

NEIGHBORHOOD ELECTRIC VEHICLES, GOLF CARTS, AND OTHER SMALL MOTORIZED VEHICLES

Electric Personal Assistive Mobility Device Operation Violation (MC)

551.201 - Electric Personal Assistive Mobility Device

This type of device is often called a “Segway”. A two non-tandem wheeled device designed for transporting one person that is self-balancing and propelled by an electric propulsion system with an average power of 750 watts or one horsepower.



551.202 - Operation on Roadway

- (1)** If a sidewalk is available, an EPAMD must be operated on the sidewalk unless crossing a highway. If a sidewalk is not available, an EPAMD may be operated on a residential street, roadway, or public highway with a speed limit of 30 miles per hour or less.
- (2)** An EPAMD may be operated on a bicycle path.
- (3)** Any person operating an electric personal assistive mobility device on a residential street, roadway, or public highway shall ride as close as practicable to the right-hand edge.
- (4)** An EPAMD should generally be treated like a bicycle.

551.203 – Sidewalks

Electric personal assistive mobility devices may be operated on sidewalks, and in fact they are required to be operated on sidewalks instead of roadways if sidewalks are available.

Neighborhood Electric Vehicle Operation (Specify) (MC)

551.301 – Definition

"Neighborhood Electric Vehicle" means a vehicle that can attain a maximum speed of 35 miles per hour on a paved level surface and otherwise complies with [Federal Motor Vehicle Safety Standard 500 \(49 C.F.R. Section 571.500\)](#). The referenced federal standard requires certain equipment for low speed vehicles that are manufactured to be operated on public highways.

551.302 – Registration

Neighborhood electric vehicles can be issued license plates and full registration like any other automobile. They will have a license plate with a corresponding windshield sticker.



Neighborhood Electric Vehicles can be legally operated on public roadways under one of two different types of operation (see 551.303 and 551.304 below). The requirement to register and have insurance is dependent on the type of operation taking place.

551.303 - Operation on Roadways

Under this type of operation, the NEV is treated like a car. A driver's license, registration, and insurance are required.

- May only be operated on highways with a speed limit of 45 MPH or less
- May only be operated at speeds of 35 MPH or less

Aside from roadway speed limitations, there are no other restrictions on this type of operation, although TXDOT, a county, or a municipality may prohibit the operation of a neighborhood electric vehicle on a street or highway if the governing body determines that the prohibition is necessary in the interest of safety.

Reference [547.703](#) – a slow moving vehicle emblem is required if the neighborhood vehicle is operated at 25 MPH or less on a highway.

551.304 - Limited Operation

Under this type of operation, the NEV is treated like a golf cart. Registration, a license plate, and insurance are not required. A driver's license is required if operated on a public highway.

Under this type of operation, the neighborhood electric vehicle may be operated in any of the following three circumstances:

- (1) in a master planned community that has in place a uniform set of restrictive covenants and for which a county or municipality has approved a plat (see note below);
- (2) on a public or private beach; or
- (3) for transportation to or from a golf course when on a public highway for which the posted speed limit is not more than 35 miles per hour, if the neighborhood electric vehicle is operated during the daytime and not more than two miles from the location where the neighborhood electric vehicle is usually parked.

Note: A neighborhood electric vehicle may be operated without registration or insurance “in a master planned community”. “Master Planned Community” is not defined in the Transportation Code. For additional information, see [Texas Attorney General Opinion GA-0966](#).

Reference 601.052 – Insurance is not required when a NEV is operated in three circumstances described above.

Reference 547.703 – a slow moving vehicle emblem is required if a NEV is operated at 25 MPH or less on a highway.

Operation Of Motor-Assisted Scooter Where Prohibited (MC)

551.352 - Operation on Roadways or Sidewalks

A motor-assisted scooter may only be operated on a street or highway with a **speed limit of 35 MPH or less**. They may also be operated on sidewalks and bike paths. Generally speaking, motor-assisted scooters are treated like bicycles.

Reference 551.351 - “Motor-assisted scooter” (A) means a self-propelled device with:

- (i) at least two wheels in contact with the ground during operation;
 - (ii) a braking system capable of stopping the device under typical operating conditions;
 - (iii) a gas or electric motor not exceeding 40 cubic centimeters;
 - (iv) a deck designed to allow a person to stand or sit while operating the device; and
 - (v) the ability to be propelled by human power alone; and
- (B) does not include a pocket bike or a minimotorbike.



Operation Of Pocket Bike Or Minimotorbike Where Prohibited (MC)

551.353 - Application of Subchapter to Pocket Bike or Mini-motorbike

A pocket bike or minimotorbike is **not** authorized to be operated any highway, road, street, bike path, or sidewalk. Pocket bikes/minimotorbikes should only be operated off road/on private property.

