-highway vehicle.

*(Example: vehicles similar in size and form to a golf cart but used for any purpose other than golf)*

### Golf Carts

40-1-1(17.3) Any motorized vehicle designed for the purpose and exclusive use of conveying one or more persons and equipment to play the game of golf in an area designated as a golf course. For such vehicle to be considered a golf car or golf cart, its average speed shall be less than 15 miles per hour.

*(Note: if vehicle is used for any purpose other than golf on a golf course, it is **not** a golf cart under this definition)*

### Motorcycles<sup>1</sup>

40-1-1(29) Every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor, all-terrain vehicle and moped.

### Mopeds

40-1-1(28) Moped: A motor driven cycle equipped with two or three wheels, with or without foot pedals to permit muscular propulsion, and an independent power source providing a maximum of two brake horsepower. If a combustion engine is used, the maximum piston or rotor displacement shall be 3.05 cubic inches (50 cubic centimeters) regardless of the number of chambers in such power source. The power source shall be capable of propelling the vehicle, unassisted, at a speed not to exceed 30 miles per hour (48.28 kilometers per hour) on level road surface and shall be equipped with a power drive system that functions directly or automatically only, not requiring clutching or shifting by the operator after the drive system is engaged.

Note: Electric rideshare scooters (e.g., “Bird” and “Lime” scooters) generally meet the definition of a moped.

<sup>1</sup> Motorcycles and mopeds also fit within a larger class of vehicles defined as “motor driven cycles” by 40-1-1(30)

### Bicycles/Electric Assisted Bicycles

40-1-1(6) Bicycle: Every device propelled by human power upon which any person may ride, having only two wheels which are in tandem and either of which is more than 13 inches in diameter.

40-1-1(15.3) Electric assisted bicycle (EAB): A device with two or three wheels which has a saddle and fully operative pedals for human propulsion and also has an electric motor having a power output of not more than 750 watts.

40-6-300 Classes of EABs

### Multipurpose Off-Highway Vehicle

40-1-1(33.1): any motorized vehicle having features specifically intended for utility use and having the following characteristics:

- (A) Has the capability to transport persons or cargo or both;
- (B) Operates between 25 miles per hour (40.2 kilometers per hour) and 65 miles per hour (104.6 kilometers per hour);
- (C) Has an overall width of 80 inches (2,030 millimeters) or less, exclusive of accessories or attachments;
- (D) Is designed to travel on four or more wheels;
- (E) Uses a steering wheel for steering control;
- (F) Contains a nonstraddle seat;
- (G) Has a gross vehicle weight rating of less than 4,000 pounds (1,814 kilograms); and
- (H) Has a minimum cargo capacity of 350 pounds (159 kilograms).

### All-Terrain Vehicles

40-1-1(3) A motorized vehicle originally manufactured for off-highway use which is equipped with three or more nonhighway tires, is 80 inches or less in width with a dry weight of 3,500 pounds or less, and is designed for or capable of cross-country travel on or immediately over land, water, snow, ice, marsh, swampland, or other natural terrain.

### Low-Speed Vehicles

40-1-1(25.1) Any four-wheeled vehicle whose top speed attainable in one mile is greater than 20 miles per hour but not greater than 25 miles per hour on a paved level surface and which is manufactured or converted to comply with standards based upon those federal motor vehicle safety standards for low-speed vehicles set forth in [49 C.F.R. Section 571.500](#), as amended.

### Electric Personal Assistive Mobility Devices

40-1-1(15.4) A self-balancing, two non-tandem wheeled device designed to transport only one person and having an electric propulsion system with average power of 750 watts(1 horsepower) and a maximum speed of less than 20 miles per hour on a paved level surface when powered solely by such propulsion system and ridden by an operator who weighs 170 pounds.

*(Example: vehicle commonly referred to as a “Segway”).*



# 2023

## GEORGIA

## CHARGING LOW-SPEED & SMALL VEHICLES

Colonel Christopher C. Wright  
Commissioner  
Georgia Department of Public Safety

[www.dps.ga.gov](http://www.dps.ga.gov)

DPS-34 (07/2023)

**LAWS APPLICABLE TO CLASSES OF LOW-SPEED AND SMALL VEHICLES WHILE OPERATING ON THE HIGHWAY<sup>1</sup>**  
**REVIEW DEFINITIONS ON REVERSE SIDE TO DETERMINE WHAT TYPE OF VEHICLE IS APPLICABLE**

