Rules and Regulations Governing the Use of *Golf Carts and Other Specialized Vehicles* in the Community

I. GENERAL:

Section 1.1. Definitions. The terms used in these Rules and Regulations (the "***Rules***") shall have the same meaning as contained within the recorded *Declaration of Covenants, Conditions and Requirements for Westbury Park Residential Properties*, as amended (the *"**Declaration**"*), unless the context requires otherwise or unless otherwise specified herein.

(a) *Members*. The term "Member," when used within these Rules, shall mean a Member or Owner, resident or tenant of a Unit in Westbury Park, and any guests, invitees, or any other Persons within Westbury Park.

(b) *Golf Cart*. The term "Golf Cart," when used within these Rules, means a four-wheeled motor vehicle whose speed attainable in one mile is no more than twenty miles per hour (20 mph) on a paved level surface.

(c) *Low Speed Vehicle (LSV)*. The term "Low Speed Vehicle" or "LSV," when used within these Rules, means a four-wheeled motor vehicle whose speed attainable in one mile is more than twenty miles per hour (20 mph) and not more than twenty-five miles per hour (25 mph) on a paved level surface, not to include farm vehicles as defined in S.C. Code Section 56-1-2070(c)(2).

(d) *Utility Terrain Vehicle (UTV)*. The term "Utility Terrain Vehicle" or "UTV," when used within these Rules, means a side-by-side, four-wheeled drive, off-road vehicle intended to transport individuals, cargo, or both with a top speed of over thirty-five miles an hour; a motor of at least four hundred and fifty cubic centimeters; eighty inches or less overall width; designed to travel on four or more wheels, two or four tracks, or combinations of four or more tracks and heels; using a steering wheel for steering control; with a non-straddle seat; and with a Gross Vehicle Weight Rating of no more than four thousand pounds.

(e) *Specialized Vehicle*. The term "Specialized Vehicle," when used within these Rules, shall mean a motorized vehicle limited to Golf Carts, Low Speed Vehicles, and Utility Terrain Vehicles.

Section 1.2. Applicability. These Rules are enacted by the Board of Directors in accordance with Section 3.1 of the Declaration and Section 4 of the *Initial Use Restrictions and Rules* for Westbury Park. These Rules shall be binding upon all Members, Owners and lessees of Owners, their families, invitees, and guests and any other Persons that use the roads, streets, sidewalks or

other Common Areas of Westbury Park. All present and future co-owners, tenants, future tenants, or their employees or any other person that might use the Common Area in any manner, are subject to the rules and regulations set forth herein (and any amendments thereto). Each and every Person who owns, leases, resides in, or visits a Unit in Westbury Park hereby consents to the application of and are bound by the Rules and Regulations established herein. Use and/or operation of a Specialized Vehicle on the Community Roads (as defined herein) is only permitted when in strict compliance with the rules, regulations, and requirements set forth within these Rules.

Section 1.3. Conflicts. In the event of any conflict or ambiguity between these Rules and the provisions of a state, statute, the Declaration, or the Bylaws the provisions of such statute, the Declaration, or the Bylaws as the case may be, shall control.

II. SPECIFIC RULES GOVERNING ALL SPECIALIZED VEHICLES:

This policy is established to govern the safe and legal operation of Specialized Vehicles by Owners and operators thereof within the community. These policies, as well as all applicable federal, state, and county laws apply to all operators of specialized vehicle when operating within the community.

Section 2.1. Age and Licensing**.** No person shall operate a Specialized Vehicle on any the streets, roads, or rights-of-way within Westbury Park (collectively, the "***Community Roads***") unless s/he possesses a valid state-issued motor vehicle operator's license recognized by the State of South Carolina.

Section 2.2. Proof of Registration and Insurance. Any Specialized Vehicle operating on any Community Roads shall be registered with the South Carolina Department of Motor Vehicles (the "***SCDMV***"). Upon registering with the SCDMV, a valid permit decal must be displayed on the front left lower corner of the windshield. Additionally, any Specialized Vehicle operating on a Community Road shall maintain adequate levels of liability insurance required by South Carolina law with such proof of insurance within the Specialized Vehicle at all times while in operation.

> *Note***:** *For more information on registration, please visit the SCDMV's website or local branch. Please note that many standard homeowner's or automobile insurance policies do not cover Specialized Vehicles*.

Section 2.3. Community Roads. Specialized Vehicles may not be operated on any Common Property within Westbury Park other than the Commuity Roads. Particularly, Specialized Vehicles are not permitted on sidewalks, walking trails, or any landscaped areas.

Section 2.4. Speed Limit and Traffic Laws. Operators of Specialized Vehicles on Community Roads shall comply at all times with the established speed limits (*i.e.,* 15 miles per hour) and are subject to any and all other traffic laws and regulations applicable to the operation of a motor vehicle on Community Roads.

Section 2.5 Required Equipment.

(a) *Mirrors*. Any Specialized Vehicle operating on a Community Road must be equipped with a rearview mirror.

(b) *Lights*. Any Specialized Vehicle operated before sunrise and after sunset must, at a minimum, be equipped with functioning headlights, taillights, and turn signals.