Reference [551.351](#) - "Pocket bike or minimotorbike" means a self-propelled vehicle that is equipped with an electric motor or internal combustion engine having a piston displacement of less than 50 cubic centimeters, is designed to propel itself with not more than two wheels in contact with the ground, has a seat or saddle for the use of the operator, is not designed for use on a highway, and is ineligible for a certificate of title under Chapter 501. The term does not include:

- (A) a moped or motorcycle;
- (B) an electric bicycle;
- (C) a motorized mobility device, as defined by Section [552A.0101](#);
- (D) an electric personal assistive mobility device, as defined by Section [551.201](#); or
- (E) a neighborhood electric vehicle, as defined by Section [551.301](#).



Operate Golf Cart On Highway Without License Plate (MC)

Operate Golf Cart On Highway When Prohibited (MC)

551.401 – Definitions

"golf cart" means a motor vehicle designed by the manufacturer primarily for use on a golf course.

551.402 – Registration Not Authorized; License Plates

Texas DMV may not register a golf cart under normal 502.040 registration – meaning they will not have a normal license plate and registration insignia combination.

A golf cart operated on the highway in an approved manner, however, is required to display a golf cart license plate issued by DMV (unless being operated in a master planned community). This is not registration – it is an identifying license plate. A golf cart license plate does not expire.

A golf cart license plate return should have a "GC" designation for vehicle type and will identify the plate as a golf cart plate:



LIC G250 [REDACTED] EWT 2000 GWT 2000

GOLF CART PLT, STKR REG CLASS 00 \$ 0.00 COLORADO CNTY

TITLE 04525043962165702 ISSUED ODOMETER N/A REG DT 05/13/2020

2009,EZGO,GC,2 [REDACTED] MISC,COLOR: UNK,COMM IMPED: N

Golf Carts can be legally operated on public highways under one of two different types of operation (see 551.403 and 551.404 below). Operation outside the parameters described in these two sections is prohibited.

[551.403 - Limited Operation](#)

Under this section, a golf cart may be operated in one of three circumstances:

- (1) in a master planned community that is a residential subdivision as defined by 209.002(9) Property Code or has in place a uniform set of restrictive covenants and for which a county or municipality has approved a plat (see note below);
- (2) on a public or private beach; or
- (3) for transportation to or from a golf course when on a public highway for which the posted speed limit is not more than 35 miles per hour, if the golf cart is operated during the daytime and not more than five miles from the location where the golf cart is usually parked.

Reference [601.052\(a\)\(2-a\)](#) - Insurance is not required when a golf cart is operated under this section.

Reference [547.703](#) – a slow moving vehicle emblem is required if a golf cart is operated at 25 MPH or less on a highway.

If the golf cart is being operated on a public roadway under (2) or (3), a golf cart license plate is required.

If the golf cart is being operated in a master planned community, a license plate is not required.

If the golf cart is being operated on a public highway under any of the conditions in this section, a driver's license is required ([Reference – Texas AG Opinion #KP-0364](#)).

Note: under (1) above, a golf cart may be operated in a master planned community that is a residential subdivision (see below) or has in place a uniform set of covenants and restrictions. "Master Planned Community" is not defined in the Transportation Code. For additional information, see [Texas Attorney General Opinion GA-0966](#).

Reference [Property Code 209.002\(9\)](#) – Residential Subdivision - *means a subdivision, planned unit development, townhouse regime, or similar planned development in which all land has been divided into two or more parts and is subject to restrictions that: (A) limit a majority of the land subject to the dedicatory instruments, excluding streets, common areas, and public areas, to residential use for single-family homes, townhomes, or duplexes only; (B) are recorded in the real property records of the county in which the residential subdivision is located; and (C) require membership in a property owners' association that has authority to impose regular or special assessments on the property in the subdivision.*

[551.404 - Operation in Municipalities and Certain Counties](#)

Operation of Golf Carts in Municipalities

In addition to the operation authorized by Section [551.403](#), the governing body of a municipality may allow operation of a golf cart on all or part of a highway that is in the corporate boundaries of the municipality and has a **posted speed limit of not more than 35 miles per hour**. This is accomplished by the city adopting an ordinance permitting this type of golf cart operation. Prior to taking enforcement action for a golf cart operating on public roadways within city limits, ensure that the city has not

adopted an ordinance permitting this operation. If the golf cart is being operated on a roadway with a speed limit of more than 35 MPH, the golf cart is being operated when prohibited.

Operation of Golf Carts in Certain Counties

Certain counties are also authorized to allow an operator to operate a golf cart on all or part of a highway that is located in the unincorporated area of the county if the roadway has a **speed limit of not more than 35 miles per hour**. Not all counties have the authority to do so. The county must: *(1) border or contains a portion of the Red River; or (2) border the Gulf of Mexico and has a population of less than 500,000.*

A golf cart operated under this section would be required to have a golf cart license plate ([551.402](#)), insurance ([601.051](#)), and a licensed driver ([521.021](#)). The golf cart must also be equipped according to [551.4041](#) (see below).

Reference [547.703](#) – a slow moving vehicle emblem is required if a golf cart is operated at 25 MPH or less on a highway.

[551.4041 – Equipment](#)

A golf cart operated under Section [551.404](#) (in a municipality or county when allowed by ordinance) must have the following equipment: (1) headlamps; (2) taillamps; (3) reflectors; (4) parking brake; and (5) mirrors.

