

**Ordinance amending Section 53-109 of the City Code which allows golf carts in certain areas by adding neighborhood electric vehicles and off-highway vehicles as an allowable mode of transportation within the city, specifically North Padre Island, Mustang Island, and North Beach; and providing for a penalty.**

WHEREAS, Chapters 551 and 551A of the Texas Transportation Code allow operation of golf carts, neighborhood electric vehicles, and unregistered off-highway vehicles under certain circumstances;

WHEREAS, Texas law allows municipalities to prohibit operation of such vehicles on public highways within the city limit if such prohibition is in the interest of safety; and

WHEREAS, it is in the interest of safety of the City's residents to limit the areas in which golf carts, neighborhood electric vehicles, and unregistered off-highway vehicles may operate on public highways within the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF CORPUS CHRISTI, TEXAS:**

**SECTION 1.** The City Council specifically finds that the foregoing statements included in the preamble of this ordinance are true and correct and adopts such findings for all intents and purposes.

**SECTION 2.** That Chapter 53 of the City Code of Ordinances, Article V, Division 1, Section 53-109, Operation of golf cart is amended by adding the underlined text and removing the struck through text, as follows:

Sec. 53-109. - Operation of golf cart, neighborhood electric vehicle, or off-highway vehicle.

(a) As authorized under V.T.C.A., Transportation Code §551.404(a), A person who holds a valid driver's license may operate a golf cart, neighborhood electric vehicle, or off-highway vehicle, as defined by Chapters 551 and 551A of the Texas Transportation Code, on a public highway with a posted speed limit of not more than thirty-five (35) miles per hour and 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 only if:

(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;

(2) On a public or private beach that is open to vehicular traffic;

(3) If the golf cart, neighborhood electric vehicle, or off-highway vehicle is operated:

(A) during the daytime; and

(B) not more than two miles from the location where the golf cart, neighborhood electric vehicle, or off-highway vehicle is usually parked and for transportation to or from a golf course;

~~(1)~~(4) If the person is employed by a political subdivision of the State of Texas, and is performing a duty for the political subdivision that requires the operation of a golf cart, neighborhood electric vehicle or off-highway vehicle owned by the political subdivision;

~~(2)~~(5) If the person is crossing a public highway at a marked or designated crossing that connects portions of the golf course separated by the public highway;

~~(3)~~(6) If the person is employed by a restaurant, hotel, or tourist related business, and is transporting guests in a golf cart, neighborhood electric vehicle, or off-highway vehicle owned by the restaurant, hotel, or tourist related business, to and from the parking lots to the business;

~~(4)~~(7) If the person is employed by a restaurant, hotel, or tourist related business, and is transporting supplies between two (2) facilities under common ownership in a golf cart, neighborhood electric vehicle, or off-highway vehicle owned by the restaurant, hotel, or tourist related business;

~~(5)~~(8) If the golf cart, neighborhood electric vehicle, or off-highway vehicle is operated on a highway within the City limits on Mustang Island east of S.H. 361 and north of Packery Channel;

~~(6)~~(9) If the golf cart, neighborhood electric vehicle, or off-highway vehicle is operated on portions of Mustang and Padre Island within the City limits that are south of Packery Channel; or

~~(7)~~(10) If the golf cart, neighborhood electric vehicle, or off-highway vehicle is operated on a highway within the city limits on North Beach east of U.S. 181 and north of the Harbor Bridge.

(b) A golf cart, neighborhood electric vehicle, or off-highway vehicle that is operated at a speed of not more than 25 miles per hour is required to display a slow-moving-vehicle emblem when it is operated on a public highway. The slow-moving-vehicle emblem must:

(1) have a reflective surface designed to be clearly visible in daylight or at night from the light of standard automobile headlamps at a distance of at least 500 feet;

(2) be mounted base down on the rear of the vehicle and at a height that does not impair the visibility of the emblem; and

(3) be maintained in a clean, reflective condition.

(c) A golf cart operated on a public highway must be equipped with headlamps, taillamps, reflectors, parking brake, and mirrors.

(d) The following equipment requirements apply to off-highway vehicles operated within the City limits:

(1) An off-highway vehicle that is operated on public off-highway vehicle land, a beach, or a highway must be equipped with:

(A) a brake system maintained in good operating condition;

(B) an adequate muffler system in good working condition; and

(C) a United States Forest Service qualified spark arrester.

(2) 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:

(A) during the period from one-half hour after sunset to one-half hour before sunrise; and

(B) at any time when visibility is reduced because of insufficient light or atmospheric conditions.

(e) The operator and any passengers of a golf cart, neighborhood electric vehicle, or off-highway vehicle must sit in a built-in seat and wear a safety belt if the vehicle is so equipped.

(f) Any person or entity that offers golf carts, neighborhood electric vehicles, or off-highway vehicles for rent within the City limits must display a copy of this section 53-109 within the location where the vehicles are picked up or rented and in every vehicle available for rent.

**SECTION 3.** Violation of any provision of Section 53-109 is an offense punishable in accordance with Section 1-6 of the City Code.

**SECTION 4.** That publication shall be made in the official publication of the City of Corpus Christi as required by the City Charter.

**SECTION 5.** This ordinance takes effect upon publication.

That the foregoing ordinance was read for the first time and passed to its second reading on this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by the following vote:

Joe McComb \_\_\_\_\_  
Roland Barrera \_\_\_\_\_  
Rudy Garza \_\_\_\_\_  
Paulette M. Guajardo \_\_\_\_\_  
Gil Hernandez \_\_\_\_\_

Michael Hunter \_\_\_\_\_  
Ben Molina \_\_\_\_\_  
Everett Roy \_\_\_\_\_  
Greg Smith \_\_\_\_\_

That the foregoing ordinance was read for the second time and passed finally on this the \_\_\_\_ day of \_\_\_\_\_ 20\_\_, by the following vote:

Joe McComb \_\_\_\_\_  
Roland Barrera \_\_\_\_\_  
Rudy Garza \_\_\_\_\_  
Paulette M. Guajardo \_\_\_\_\_  
Gil Hernandez \_\_\_\_\_

Michael Hunter \_\_\_\_\_  
Ben Molina \_\_\_\_\_  
Everett Roy \_\_\_\_\_  
Greg Smith \_\_\_\_\_

PASSED AND APPROVED on this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

ATTEST:

\_\_\_\_\_  
Rebecca Huerta  
City Secretary

\_\_\_\_\_  
Joe McComb  
Mayor