<b>Type of Vehicle</b> <i>(location of definition)</i>	<b>Personal Transportation Vehicle<sup>2</sup></b> 40-1-1(43.4)	<b>Golf Cart</b> 40-1-1(17.3)	<b>Motorcycle</b> 40-1-1(29)	<b>Moped</b> 40-1-1(28)	<b>Bicycle / Electric Asst. Bicycle</b> 40-1-1(6) & (15.3); 40-6-300	<b>All-Terrain Vehicle</b> 40-1-1(3)	<b>Multipurpose off-highway vehicle</b> § 40-1-1 (33.1)	<b>Low-Speed Vehicle</b> 40-1-1(25.1)	<b>Electric Personal Assistive Mobility Device</b> 40-1-1(15.4)
<b>Registration Required?</b>	<b>NO</b> if electric; <b>YES</b> if gas powered OCGA § 40-2-20(b)(5)	<b>NO</b> OCGA § 40-2-20(b)(7)	<b>YES</b> OCGA § 40-2-20	<b>NO</b> OCGA § 40-2-20(b)(6)	<b>NO</b> OCGA §§ 40-2-20; 40-6-291(a)	<b>YES</b> OCGA § 40-2-20	<b>YES</b> OCGA § 40-2-20	<b>YES</b> OCGA § 40-2-20	<b>NO</b> OCGA §§ 40-2-20 40-1-1(15.4)
<b>Driver's License / Age Requirement?</b>	License required UNLESS exempt under ordinance OCGA §§ 40-5-20; 40-6-331	License required (on highway) OCGA § 40-5-20	Class M license required (except "Slingshots" – Class C required) OCGA §§ 40-5-20; 40-5-23	License OR permit required. Must be 15 or older. OCGA § 40-6-351	No age or license req'd for bicycle or Class I or II EAB. Must be 15 or older BUT no license req'd for Class III EAB. OCGA §§ 40-5-20; 40-6-303	License required OCGA § 40-5-20	License required OCGA § 40-5-20	License required OCGA §§ 40-5-20; 40-6-360	No license required. Must be 16 or older on highway. No age req't on sidewalk. OCGA § 40-6-325(b)
<b>Proof of Insurance Required?</b>	<b>NO</b> if electric; <b>YES</b> if gas powered OCGA § 40-6-10; 33-34-4	<b>NO</b> OCGA § 40-6-10; 33-34-4	<b>YES</b> OCGA § 40-6-11	<b>NO</b> OCGA § 40-6-10; 33-34-4	<b>NO</b> OCGA § 40-6-10; 33-34-4	<b>YES</b> OCGA § 40-6-10; 33-34-4	<b>YES</b> OCGA §§ 40-6-10; 33-34-4	<b>YES</b> OCGA § 40-6-10; 33-34-4	<b>NO</b> OCGA § 40-6-10; 33-34-4
<b>DUI Applicable?</b>	<b>YES</b> OCGA § 40-6-391	<b>YES</b> OCGA § 40-6-391	<b>YES</b> OCGA § 40-6-391	<b>YES</b> OCGA § 40-6-391	<b>YES</b> 40-6-391; must also charge 40-6-291	<b>YES</b> OCGA § 40-6-391	<b>YES</b> OCGA § 40-6-391	<b>YES</b> OCGA § 40-6-391	<b>YES BUT...</b> charge under OCGA § 40-6-326
<b>Implied Consent Applicable?</b>	<b>YES</b> OCGA §§ 40-5-55; 40-5-67.1	<b>YES</b> OCGA §§ 40-5-55; 40-5-67.1	<b>YES</b> OCGA §§ 40-5-55; 40-5-67.1	<b>YES</b> OCGA §§ 40-5-55; 40-5-67.1	<b>NO</b> OCGA §§ 40-5-55; 40-5-67.1	<b>YES</b> OCGA §§ 40-5-55; 40-5-67.1	<b>YES</b> OCGA §§ 40-5-55; 40-5-67.1	<b>YES</b> OCGA §§ 40-5-55; 40-5-67.1	<b>NO</b> OCGA §§ 40-5-55; 40-5-67.1
<b>Reckless Driving Applicable?</b>	<b>YES</b> OCGA § 40-6-390	<b>YES</b> OCGA § 40-6-390	<b>YES</b> OCGA § 40-6-390	<b>YES</b> OCGA § 40-6-390	<b>YES</b> 40-6-390; must also charge 40-6-291	<b>YES</b> OCGA § 40-6-390	<b>YES</b> OCGA § 40-6-390	<b>YES</b> OCGA § 40-6-390	<b>YES</b> OCGA § 40-6-390
<b>Seatbelt Requirements Applicable?</b>	<b>NO</b> OCGA § 40-8-76.1(c)(6)	<b>NO</b> OCGA § 40-8-76.1(c)(6)	<b>NO</b> OCGA § 40-8-76.1(a)	<b>NO</b> OCGA § 40-8-76.1(a)	<b>NO</b> OCGA § 40-8-76.1(a)	<b>POSSIBLY<sup>3</sup></b> OCGA § 40-8-76.1	<b>YES</b> OCGA §§ 40-8-76.1; 40-6-359	<b>YES</b> OCGA § 40-8-76.1	<b>NO</b> OCGA § 40-8-76.1