Bicycles, NEVs, Golf Carts, and other Special Motorized Vehicles – Quick Reference Page

Device	Treated as	DL §521.021	Insurance §601.051	LP	Specifications of Operation
Class 1 Electric Bicycle §664.001(1)	Bicycle	No	No	No	<ul style="list-style-type: none"> Motor assists only when rider is pedaling Top assisted speed of 20 MPH or less
Class 2 Electric Bicycle §664.001(2)	Bicycle	No	No	No	<ul style="list-style-type: none"> Motor may assist without rider pedaling Top assisted speed of 20 MPH or less
Class 3 Electric Bicycle §664.001(3)	Bicycle	No, but rider must be at least 15 on highway §551.107(c)	No	No	<ul style="list-style-type: none"> Motor assists only when rider is pedaling Top assisted speed between 20-28 MPH Must be equipped with speedometer §664.004
Motorized Mobility Device Electric Wheelchair §552A.0101	Pedestrian §552A.0101(b)	No	No	No	<ul style="list-style-type: none"> Not capable of speeds exceeding 8 MPH
Electric Personal Assistive Mobility Device Segway §551.201	Bicycle §551.202(d)	No	No	No	<ul style="list-style-type: none"> Required to operate on sidewalk, if available If no sidewalk, must be on a roadway with a speed limit of 30 MPH or less May be operated on a path set aside exclusively for bicycles §551.202
Motor Assisted Scooter §551.351(1)	Bicycle §551.352(d)	No	No	No	<ul style="list-style-type: none"> On highway with speed limit of 35 MPH or less City, county, or TXDOT may prohibit operations in the interest of safety
Pocket Bike or Minimotorbike §551.351(2)	Off Road Vehicle	No	No	No	<ul style="list-style-type: none"> Not authorized to operate on any highway, road, street, bicycle path, or sidewalk. Private property only. §551.353
Neighborhood Electric Vehicle §551.303	Passenger Car	Yes	Yes	Yes §502.040	<ul style="list-style-type: none"> May be operated on a highway with a max speed limit of 45 MPH May not exceed 35 MPH City, county, or TXDOT may prohibit in the interest of safety At speeds of ≤25 mph, a slow moving vehicle emblem is required §547.703(d) At speeds of ≤25 mph, a slow moving vehicle emblem is required §547.703(d) Master planned community with restrictive covenants and an approved plat; or Public or private beach; or Public highway with speed limit not more than 35 mph during the day and not more than two miles from parked location to and from a golf course. At speeds of ≤25 mph, a slow moving vehicle emblem is required §547.703(d) Master planned community with restrictive covenants and an approved plat; or Public or private beach; or Highway with speed limit not more than 35 mph during the daytime and not more than five miles from parked location to and from a golf course. At speeds of ≤25 mph, a slow moving vehicle emblem is required §547.703(d)
Neighborhood Electric Vehicle §551.304	Golf Cart	Yes	No §601.052(a)(2)	No §551.304(b)	<ul style="list-style-type: none"> At speeds of ≤25 mph, a slow moving vehicle emblem is required §547.703(d)
Golf Cart §551.403	Golf Cart	Yes	No §601.052(a)(2-a)	MPC ≤35 mph No §551.403(b) Not an MPC Yes §551.402(b)	<ul style="list-style-type: none"> At speeds of ≤25 mph, a slow moving vehicle emblem is required §547.703(d)
Golf Cart – Within a Municipality §551.404(a)	Passenger Car	Yes	Yes	Yes §551.402(b)	<ul style="list-style-type: none"> A municipality may allow operations on a highway within the city limits that has a posted speed limit of not more than 35 mph Golf cart must be equipped with headlamps, taillamps, reflectors, parking brake, and mirrors. §551.4041 At speeds of ≤25 mph, a slow moving vehicle emblem is required §547.703(d)
Golf Cart – Within Unincorporated Parts of Certain Counties §551.404(b)	Passenger Car	Yes	Yes	Yes §551.402(b)	<ul style="list-style-type: none"> Certain counties may allow operations on a highway within unincorporated areas of the county that has a posted speed limit of not more than 35 mph Golf cart must be equipped with headlamps, taillamps, reflectors, parking brake, and mirrors. §551.4041 At speeds of ≤25 mph, a slow moving vehicle emblem is required §547.703(d)

Updated 7/2021

What is an Off-Highway Vehicle?

551A.001 – Definitions

There are four vehicles to which the term “Off-Highway Vehicle” applies:

- (1) All-terrain vehicle**
- (2) Sand rail**
- (3) Recreational off-highway vehicle**
- (4) Utility Vehicle**

Each of these vehicles is treated the same in the TRC. They may all be operated in the same areas and in the same manner. They all fall under the umbrella term “Off-Highway Vehicle”.

