

Memorandum            10/22/2021  
Attachment:            Excerpts from Texas Transportation Code Chapter 551  
Subject:                 Golf Cart and Off-Road Vehicle Operation within the confines of the  
                                 Sunrise Shores Community

**Background:**

There have been several incidents where residents have been concerned about the ability to operate Off-Road vehicles within Sunrise Shores. This memorandum is intended to communicate the policy with respect to those vehicles.

**Policy:**

Golf carts and Off-Road Vehicles (4-wheelers) are permitted to be operated on Sunrise Shores streets under the following restrictions:

1.     Operation of the vehicles must be done in a safe and courteous method.
2.     Operation is restricted to the paved road areas.
3.     Operation on any park, pond, or non-paved area is prohibited.
4.     A person younger than 14 years of age who is operating an Off-Road must be accompanied by and be under the direct supervision of:
  - (1) The person's parent or guardian; or
  - (2) An adult who is authorized by the person's parent or guardian.
5.     An Off-Road vehicle that is operated must display a lighted headlight and taillight:
  - (1) During the period from one-half hour after sunset to one-half hour before sunrise; and
  - (2) At any time when visibility is reduced because of insufficient light or atmospheric conditions.
6.     An Off-Road vehicle must be equipped with:
  - (1) A brake system maintained in good operating condition;
  - (2) An adequate muffler system in good working condition unless it is an electric vehicle;  
and
  - (3) A United States Forest Service qualified spark arrester unless it is an electric vehicle.
7.     A person may not carry a passenger on an Off-Road vehicle unless the vehicle is designed by the manufacturer to transport a passenger. Riding on fenders, luggage racks, etc. is not permitted.

8.
  - (a) A person may not operate, ride, or be carried on an Off-Road vehicle unless the person wears:
    - (1) A safety helmet that complies with United States Department of Transportation standards;
    - (2) Eye protection; and
    - (3) Seat belts, if the vehicle is equipped with seat belts.
  - (b) Subsections (a)(1) and (2) do not apply to a motor vehicle that has four wheels, is equipped with bench or bucket seats and seat belts, and includes a roll bar or roll cage construction to reduce the risk of injury to an occupant of the vehicle in case of vehicle rollover.
  - (c) This section does not apply to a motor vehicle that is in the process of being loaded into or unloaded from a trailer or another vehicle used to transport the vehicle.

**Attachment 1: Excerpts from Texas Transportation Code Chapter 551**

**TRANSPORTATION CODE  
TITLE 7. VEHICLES AND TRAFFIC  
SUBTITLE C. RULES OF THE ROAD  
CHAPTER 551A. OFF-HIGHWAY VEHICLES**

**Sec. 551A.032. OPERATION ON PUBLIC OFF-HIGHWAY VEHICLE LAND BY PERSON YOUNGER THAN 14.**

A person younger than 14 years of age who is operating an off-highway vehicle on public land must be accompanied by and be under the direct supervision of:

- (1) The person's parent or guardian; or
- (2) An adult who is authorized by the person's parent or guardian.

**Sec. 551A.055. OPERATION AUTHORIZED IN CERTAIN AREAS.**

An operator may operate an unregistered off-highway vehicle:

- (1) In a master planned community:
  - (A) That has in place a uniform set of restrictive covenants; and
  - (B) For which a county or municipality has approved a plat; or
- (2) On a highway for which the posted speed limit is not more than 35 miles per hour, if the off-highway vehicle is operated:
  - (A) During the daytime; and
  - (B) Not more than two miles from the location where the off-highway vehicle is usually parked and for transportation to or from a golf course.

**Sec. 551A.056. CROSSING INTERSECTIONS.**

An unregistered off-highway vehicle may cross a highway at an intersection, including an intersection with a highway that has a posted speed limit of more than 35 miles per hour.

**Sec. 551A.071. REQUIRED EQUIPMENT; DISPLAY OF LIGHTS.**

- (a) An off-highway vehicle that is operated on public off-highway vehicle land, a beach, or a highway must be equipped with:
  - (1) A brake system maintained in good operating condition;
  - (2) An adequate muffler system in good working condition; and
  - (3) A United States Forest Service qualified spark arrester.
- (b) An off-highway vehicle that is operated on public land, a beach, or a highway must display a lighted headlight and taillight:
  - (1) During the period from one-half hour after sunset to one-half hour before sunrise; and
  - (2) At any time when visibility is reduced because of insufficient light or atmospheric conditions.
- (c) A person may not operate an off-highway vehicle on public off-highway vehicle land, a beach, or a highway if:
  - (1) The vehicle has an exhaust system that has been modified with a cutout, bypass, or similar device; or
  - (2) The spark arrester has been removed or modified, unless the vehicle is being operated in a closed-course competition event.
- (d) The department or executive director may exempt off-highway vehicles that are participating in certain competitive events from the requirements of this section.

**Sec. 551A.072. SAFETY APPAREL REQUIRED.**

- (a) A person may not operate, ride, or be carried on an off-highway vehicle on public off-highway vehicle land, a beach, or a highway unless the person wears:
  - (1) A safety helmet that complies with United States Department of Transportation standards;
  - (2) Eye protection; and
  - (3) Seat belts, if the vehicle is equipped with seat belts.
- (b) Subsections (a)(1) and (2) do not apply to a motor vehicle that has four wheels, is equipped with bench or bucket seats and seat belts, and includes a roll bar or roll cage construction to reduce the risk of injury to an occupant of the vehicle in case of vehicle rollover.
- (c) This section does not apply to a motor vehicle that is in the process of being loaded into or unloaded from a trailer or another vehicle used to transport the vehicle.

**Sec. 551A.073. RECKLESS OR CARELESS OPERATION PROHIBITED.**

A person may not operate an off-highway vehicle on public off-highway vehicle land or a beach in a careless or reckless manner that endangers, injures, or damages any person or property.

**Sec. 551A.074. CARRYING PASSENGERS.**

A person may not carry a passenger on an off-highway vehicle operated on public off-highway vehicle land, a beach, or a highway unless the vehicle is designed by the manufacturer to transport a passenger.

## **SUBCHAPTER F. GOLF CARTS**

### **Sec. 551.403. OPERATION AUTHORIZED IN CERTAIN AREAS.**

- (a) An operator may operate a golf cart:
  - (1) In a master planned community:
    - (A) That is a residential subdivision as defined by Section 209.002(9), Property Code, or has in place a uniform set of restrictive covenants; and
    - (B) For which a county or municipality has approved one or more plats;
  - (2) On a public or private beach that is open to vehicular traffic; or
  - (3) On a highway for which the posted speed limit is not more than 35 miles per hour, if the golf cart is operated:
    - (A) During the daytime; and
    - (B) Not more than five miles from the location where the golf cart is usually parked and for transportation to or from a golf course.