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For Immediate Release

The Prosper Police Department Offers Information on ATV and Golf Usage

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With summer almost here, the weather is starting to get warmer and many Prosper residents will be spending time outside. Each year the Prosper Police Department receives numerous traffic complaints pertaining to golf carts, go carts, ATV's and dirt bikes which are being driven in violation of Texas State law on public streets. During these traffic stops, many residents are unaware of or choose to disregard the laws regarding the use of golf carts, go carts, ATV's and dirt bikes on public roadways. **(Public Roadway is defined as being any road including County Roads, street, way, thoroughfare, or bridge that is in this state, that is for the use of vehicles, that is not privately owned or controlled; and over which the state has legislative jurisdiction under its local police powers).**

According to Texas State law, only registered motor vehicles may be driven by licensed drivers on public roadways. In order for a vehicle to be registered, it must have a license plate issued by the Texas Department of Transportation (TXDOT). ***As with all statutes, the information contained herein is subject to change with legislative updates and should not be considered as any type of legal advice. This is being provided for informational purposes only.*

Golf Carts: (Defined as a motor vehicle designed by the manufacturer primarily for transporting persons on a golf course as defined in TRC 502.001) As defined in TRC 502.0071 – An owner of a Golf carts may drive on public roadways without registration under certain conditions. Unregistered golf carts may be operated on a public roadway, but only if they are used to transport persons to and from a golf course. They do not exceed the distance of 2 miles from the point of origin if being driven to and from a golf course, the operation occurs in the daytime hours, which is defined as being one-half hour before sunrise and ending one-half hour after sunset, the operation occurs entirely within a master planned community with a uniform set of restrictive covenants that has had a plat approved by a county or a municipality.

Please do not allow any unlicensed person to drive a golf cart. Every year we make numerous traffic stops with young children driving golf carts. Not only is this unsafe, but it is a violation of Texas Law. As I mentioned above, **only licensed drivers** may operate a motor vehicle on the public roadways. If you are stopped by a Prosper Police Department Officer while driving an unregistered golf cart on a public roadway, you may receive a citation for the operating of an unregistered motor vehicle on a public roadway.

Go-Carts: (Have the same meaning as a Motor Vehicle, which means a vehicle that is self-propelled) As mentioned above only registered motor vehicles driven by licensed drivers may be operated on a public roadway. Currently there is no provision in the Texas Transportation Code to

register a Go-Cart. In short, Go-Carts cannot be registered and are not allowed to be operated on a public roadway. If you are stopped by a Prosper Police Officer while operating a go-cart on a public roadway, you may be issued a citation for operating an unregistered motor vehicle on a public roadway.

ATV's or All-terrain vehicle: (Defined as a motor vehicle that is equipped with saddle, bench, or buckets seat for the use of the rider. For a passenger, if designed to transport passengers. Designed to propel itself with three or more tire in contact with the ground). They are not allowed to be operated on public roadways. ATV's are designed by their manufactures to be operated off-road. Section 502.006 of the Texas Transportation Code says that All-Terrain Vehicles (ATV) cannot be registered for use on a public roadway with or without any design alterations. If you are stopped by a Prosper Police Officer while operating an ATV on a public roadway, you may be issued a citation for the operation of an ATV on a public roadway.

Dirt Bikes: Again, dirt bikes or off-road motorcycles are not designed or intended for operation of public roadways. In order for a motorcycle to be used on a public roadway, there are specific equipment requirements such as having headlamps, turn signals and brake lamps, which dirt bikes are not equipped. If you are stopped by a Prosper Police officer while operating an off-road motorcycle on a public roadway, you may be issued a citation for operating an unregistered motor vehicle on a public roadway.

I know some of you may be reading this and thinking "Well, I guess I can't drive my golf car, go-cart, ATV or dirt bike on any public roadway or in my neighborhood" and you would be right. Unregistered motor vehicles are not allowed to be operated on any public roadway. All of the Officers of the Prosper Police department care greatly about the safety of our town's citizens. Each year we make numerous traffic stops on golf carts, or ATV's, which are being driven unsafely on public roadways, often by unlicensed drivers.

Also, be aware that any of the above mentioned vehicles have the same meaning as a **Motor Vehicle**, with this being said, under the Texas Penal Code Section 49.031 – (Class "C" Misdemeanor) Possession of a Alcoholic Beverage in Motor Vehicle, a person commits an offense if that person is in possession of a open container, meaning a bottle, can or any other receptacle that contains ANY amount of alcoholic beverage. This also includes the passenger area of the motor vehicle. Section 49.04 – (1st offense is a Class "B" misdemeanor, 2nd offense is a Class "A" misdemeanor, and the 3rd offense is a 3rd Degree Felony) Driving While Intoxicated, a person commits an offense if the person operates a motor vehicle while intoxicated.