All-Terrain Vehicle



"All-terrain vehicle" means a motor vehicle that is:

- (A) equipped with a seat or seats for the use of:
 - (i) the rider; and*
 - (ii) a passenger, if the motor vehicle is designed by the manufacturer to transport a passenger;**
- (B) designed to propel itself with three or more tires in contact with the ground;*
- (C) designed by the manufacturer for off-highway use;*
- (D) not designed by the manufacturer primarily for farming or lawn care; and*
- (E) not more than 50 inches wide.*

Sand Rail



"Sand rail" means a vehicle that:

- (A) is designed or built primarily for off-highway use in sandy terrains, including for use on sand dunes;*
- (B) has a tubular frame, an integrated roll cage, and an engine that is rear-mounted or placed midway between the front and rear axles of the vehicle; and*
- (C) has a gross vehicle weight, as defined by Section 541.401, of not less than 700 pounds or more than 2,000 pounds.*

Recreational Off-Highway Vehicle



"Recreational off-highway vehicle" means a motor vehicle that is:

- (A) equipped with a seat or seats for the use of:
 - (i) the rider; and*
 - (ii) a passenger or passengers, if the vehicle is designed by the manufacturer to transport a passenger or passengers;**
- (B) designed to propel itself with four or more tires in contact with the ground;*
- (C) designed by the manufacturer for off-highway use by the operator only; and*
- (D) not designed by the manufacturer primarily for farming or lawn care.*

Utility Vehicle



"Utility vehicle" means a motor vehicle that is not a golf cart, as defined by Section 551.401, or lawn mower and is:

- (A) equipped with side-by-side seating for the use of the operator and a passenger;*
- (B) designed to propel itself with at least four tires in contact with the ground;*
- (C) designed by the manufacturer for off-highway use only; and*
- (D) designed by the manufacturer primarily for utility work and not for recreational purposes.*

Operate OHV By Person <14 YOA Without Adult Supervision (MC)

551A.032 - Operation by Person Younger than 14 years of age

A person younger than 14 years of age who is operating an off-highway vehicle on public off-highway vehicle land must be accompanied by and be under the direct supervision of the person's parent or guardian or an adult who is authorized by the person's parent or guardian.

This section does not apply to private property.

Reference [551A.001\(4\)](#) - "Public off-highway vehicle land" means land on which off-highway recreation is authorized under [Chapter 29, Parks and Wildlife Code](#).

Operate OHV On Beach, When Prohibited (MC)

551A.033 - Operation on Beach

A person operating an off-highway vehicle on a beach must hold and have in the person's possession a driver's license. An operator of an off-highway vehicle may drive the vehicle on a beach that is open to motor vehicle traffic.

For Beach Operation:

- The off-highway vehicle must have a brake, muffler, and spark arrester ([551A.071](#))
- At nighttime and reduced visibility – must display a headlamp and taillamp ([551A.071](#))
- Helmet and eye protection must be used unless the vehicle is equipped with 4 wheels, bucket seats, seatbelts, and a roll bar ([551A.072](#))
- Seatbelt must be used if equipped ([551A.072](#))
- A slow moving vehicle emblem is required if operated at 25 MPH or less ([547.703](#))
- Insurance is not required ([601.052\(a\)\(2-b\)](#))

OHV Crossed Highway Improperly (MC)

OHV Crossed Interstate Or Limited Access Highway Where Prohibited (MC)

551A.034 – Crossing Highway at Point Other Than Intersection

Off-highway vehicles should never cross an Interstate or a controlled access highway.

Off-highway vehicles can cross a divided highway only at an intersection.

Off-highway vehicles can cross other highways not described above at a point other than an intersection, but they must do the following:

- (1) bring the vehicle to a complete stop before crossing the shoulder or main traveled way of the roadway;
- (2) yield the right-of-way to oncoming traffic that is an immediate hazard; and
- (3) make the crossing:
 - (A) at an angle of approximately 90 degrees to the roadway;
 - (B) at a place where no obstruction prevents a quick and safe crossing; and
 - (C) with the vehicle's headlights and taillights lighted.

Operate OHV When Prohibited (MC)

[551A.051 – Operation on the Highway](#)

A person may only operate an off-highway vehicle on a highway (i.e. public road) in a manner specifically authorized by Chapter 551A.

This does not apply to the operation of an off-highway vehicle that is owned and registered as authorized by Section [502.140\(c\)](#) by the state, a county, or a municipality.

The following sections detail the only circumstances a person may operate an off-highway vehicle on the highway (details below). Generally speaking, operation outside these parameters is illegal:

- 551A.033 – [on a public beach](#)
- 551A.053(a) – [In a municipality if approved by city ordinance](#)
- 551A.053(b) – [In unincorporated areas of a county if approved by county ordinance](#)
- 551A.055(1) – [in a master planned community](#)
- 551A.055(2) – [for golfing when within 2 miles of a golf course](#)
- 551A.057 – [For agricultural purposes or utility work](#)
- 551A.058 – [for law enforcement/fire/EMS purposes](#)

Details of Each Operational Authority Described Above

[551A.033 - Operation on Beach](#)

A person operating an off-highway vehicle on a beach must hold and have in the person's possession a driver's license. An operator of an off-highway vehicle may drive the vehicle on a beach that is open to motor vehicle traffic.