(c) *Seatbelts and Safety Restraints*. Any child under the age of twelve (12) must wear a seatbelt at all times when riding in a Specialized Vehicle being operated on a Community Road. Any child under the age of twelve (12) who may be too small to safely be secured with a standard seatbelt must be otherwise safely and securely restrained while riding in a Specialized Vehicle being operated on a Community Road. This may include, but is not limited to, the use of a child safety seat, harness system, or other secure method of restraint. It is permissible to use a device that safely secures an infant child to the body of an adult passenger whereby the device must allow the adult to remain hands-free at all times. At no time may a child be held in an adult's arms or lap without being properly fastened by an independent restraint system or as otherwise described herein.

(d) *Other Legal Requirements*. All Specialized Vehicles operated on Community Roads must also meet any additional requirements established by any applicable federal, state or local laws and regulations.

Section 2.6 Safety and Conduct. All operators of a Specialized Vehicle on Community Roads are responsible for understanding and following all safety guidelines, including maintaining a safe speed depending on conditions, being aware of pedestrians, and operating safely on wet or bumpy surfaces or sections of the road.

(a) *Operation*. Any form of reckless driving or "horseplay" while operating a Specialized Vehicle on Community Roads is prohibited. Passengers must remain seated while the Specialized Vehicle is in operation and should not stand, lean or hang off the Specialized Vehicle. Operating a Specialized Vehicle under the influence of drugs or alcohol is strictly prohibited and may subject the Operator to penalties under the law.

(b) *Occupants*. Specialized Vehicles can only carry the number of passengers that can safely sit on the seats provided. All passengers must be seated at all times while the vehicle is in motion.

(c) *Secure Items.* All items transported must be placed in the cargo area or seats and be properly secured.

(d) *Braking and Parking*. Operators must set the brake when leaving the vehicle. When unattended, the ignition should be turned off and the key removed. All vehicles must be parked in designated parking spaces and may not obstruct vehicular or pedestrian traffic including sidewalks, fires lanes or handicap parking spots.

(e) *Noise*. Specialized Vehicles may not produce any excessive noise especially during designated 'quiet hours' or at any time that would disrupt a private residence or residents in the common areas, and must comply with the Association's noise regulations.

Section 2.7 Violations and Penalties.

(a) *Enforcement*. The Association and the Association's on-site security shall have the right to enfore these Rules, including but not limited to the issuance of warnings or the imposition of fines for non-compliance. The Member associated with the Specialized Vehicle, regardless of whether such Member was the Operator at the time of any violation, may held jointly and severally liable for any fines assessed for violations of these Rules or damages said Specialized Vehicle may cause to the Common Areas, the Community Roads, or the private property of another Person.

(b) *Safety and Conduct Violations*. A $250.00 fine shall be assessed to the Operator of any Specialized Vehicle for a first-time violation of these Rules, in addition to any other rights or remedies permitted under South Carolina law; provided, however, the Association may issue warnings for first-time violations of Section 2.2 or Section 2.5 of these Rules.

(c) *Repeat Offenders*. Repeat violations may result in higher fines or suspension of the Member's rights to operate a Specialized Vehicle anywhere within the community.

III. RULES GOVERNING THE USE OF THE ASSOCIATION-OWNED LSV:

The use of the Association-owned LSV is intended to be strictly limited. Use of the Association-owned LSV is specifically and exclusively intended to provide the option and convenience of this mode of vehicular transportation for those individuals that perform, volunteer, conduct business or are involved with activities specifically related to those that benefit the Association and Westbury Park. The Association-owned LSV is ***only*** *permitted to be used on the Community Roads and may not be operated on any public or private roads outside of Westbury Park.*

All of the rules, regulations and requirements set forth within these Rules shall apply to the operation of the Association-owned LSV, along with the following additional rules, regulations, and requirements specific to the Association-owned LSV:

Section 3.1. Need or Purpose. Any Member of a Unit in Westbury Park may request to use the Association-owned LSV as long as the need or purpose is associated with or related to a benefit to be derived by the community (*e.g.,* Board-appointed committee work, special community-related projects or initiatives, or special events, etc.), which request the Association may deny or approve in its sole and absolute discretion. The Association-owned LSV shall not be for casual use or simple convenience on an ad-hoc basis.

Section 3.2 Storage. When not in active operation or use, the Association-owned LSV and the key(s) thereto must be stored in the Association-owned storage building (the "***Storage Building***"). Access to the Storage Building shall be restricted with limited public access.

Section 3.3 Limited Operation. The Association-owned LSV may not be operated on any public or private roads or property, except for the Community Roads. Further, due to such restrictions of use, the Association-owned LSV shall be exempt from the SCDMV registration requirements of Section 2.2 of these Rules.

Section 3.4. Damages. Any Member that uses the Association-owned LSV shall be responsible for any damages to the Association-owned LSV or property damage or bodily injury to themselves or another during their approved period of operation.

Section 3.5 Volunteer Waiver and Application. Use of the Association-owned LSV shall be conditioned upon the Member's satisfactory complete, execution and return to the Association of the "Volunteer Waiver and Agreement for Use" attached to these Rules and incorporated fully herein by reference.