

**Cumby City Council  
Special Meeting Agenda  
June 15, 2020  
City Hall – 100 East Main Street, Cumby, Texas  
4:30 p.m.**

**Public Link:** <https://us02web.zoom.us/j/84748144097>

**Meeting ID:** 847 4814 4097

- I. Call to Order**
- II. Establish quorum**
- III. Invocation**
- IV. Pledge of Allegiance**

**V. Announcements**

*Announcements are provided on each agenda so that City Staff, Mayor, Council Members and members of the public may make announcements concerning matters of public recognition or upcoming events of local and regional significance; to advise the public of opportunities for service, recognition or recreation within our community; and to provide community charitable, civic, and philanthropic organizations the chance to broaden their appeal by the timely publication of details of their programs and activities. To utilize this opportunity, members of the public may contact the Mayor, City Secretary or City Council Members with details of their events or may appear at City Council Meetings and make their own announcements. "Announcements" shall be limited to the recitation of facts about the subject events, congratulatory or approbative statements concerning service to the City or the community, and invitations to participation at various events. No deliberations concerning the details of upcoming events shall be conducted*

**VI. Presentation by Citizens (Please Limit To 2 Minutes)**

*(At this time, we would like to listen to any member of the audience on any subject matter, whether that item is on the agenda. All comments are limited to a maximum of two (2) minutes for each speaker. Speakers making personal, unfounded, profane or slanderous remarks may be removed from the room. In accordance with the Open Meetings Act, the Mayor and Aldermen are restricted from discussing or acting on any items not listed on the agenda. Action can only be taken at a future meeting. When your name is called, please come to the front and state your name and address clearly before making your comments. Thank you for your cooperation).*

**VII. New Business**

- A. Discuss and consider possible action appointing a special Attorney, Brent Money for assisting CA Forensics, LLC with the Forensic Audit.**

- B. Discuss and Consider possible action on Registration and Title Bulletin # 004-20; Operation of Off-Highway Vehicles and Golf Carts and the Issuance of License Plates.

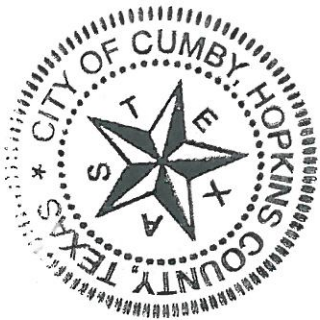
VIII. Adjournment

*If during the course of the meeting, any discussion of any item on the agenda should be held in closed session, the Council will convene in such executive or closed session in accordance with the following: 1) VTCA Government Code 551.071 - Consultations with legal counsel concerning pending or threatened litigation or matters where counsel's duty to the City conflicts with the Open Meetings Act; 2) VTCA Government Code 551.072 - Deliberations regarding the purchase, sale, lease or exchange of real property; 3) VTCA Government Code 551.073 - Deliberations regarding prospective gifts or donations; 4) VTCA Government Code 551.074 - Deliberations regarding personnel of the City; 5) VTCA Government Code 551.076 - Deliberations regarding the deployment of security devices or the implementation of security policy; and VTCA Government Code 551.087 – Deliberations regarding Economic Development negotiations.*

CERTIFICATION

I, Codi Reynolds, City Secretary for City of Cumby, hereby certify that the above notice of meeting and agenda was posted on the Public Notice Board at Cumby City Hall, 100 East Main Street, Cumby, Texas on June 11, 2020 at 4:30 p.m.

  
Codi Reynolds, City Secretary





February 27, 2020

**Registration and Title Bulletin # 004-20**  
**Policy and Procedure**

**TO:** All County Tax Assessor-Collectors

**SUBJECT: Operation of Off-Highway Vehicles and Golf Carts and the Issuance of License Plates**

**PURPOSE**

To provide guidance on the issuance of license plates to off-highway vehicles and golf carts due to House Bill (HB) 1548 enacted by the 86th Legislature.

**DETAILS**

HB 1548 made several changes related to off-highway vehicles and golf carts. An off-highway vehicle is now defined as an all-terrain vehicle (ATV), recreational off-highway vehicle (ROV), utility vehicle (UTV), and sand rail. HB 1548 authorized issuance of a new Off-Highway Vehicle license plate for ATVs, ROVs, UTVs and sand rails and these vehicles must display an Off-Highway Vehicle license plate to be operated on roads. Off-highway vehicles are required to be titled, but continue to not be eligible for registration.