For Beach Operation:

- The off-highway vehicle must have a brake, muffler, and spark arrester ([551A.071](#))
- At nighttime and reduced visibility – must display a headlamp and taillamp ([551A.071](#))
- Helmet and eye protection must be used unless the vehicle is equipped with 4 wheels, bucket seats, seatbelts, and a roll bar ([551A.072](#))
- Seatbelt must be used if equipped ([551A.072](#))
- A slow moving vehicle emblem is required if operated at 25 MPH or less ([547.703](#))
- Insurance is not required ([601.052\(a\)\(2-b\)](#))

[551A.053 - Operation on Public Roadway Authorized by Municipalities or Counties](#)

The governing body of a municipality or certain counties (follow link above to see county parameters) may allow operation of an off-highway vehicle on all or part of a highway that is in the corporate boundaries of the municipality and has a posted speed limit of not more than 35 miles per hour.

For Operation in a Municipality or County:

- The city or county must specifically authorize the operation by ordinance
- The roadway must have a speed limit of 35 MPH or less
- The off-highway vehicle must have a brake, muffler, and spark arrester ([551A.071](#))
- At nighttime and reduced visibility – must display a headlamp and taillamp ([551A.071](#))

- Helmet and eye protection must be used unless vehicle is equipped with 4 wheels, bucket seats, seatbelts, and a roll bar ([551A.072](#))
- Seatbelt must be used if equipped ([551A.072](#))
- Driver license and insurance are required
- Off-Highway Vehicle license plate is required ([551A.052](#))
- A slow moving vehicle emblem is required if operated at 25 MPH or less ([547.703](#))

551A.055 - Operation Authorized in Certain Areas

Off-Highway vehicles may be operated as if they were golf carts in the following two circumstances:

(1) in a master planned community that has in place a uniform set of restrictive covenants and for which a county or municipality has approved a plat (“Master Planned Community” is not defined in the Transportation Code. For additional information, see [Texas Attorney General Opinion GA-0966.](#))

(2) for transportation to or from a golf course when on a public highway for which the posted speed limit is not more than 35 miles per hour, if the off-highway vehicle is operated during the daytime and not more than two miles from the location where the off-highway vehicle is usually parked.

For Off-Highway Vehicle Operation under this section (like a golf cart):

- The off-highway vehicle must have a brake, muffler, and spark arrester ([551A.071](#))
- At nighttime and reduced visibility – must display a headlamp and taillamp ([551A.071](#))
- Helmet and eye protection must be used unless vehicle is equipped with 4 wheels, bucket seats, seatbelts, and a roll bar ([551A.072](#))
- Seatbelt must be used if equipped ([551A.072](#))
- Driver license is required if operated on a public highway ([521.021](#))
- Off-Highway Vehicle license plate is required ([551A.052](#))
- Insurance is not required ([601.052\(a\)\(2-b\)](#))
- A slow moving vehicle emblem is required if operated at 25 MPH or less ([547.703](#))

551A.057 - Agricultural or Utility Operation on Highway

The operator of an unregistered off-highway vehicle may operate the vehicle on a highway that is not an interstate or limited-access highway if the transportation is in connection with agricultural products or utility work performed by a utility.

For Off-Highway Vehicle Operation under this section (Farming or Utility Work):

- Operation is not permitted on interstate or limited-access highway
- A triangular orange flag must be displayed at least 6 feet above the ground at the back of the vehicle
- The vehicle’s headlights and taillights must be illuminated
- The operation must take place during the daytime
- The distance may not exceed 25 miles from point of origin to destination
- An Off-Highway Vehicle license plate is not required
- Helmet, eye protection, safety certification, and seatbelts are not required
- Driver license and insurance are required
- A slow moving vehicle emblem is required if operated at 25 MPH or less ([547.703](#))

551A.058 - Law Enforcement Operation

A peace officer or other person who provides law enforcement, firefighting, ambulance, medical, or other emergency services, including a volunteer firefighter, may operate an unregistered off-highway vehicle on a highway if the transportation is in connection with the performance of the operator's official duty.

For Off-Highway Vehicle Operation under this section (Law Enforcement):

- Operation is not permitted on interstate or limited-access highway
- A triangular orange flag must be displayed at least 6 feet above the ground at the back of the vehicle
- The vehicle's headlights and taillights must be illuminated
- The distances may not exceed 10 miles from point of origin to destination
- An Off-Highway Vehicle license plate is not required
- The off-highway vehicle must have a brake, muffler, and spark arrester ([551A.071](#))
- Helmet and eye protection must be used unless vehicle is equipped with 4 wheels, bucket seats, seatbelts, and a roll bar ([551A.072](#))
- Seatbelt must be used if equipped ([551A.072](#))
- Driver license is required
- A slow moving vehicle emblem is required if operated at 25 MPH or less ([547.703](#))

Operate OHV On Highway Without License Plate (MC)

551A.052 - Registration; License Plates

Off-Highway Vehicles may not be registered by an individual like normal vehicles under Chapter 502 of the Transportation Code. They can, however, receive an off-highway vehicle license plate. This license plate is required to be displayed on the vehicle any time the vehicle is operated on public highways (except for when used for agricultural purposes or utility work under [551A.057](#)). The plate is non-expiring.



