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## CITY OF PORT LAVACA

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**MEETING:** SEPTEMBER 8, 2025 **AGENDA ITEM** \_\_\_\_\_

**DATE:** 09.02.2025

**TO:** HONORABLE MAYOR AND CITY COUNCIL

**FROM:** DERRICK SMITH, DEVELOPMENT SERVICES DIRECTOR

**SUBJECT:** CONSIDER ADOPTING AN ORDINANCE ALLOWING THE OPERATION OF GOLF CARTS, RECREATIONAL OFF-HIGHWAY VEHICLES AND UTILITY VEHICLES TO OPERATE ON PUBLIC STREETS.

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As discussed in the August 25, 2025 workshop, there has been a request regarding the City of Port Lavaca allowing golf carts, recreational off-highway vehicles and utility vehicles to operate on public streets. The thought is that it would give our coastal city a more relaxing and laid back coastal feel. This feel would help intise tourist to visit our city.

The proposed ordinance allows golf carts, recreational off-highway vehicles and utility vehicles to operate on public streets as long as the following requirements are met:

1. The operator must have a valid license.
2. The vehicle is insured.
3. The vehicle has all required safety equipment in accordance with the Transportation Code.
4. The vehicle must have a reflective triangle affixed to the rear.
5. Golf Carts and other Off-Highway Vehicles may not be driven on streets that where the posted speed limit is greater than 35 miles per hour.

After our discussion and after reviewing other coastal municipal ordinances, staff recommends the attached ordinance.

## **CHAPTER 48 – TRAFFIC AND VEHICLES**

### **ARTICLE VI. – GOLF CARTS AND OFF-HIGHWAY VEHICLES**

#### **Sec. 48-231. – Definitions.**

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*All-terrain vehicle* means a motor vehicle, as described and defined under Texas Transportation Code as amended, which is an off-highway vehicle equipped with a seat or seats for the use of the rider and a passenger, if the motor vehicle is designed by the manufacturer to transport a passenger, and is not more than 50 inches wide.

*Golf Cart* means a motor vehicle designed by the manufacturer primarily for use on a golf course.

*Off-highway vehicle* means an all-terrain vehicle, a recreational off-highway vehicle, a sand rail or a utility vehicle.

*Nighttime* means thirty (30) minutes before sunset and thirty (30) minutes after sunrise.

*Recreational Off-highway vehicle* means a motor vehicle, as described and defined under Texas Transportation Code as amended, which is an off-highway vehicle equipped with a seat or seats for the use of the rider and a passenger or passengers, if the vehicle is designed by the manufacturer to transport a passenger or passengers, and is not designed by the manufacturer primarily for farming or lawn care.

*Utility vehicle* means a motor vehicle, as described and defined under Texas Transportation Code as amended, which is an off-highway vehicle that is not a golf cart or lawn mower, is equipped with side-by-side seating for the use of the operator and a passenger, and is designed by the manufacturer primarily for utility work and not for recreational purposes.

*Street* means a public roadway in the City of Port Lavaca that is open to vehicular traffic.

#### **Sec. 48-231. – Limited Operations.**

- (a) Golf carts and Off-Highway vehicles are permitted to be operated on:
  - (1) Streets where the posted speed limit is 35 miles per hour or less,
  - (2) A parking area as defined by this article.
- (b) Nighttime driving of Golf carts is prohibited. Golf carts may only be driven during the Daytime.
- (c) Notwithstanding anything in this section 48-231 to the contrary, Golf Carts and Neighborhood Vehicles may be operated on public streets for activities related to

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parades permitted under this chapter and events organized or sponsored by the City of Port Lavaca.

### **Sec. 48-231. – Requirements for operation within corporate limits**

- (a) A Golf cart operated under this article must be equipped, at a minimum, with the following equipment as mandated by the Texas Transportation Code Chapter 551, as amended, and/or required by the City to operate on permitted locations:
  - (1) Operational headlamps;
  - (2) Operational tail lamps;
  - (3) Side reflectors;
  - (4) Operational Parking brake;
  - (5) Rearview mirror(s); and
  - (6) A “slow moving vehicle” reflective triangle affixed to the rear.
- (b) In compliance with the Texas Transportation Code, as amended, a golf cart, recreational off-highway vehicle or utility vehicle operated under this section must display a golf cart license plate or off-highway vehicle license plate issued by the Texas Department of Motor Vehicles on the rear of the vehicle
- (c) Equipment, and its installation and maintenance, must meet standards provided by the Texas Transportation Code, as amended.
- (d) A person operating a golf cart, recreational off-highway vehicle or utility vehicle under this section must possess a valid driver license and obey all state laws and traffic regulations, regardless of whether such vehicle is permitted or properly equipped.
- (e) A golf cart, recreational off-highway vehicle, or utility vehicle operated under this section must be covered by insurance equal to the current state requirement for motor vehicles, regardless of whether the golf cart, recreational off-highway vehicle or utility vehicle is permitted or properly equipped. This coverage may be by a separate policy or covered by the owner's or operator's homeowner's insurance policy.
- (f) Not exceed the seating capacity of the vehicle as designed by the manufacturer.
- (g) Not operate or park on a sidewalk, hike and bike trails, or in parks where vehicular traffic is not permitted.

- (h) A Golf cart may be driven across intersections where the cross Street has a posted speed limit of more than 35 miles per hour.