

**Daufuskie Island Council**  
**Special Meeting to Address Utility Vehicle Problems**

**5:30 PM, September 25, 2018**

**Mary Fields School**

**Minutes**

The meeting was called to order by the Chair.

Present- Chris Sutcliffe, Erin Quinn, Deborah Smith, John Schartner, James Bays,

Absent-Sallie Ann Robinson, Leanne Coulter

A majority of the Council being present, there was a duly constituted quorum.

**Special guests-** Representative Jeff Bradley, County Councilman Tabor Vaux, candidate Mark Larsen, Deputy Lieutenant Sandowski.

**Pledge of Allegiance** - Led by Leticia Velasquez

Lieutenant Sandowski, representing the sheriff's department, opened with a statement. The department is using the federal definition of a golf cart to enforce the law. He stated that the department has given lots of warnings on the island. The department would like to solve the problem. If the vehicle is determined to be a low speed vehicle, it must be certified as such for example as farm equipment. Vehicles are either legal or not. Golf carts must be registered and have insurance. Rental golf cart people have done this.

Deb Smith stated that this meeting should be focused on the utility vehicle issue and that a legislative change may be needed.

Lancy Burn spoke and stated that this issue is very serious. He stated that it is an issue of economics as these are work-force vehicles, that these vehicles are needed for survival on these roads to pull vehicles out of a ditch, that his vehicle will launch his boat so that he can get to town, and that he uses his vehicle to cut wood to heat his house, and that these vehicles have dump beds.

He looked into registering this vehicle with a farm tag. To have a farm tag for agricultural usage one must own at least thirteen acres of assessed land for timber. He stated that any help with this issue would be appreciated.

Matt Keller spoke and stated that the golf cart is an ok vehicle but expensive to operate. With his Mule (including a winch and chain ) he sawed and removed trees after Hurricane Matthew. He can use it with a trailer and that this is the perfect vehicle to use in rain and mud. He now needs to buy a car.

Karla Clark stated that they use their utility vehicles for construction and rental property work. It could be used as a slow-moving vehicle. A car is expensive to barge and there are not mechanics on the island to fix cars. An electric golf cart is limited by charge. The storms lately have been a hardship on locals. Also, the wear and tear on roads needs to be considered.

Mike Loftus stated that he has used his gator since 2004. Gators fit the practical criteria of low-speed vehicles. There is no practical difference. There might be thirty on the island. If replaced by thirty pickup trucks the island is not made for these cars and trucks. These utility vehicles are much safer.

Mike Davis stated that he has two utility vehicles that now need to be replaced with full-sized trucks.

Tony Chisolm stated that he owns property on the island. He bought a mule two and a half or three years ago. Now, as a family, they are not coming over as much. Unfortunately, the golf carts are not built for the roads. These utility vehicles have seat belts and make them a safer vehicle. Other vehicles get poor gas mileage.

Vicky Price stated that this enforcement of the utility vehicle ban was the last straw for one neighbor, and after over thirty years on the island, he would be selling his home. He uses these utility vehicles for his business. She also stated that since her mule is her second vehicle when the golf cart breaks down, she and her husband will need to drive a vehicle, given to them by a friend with 250,000 miles on it, from New Hampshire to Daufuskie and barge it over.

County Councilman Tabor Vaux stated the problem is difficult for the county to address, as county ordinances must be consistent with that law.

Deborah Smith stated that she looked at the state and county laws. One half of the states allow these types of vehicles on the roads. UTV's are not mentioned in the South Carolina laws. Recently, people on the island have been issued warnings and tickets. These vehicles were allowed until fairly recently. This issue may not be solved until the state law is changed. The golf cart law was amended under a section of the motor vehicle act, and UTV's could be added to the low speed vehicle section of the law. Counties would then have the authority to implement their own ordinances allowing such vehicles.

Representative Bradley asked why code enforcement happened here recently. He stated that this seems punitive.

The deputy stated that the sheriff's department has been very lenient.

Representative Bradley stated that the low speed vehicle law could apply. The law says the title of these vehicles should say low speed vehicles.

Deborah Smith stated that until recently, people could get permits. The sheriff's office has contacted DMV to be sure that the correct vehicles are being registered.

Lancy Burn said that he has been driving on the island for seventy years. About the law he says that we are not outlaws, and that we've done well without law enforcement over here.

Representative Bradley stated that it is our government and he believes this may be a flawed interpretation. He stated that he would call DMV. If necessary, he said he would seek a legislative change when the state General Assembly comes back in session in January. In the meantime, he will talk to the DMV to see if a technical correction is possible or perhaps the Sheriff's department would be open to a compromise in the interim.

Tabor Vaux stated that he talked at length with Sheriff Tanner about this issue.

Representative Bradley will call tomorrow about interpretation.

Deputy Lieutenant Sandowski stated that there might be a slight correction and that these might be considered low-speed vehicles with a bill of sale.

The fire chief was asked if there was law enforcement over all roads. There is law enforcement on publicly maintained roads. PUD's have private roads.

There being no further business, the meeting was adjourned at 6:30 pm.