LIC 1J29 [REDACTED] EWT 0 GWT 0
OFF-HIGHWAY PLT STKR REG CLASS 00 \$ 0.00 COLORADO
CNTY TITLE 04520040404093227 ISSUED 08/30/2010
ODOMETER 1 REG DT 05/07/2020
2011,POL,,MV [REDACTED],OFFHWY,COLOR:
UNK,COMM IMPED: N PRICE \$ 0.

Can an Off-Highway Vehicle such as a Polaris Ranger be registered under normal vehicle registration or as a motorcycle?

No. Government entities may register off-highway vehicles with normal license plates and registration, but private individuals are not permitted to do so.

Vehicles such as Polaris Rangers meet the definition of a “recreational off-highway vehicle” and therefore they fall under the umbrella term “off-highway vehicles” as defined in [551A.001](#).

A vehicle such as the Polaris Ranger does not meet the definition of motorcycle or auto-cycle in the Texas Transportation Code because both of those vehicles are limited to not more than three wheels in contact with the ground.

TRC [551A.051](#) is clear that an off-highway vehicle may only be operated on a highway as provided by Chapter 551A. The definition of “highway” can be found in [541.302\(5\)](#) and refers to all publicly maintained ways open to the public for vehicular travel. This includes everything from city streets and county roads to Interstate highways. The only time an off-highway vehicle may be operated on a public road is under a specific provision of Chapter 551A:

- 551A.033 – [on a public beach](#)
- 551A.053(a) – [In a municipality if approved by city ordinance](#)
- 551A.053(b) – [In unincorporated areas of a county if approved by county ordinance](#)
- 551A.055(1) – [in a master planned community](#)
- 551A.055(2) – [for golfing when within 2 miles of a golf course](#)
- 551A.057 – [For agricultural purposes or utility work](#)
- 551A.058 – [for law enforcement/fire/EMS purposes](#)

In each situation above, Chapter 551A describes additional requirements such as safety apparel, certain vehicle equipment, maximum roadway speed limits, daylight requirements, license and insurance requirements, etc (follow links for details). Operation of an off-highway vehicle on a public roadway outside the above parameters is a violation of the Texas Transportation Code.

[551A.052](#) states that the Texas Department of Motor Vehicles may not register an off-highway vehicle for operation on a highway regardless of whether any design alterations have been made to the vehicle. This section goes on to authorize the issuance of [off-highway vehicle license plates](#) that are required to be displayed on off-highway vehicles when operated on the highway in most of the situations described above. It is important to note that this license plate is to identify the off-highway vehicle and does not constitute normal motor vehicle registration as described in 502.040. The off-highway vehicle license plate is not validated by a registration sticker and does not expire. This license plates clearly states “Off-Highway” on the plate itself.

At times, individuals have sought to change the title on their off-highway vehicle to a motorcycle or auto-cycle title so that the off-highway vehicle can be registered for unrestricted operation on the highway. Additionally, some individuals have registered their off-highway vehicle as a motorcycle in a different state and then attempted to transfer registration to Texas under the guise of reciprocity. As mentioned above, Polaris Rangers and other similar types of vehicles do not meet the definitions of “motorcycle” or “auto-cycle” in the Texas Transportation Code because both vehicles are limited to having not more than three wheels in contact with the ground. These vehicles are specifically defined as off-highway vehicles in the Transportation Code based on the manufacturer’s intent that they be off-highway vehicles. A change in vehicle title or registration in a different state does not change the original manufacturer’s intent for the vehicle. The manufacturer’s intent is clear because these vehicles come from the manufacturer with “off-highway” designations on the title.

In September of 2020, THP Sergeant Scott Hewitt received the below e-mail from a Trooper in Hood County, Texas:

Good afternoon I am stationed in Hood County. I ran into a situation that I yet to come across with an OHV operating on a public roadway. This OHV was a Polaris Ranger, when I approached the OHV it had a plate that would appear to be on a motorcycle and or autocycle. This is how the read back on mobile cad read.

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TXT

LIC [REDACTED] AUG/2021 OLD # [REDACTED] AUG/2020 EWT 0 GWT 0

MOTORCYCLE PLT, STKR REG CLASS 02 \$ 53.25 HOOD CNTY

TITLE 11100043709113811 ISSUED 09/11/2019 ODOMETER 1 REG DT 09/15/2020

2019,POLR,RGR,MV,[REDACTED],**MTRCYCLE**,COLOR: WHI/BLK,COMM IMPED: N PRIC

PREV TTL: JUR TX TTL # 11130343421100520 ISSUE 11/26/2018

PREV OWN [REDACTED]

OWNER [REDACTED]

LIEN [REDACTED]

PLATE AGE: 1 LAST ACTIVITY 09/16/2020 RENEW OFC: 111

REMARKS ACTUAL MILEAGE.DATE OF ASSIGNMENT:2019/09/03.PAPER TITLE.DUPLICATE R

The driver stated that the registration office told him that he could fill out a form and send his title to Austin and request that the Off-Highway portion be taken off the title. He followed the registration offices guidance and brought the title back to them and they issued this plate. My question is, is this correct?