<b>Child Seats Required?</b>	<b>NO</b> OCGA § 40-8-76	<b>NO</b> OCGA § 40-8-76	<b>NO, but see seating requirements of OCGA § 40-6-311</b> OCGA § 40-8-76	<b>NO</b> OCGA § 40-8-76	<b>YES, see code for requirements</b> OCGA § 40-6-292	<b>NO</b> OCGA § 40-8-76	<b>YES</b> OCGA § 40-8-76	<b>NO</b> OCGA § 40-8-76	<b>Not Applicable</b> OCGA § 40-8-76
<b>Operable on Sidewalk?</b>	<b>NO, except upon driveways</b> OCGA § 40-6-144	<b>NO, except upon driveways</b> OCGA § 40-6-144	<b>NO, except upon driveways</b> OCGA § 40-6-144	<b>NO, except upon driveways</b> OCGA § 40-6-144	<b>NO, except upon driveways and children &lt;12 by ordinance</b> OCGA § 40-6-144	<b>NO, except upon driveways</b> OCGA § 40-6-144	<b>NO except upon driveways</b> OCGA § 40-6-144	<b>NO, except upon driveways</b> OCGA § 40-6-144	<b>YES</b> OCGA § 40-6-320
<b>Limitations on highway operation?</b>	<b>Authorized only where speed limit is 25mph or less</b> OCGA § 40-6-369.1	<b>Regulated as a PTV if off golf course</b> OCGA § 40-1-1(17.3)	<b>NO, unless prohibited by DOT / sign</b> OCGA § 40-6-54	<b>State/local DOT can prohibit on roads as needed</b> OCGA § 40-6-54	<b>NO, unless prohibited by DOT / sign</b> OCGA § 40-6-54	<b>NO, unless prohibited by DOT / sign</b> OCGA § 40-6-54	<b>Only on county road system</b> OCGA § 40-6-362	<b>Only where speed limit is 35mph or less</b> OCGA § 40-6-362	<b>Only where speed limit is 35mph or less or bike lane exists</b> OCGA § 40-6-320
<b>Lighting Requirements</b>	<b>Headlights, taillights, reflectors required, subject to same requirements as other motor vehicles.</b> OCGA §§ 40-6-330.1; 40-8-20 through 40-8-35	<b>Regulated as a PTV if off golf course</b> OCGA § 40-1-1(17.3)	<b>Same as other motor-driven cycles AND required to illuminate head/tail light at all times</b> OCGA §§ 40-6-312, 40-8-20 through 40-8-35	<b>Same as other motorcycles BUT not required to illuminate head/tail light at all times</b> OCGA §§ 40-6-350, 40-8-20 through 40-8-35	<b>Headlight and taillight OR rear reflector required at night</b> OCGA § 40-6-296	<b>Same as other motor vehicles</b> OCGA §§ 40-8-20 through 40-8-35	<b>Same as other motor vehicles</b> OCGA §§ 40-8-20 through 40-8-35	<b>Same as other motor vehicles + EITHER a properly affixed emblem or an amber strobe light</b> OCGA §§ 40-8-4; 40-8-20 through 40-8-35	Front, rear, side reflectors; headlight for night operation OCGA § 40-6-325
<b>Other Requirements / Limitations</b>	See OCGA §§ 40-6-330 through 331 and 363 through 369.1	<b>Regulated as a PTV if off golf course</b> OCGA § 40-1-1(17.3)	See OCGA §§ 40-6-310 through 316	See OCGA §§ 40-6-350 through 354	See OCGA §§ 40-6-290 through 298 (bicycles); 40-6-300 through 303 (EABs)	Generally subject to all rules of the road if operated on highway <sup>4</sup>	Generally subject to all rules of the road if operated on a county road OCGA § 40-6-360	See OCGA §§ 40-6-360 through 362	See OCGA § 40-6-320 through 327

<sup>1</sup> Vehicles operated OFF the highway (as defined by O.C.G.A. § 40-1-1(19)) are *not* subject to these laws but may be subject to other laws or local ordinances.

<sup>2</sup> Requirements for these vehicles may be altered by local ordinance, especially if ordinances existed prior to January 1, 2012

<sup>3</sup> Required if capable of a top speed of greater than 20 mph AND not in use by connection with farming operation by operator 18 years of age or older

<sup>4</sup> See Op. Att'y Gen. No. 2007-3.