



New York State Department of Labor
Eliot Spitzer, Governor
M. Patricia Smith, Commissioner

May 3, 2007



Re: Request for Opinion
Child Labor (Golf Carts)
Our File No.: RO-07-0039

Dear [REDACTED]:

I have been asked to respond to your letter of April 26, 2007 in which you ask for confirmation that it is permissible under New York State Law for a sixteen year old employee to drive a golf cart during his daily tasks. Please be advised that this activity is permissible for an employee of that age.

New York State Labor Law §133 lists those forms of employment prohibited to minors. While Labor Law §133(2)(r) forbids the employment of a minor of any age "as a helper on a motor vehicle," New York State Vehicle and Traffic Law §125 defines "motor vehicle," in relevant part, as "(e)very vehicle operated or driven upon a public highway." As a golf cart is not a vehicle designed to be operated or driven on a public highway, it is not a "motor vehicle" as defined by law. Therefore, there is no provision of law prohibiting a minor from operating or being a helper upon such a vehicle.

This opinion is based upon the information provided in your letter of April 26, 2007. A different opinion might result if any facts provided have been inaccurately stated, or if there are other relevant facts which have not been disclosed. If you have any further questions, please feel free to contact me.

Very truly yours,

Maria L. Colavito, Counsel

A handwritten signature in black ink, appearing to read "Jeffrey G. Shapiro".

By: Jeffrey G. Shapiro
Senior Attorney

cc: Carmine Ruberto

JGS:dmm

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bcc: Opinion File
Jeffrey G. Shapiro, Counsel
CO Dayfile (RO-07-0039)