Sgt. Hewitt contacted the Texas DMV regarding the off-highway vehicle registered as motorcycle rather than an off-highway vehicle. He received the following response from Clint Thompson, Chief of the Texas DMV Title Services:

Good afternoon.

The practice referenced below is not approved by the TxDMV. A Polaris Ranger meets the definition of an off-highway vehicle. As a result, it is required to be titled and ineligible for registration. The training being provided is consistent with the TxDMV's administration of Transportation Code, Section 502.140 and Chapter 551A. The original title issued to the vehicle properly indicated it was an off-highway vehicle. A subsequent title application was filed with the county tax office in conjunction with a Vehicle Inspection Report, indicating the vehicle passed inspection as a motorcycle. I assume that is the basis for the county incorrectly changing the title from an off-highway vehicle and issuing registration as a motorcycle.

We will notify the owner the title is revoked and the registration is invalid and will also follow up with the county that processed the transaction. We appreciate any assistance you can provide on the inspection side to prevent these type of vehicles from being inspected as a motorcycle.

Respectfully

Clint Thompson || Chief of Title Services
Texas Department of Motor Vehicles

The response from the Texas Department of Motor Vehicles is clear – a vehicle such as a Polaris Ranger is an off-highway vehicle and should not be registered for normal highway operation. Any change in the vehicle's title seeking to circumvent the off-highway designation is not sanctioned by the Texas DMV and county tax offices should not be registering these types of vehicles for normal highway operation.

The operator of an off-highway vehicle operating with a Texas motorcycle license plate or otherwise operating under regular vehicle registration should be charged with [Operate OHV When Prohibited](#) if they are found to be operating outside the parameters of TRC Chapter 551A.

Operate OHV For Agricultural Or Utility Operation When Prohibited (MC)

[551A.057 - Agricultural or Utility Operation on Highway](#)

The operator of an unregistered off-highway vehicle may operate the vehicle on a highway that is not an interstate or limited-access highway if the transportation is in connection with agricultural products or utility work performed by a utility, but the operation must comply with the below requirements:

For Off-Highway Vehicle Operation under this section (Farming or Utility Work):

- Operation is not permitted on interstate or limited-access highway
- A triangular orange flag must be displayed at least 6 feet above the ground at the back of the vehicle ([TDLR Administrative Code](#) gives further specifications for the orange flag, per [551A.059](#))
- The vehicle's headlights and taillights must be illuminated
- The operation must take place during the daytime
- The distance may not exceed 25 miles from point of origin to destination
- An Off-Highway Vehicle license plate is not required
- Helmet, eye protection, safety certification, and seatbelts are not required
- Driver license and insurance are required
- A slow moving vehicle emblem is required if operated at 25 MPH or less ([547.703](#))

Operate OHV Without Required Equipment (MC)

[551A.071 - Required Equipment; Display of Lights](#)

An off-highway vehicle that is operated on public off-highway vehicle land, a beach, or a highway must be equipped with a brake system, a muffler system, and a spark arrester.

An off-highway vehicle that is operated on public off-highway vehicle land, a beach, or a highway must display a lighted headlight and taillight during the period from one-half hour after sunset to one-half hour before sunrise and at any time when visibility is reduced because of insufficient light or atmospheric conditions.

Operate OHV Without Required Safety Apparel (MC)

[551A.072 - Safety Apparel Required](#)

A person operating an off-highway vehicle on public off-highway vehicle land, a beach, or a highway must wear a DOT approved safety helmet, eye protection, and must use seat belts if the vehicle is equipped with seat belts.

The helmet and seatbelt requirement above 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.

The operator of an off-highway vehicle used for agricultural or utility work under [551A.057](#) is not required to utilize the safety apparel described in this section.

Reckless OHV Operation (MC)

[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.

This section is specific to operation on public off-highway vehicle land ([551A.001](#)) or a beach. What about reckless off-highway vehicle operation on the highway? The operator can be charged with “Reckless Driving” just like any other vehicle.

Note: Just like the offense of reckless driving, an officer should be able to articulate what was careless or reckless about the off-highway vehicle operation when filing this charge.

Operate OHV With Passenger, When Not Equipped For Passengers (MC)

[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.

