

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003**

**SESSION LAW 2004-38  
HOUSE BILL 1363**

AN ACT TO PROVIDE THAT THE LAWS RELATING TO MOTOR VEHICLES  
APPLY ON THE STREETS OWNED BY THE LAKE TOXAWAY PROPERTY  
OWNERS' ASSOCIATION IN TRANSYLVANIA COUNTY.

The General Assembly of North Carolina enacts:

**SECTION 1.** With the exception of any provisions prohibiting or regulating the operation of private golf carts, the provisions of Chapter 20 of the General Statutes relating to the use of the highways of the State and the operation of motor vehicles are applicable to the streets, roadways, and alleys on the properties owned by or under the control of the Lake Toxaway Property Owners' Association, Inc., or the members of the Lake Toxaway Property Owners' Association, Inc. For purposes of this act, streets, roadways, and alleys in the Lake Toxaway Community shall have the same meaning as highways and public vehicular areas pursuant to G.S. 20-4.01.

**SECTION 2.** This act is enforceable by any law enforcement officer acting within his territorial jurisdiction.

**SECTION 3.** This act shall not be construed as in any way interfering with the ownership and control of the streets, roadways, and alleys of the Lake Toxaway Property Owners' Association, Inc., or its members as is now vested by law in that association or its members. The speed limits within the Lake Toxaway Community shall be the same as those in effect at the time of ratification of this act. Any proposed change in the speed limit shall be submitted to and approved by the Board of Commissioners of Transylvania County. Pursuant to G.S. 20-141, the Transylvania County Board of Commissioners may authorize by ordinance higher or lower speeds.

**SECTION 4.** This act applies to Transylvania County only.

**SECTION 5.** This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 29<sup>th</sup> day of June, 2004.

s/ Beverly E. Perdue  
President of the Senate

s/ James B. Black  
Speaker of the House of Representatives