Off-Highway Vehicles §551A.001 (All Terrain Vehicles, Recreational Off-Highway Vehicles, Sand Rails, and Utility Vehicles)

		Operational Restrictions and Requirements			
Authority of Operation	DL §551.021 ^A §551A.002(a) [#] §551A.031(b) [#]	Insurance §601.051 ^A §601.052(b) [#] §601.007 ^C	Equipment §551A.071 ^A §551A.058 ^C §551A.057(c) [#] §547.703(d) [#]	Apparel §551A.072	Specifications of Operation
Private Property	No	No	<ul style="list-style-type: none"> None Brake, Muffler, and Spark Arresters^A Headlight and Taillight at Night or Reduced Visibility^A 	<ul style="list-style-type: none"> None Helmet, Eye Protection, and Seat Belts (if equipped); or Four Wheels, Roll Bar or Roll Cage, and Seat Belts 	<ul style="list-style-type: none"> Transportation code has limited applicability on private property. Must be operated in accordance with Chapter 29, Parks and Wildlife Code Operator must hold a safety certificate, be under the direct supervision of a certified off-highway vehicle safety instructor, or be under the direct supervision of an adult who holds a safety certificate per §551A.031(b) TPWD OHV Decal Required per PW §29.003
Public Off-Highway Vehicle Land §551A.031	No ^B	No ^B	<ul style="list-style-type: none"> Brake, Muffler, and Spark Arresters^A Headlight and Taillight at Night or Reduced Visibility^A At Speeds 525 mph, Slow Moving Vehicle Emblem^E 	<ul style="list-style-type: none"> Helmet, Eye Protection, and Seat Belts (if equipped); or Four Wheels, Roll Bar or Roll Cage, and Seat Belts 	<ul style="list-style-type: none"> Operation permitted on a beach open to motor vehicle traffic Operator must hold a safety certificate, be under the direct supervision of a certified off-highway vehicle safety instructor, or be under the direct supervision of an adult who holds a safety certificate per §551A.031(b)
Public Beach §551A.033	Yes ^C	No ^B	<ul style="list-style-type: none"> Brake, Muffler, and Spark Arresters^A Headlight and Taillight at Night or Reduced Visibility^A At Speeds 525 mph, Slow Moving Vehicle Emblem^E 	<ul style="list-style-type: none"> Helmet, Eye Protection, and Seat Belts (if equipped); or Four Wheels, Roll Bar or Roll Cage, and Seat Belts 	<ul style="list-style-type: none"> Master planned community with restrictive covenants and an approved plat; or On a highway with a speed limit of not more than 35 mph, during daytime, not more than 2 miles from where it is parked, for transportation to and from a golf course
Golfing or in a Master Planned Community §551A.055	Yes ^A	No ^B	<ul style="list-style-type: none"> Brake, Muffler, and Spark Arresters^A Headlight and Taillight at Night or Reduced Visibility^A OHV License Plate^B At Speeds 525 mph, Slow Moving Vehicle Emblem^E 	<ul style="list-style-type: none"> Helmet, Eye Protection, and Seat Belts (if equipped); or Four Wheels, Roll Bar or Roll Cage, and Seat Belts 	<ul style="list-style-type: none"> When approved for operation in a municipality, may operate on a highway with a speed limit of not more than 35 miles per hour only within that municipality
In a Municipality §551A.053(a)	Yes ^A	Yes ^A	<ul style="list-style-type: none"> Brake, Muffler, and Spark Arresters^A Headlight and Taillight at Night or Reduced Visibility^A OHV License Plate^B At Speeds 525 mph, Slow Moving Vehicle Emblem^E 	<ul style="list-style-type: none"> Helmet, Eye Protection, and Seat Belts (if equipped); or Four Wheels, Roll Bar or Roll Cage, and Seat Belts 	<ul style="list-style-type: none"> When approved by certain specific counties, may operate on a highway with a speed limit of not more than 35 mph only within unincorporated parts of that county
In Unincorporated Areas of Certain Counties §551A.053(b)	Yes ^A	Yes ^A	<ul style="list-style-type: none"> Brake, Muffler, and Spark Arresters^A Headlight and Taillight at Night or Reduced Visibility^A OHV License Plate^B At Speeds 525 mph, Slow Moving Vehicle Emblem^E 	<ul style="list-style-type: none"> Helmet, Eye Protection, and Seat Belts (if equipped); or Four Wheels, Roll Bar or Roll Cage, and Seat Belts 	<ul style="list-style-type: none"> Daytime operation only Not on Interstate or limited-access highway May not exceed 25 miles from point of origin
Farming or Utility Work §551A.057	Yes ^A	Yes ^A	<ul style="list-style-type: none"> Headlights and Taillights Turned On^D Orange Triangle Flag^D At Speeds 525 mph, Slow Moving Vehicle Emblem^E 	<ul style="list-style-type: none"> Exempt per §551A.057(c) 	<ul style="list-style-type: none"> Operated by peace officer, firefighter, ambulance, or EMS provider May not exceed 10 miles from origin to destination Used in connection with official duties
Law Enforcement §551A.058	Yes ^A	No ^C	<ul style="list-style-type: none"> Brake, Muffler, and Spark Arresters^A Headlights and Taillights Turned On^C Orange Triangle Flag^C At Speeds 525 mph, Slow Moving Vehicle Emblem^E 	<ul style="list-style-type: none"> Helmet, Eye Protection, and Seat Belts (if equipped); or Four Wheels, Roll Bar or Roll Cage, and Seat Belts 	<ul style="list-style-type: none"> Operated by peace officer, firefighter, ambulance, or EMS provider May not exceed 10 miles from origin to destination Used in connection with official duties