HB 1548 also specified that golf carts must display a Golf Cart license plate to operate on roads. The Golf Cart license plate was redesigned as a result of HB 1548, and the new design replaces the current design. Golf carts continue to not be eligible for title or registration.

Information on permissible operation of off-highway vehicles and golf carts on roads can be found in the Registration Manual, Chapter 12. Customers with questions about the permitted operation of off-highway vehicles and golf carts on roads should be referred to local law enforcement.

The new Off-Highway Vehicle license plate was made available with the Registration and Title System (RTS) Release 9.5, which went live in December 2019. Detailed processing instructions were provided in the RTS 9.5 Release Notes. Administrative rule revisions enabling issuance of the new Off-Highway Vehicle license plate have been adopted and will be effective March 1, 2020.

An initial supply of Off-Highway Vehicle and redesigned Golf Cart license plates will be distributed to your offices the week of March 2, 2020. You will be able to receive the new Off-Highway Vehicle and Golf Cart license plates into inventory upon receipt.

**COUNTY ACTION**

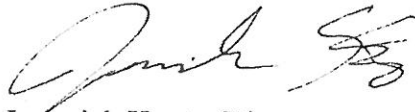
You may see an increase in customers in your office requesting an Off-Highway Vehicle or Golf Cart license plate. Once you receive your inventory you will be able to issue the appropriate license plates to owners of these vehicles that request a license plate. Off-Highway Vehicle and

Golf Cart license plates can be obtained by customers upon request and do not require the completion of an application.

**CONTACT**

If you have any questions, please contact your local Texas Department of Motor Vehicles Regional Service Center.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeremiah Kuntz", with a stylized flourish at the end.

Jeremiah Kuntz, Director  
Vehicle Titles and Registration Division

JK:TT:TM

## OFF-HIGHWAY, LOG LOADER, FORESTRY & MISCELLANEOUS

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This chapter contains the following sections:

- 12.1 Off-Highway Vehicles
- 12.2 Neighborhood Electric Vehicles (NEV)
- 12.3 Golf Cart
- 12.4 Package Delivery Vehicles
- 12.5 Pocket Bike or Minimotorbike
- 12.6 Motor Assisted Scooter and Minimotorbike
- 12.7 Log Loader Vehicle
- 12.8 Forestry Vehicles
- 12.9 Other Vehicles
- 12.10 Oil Well Servicing and Drilling Machinery
- 12.11 Registration of Vehicle
- 12.12 Vehicles Subject to Registration or Eligible for Distinguishing License Plates

### 12.1 Off-Highway Vehicles

Transportation Code, Sec. 502.140. Certain Off-Highway Vehicles.

- (a) *In this section, "off-highway vehicle" has the meaning assigned by Section 551A.001.*
- (b) *Except as provided by Subsection (c), the department may not register an off-highway vehicle, with or without design alterations, for operation on a public highway.*
- (c) *The department may register an off-highway vehicle that is owned by the state, county, or municipality for operation on a public beach or highway to maintain public safety and welfare.*
- (d) *Section 504.401 does not apply to an off-highway vehicle.*
- (e) *An off-highway vehicle that is registered under this section:*
  - (1) *is not subject to the requirements of Subchapter D, Chapter 551A; and*
  - (2) *is subject to the requirements of Subchapter E, Chapter 551A.*

Transportation Code, Sec.551A.052. Registration; License Plates.

- (a) *Except as provided by Section 502.140(c), the Texas Department of Motor Vehicles may not register an off-highway vehicle for operation on a highway regardless of whether any alteration has been made to the vehicle.*

- (b) *An operator may operate an unregistered off-highway vehicle on a highway in a manner authorized by this subchapter only if the vehicle displays a license plate issued under this section.*
- (c) *The Texas Department of Motor Vehicles:*
  - (1) *shall by rule establish a procedure to issue license plates for unregistered off-highway vehicles; and*
  - (2) *may charge a fee not to exceed \$10 for the cost of the license plate, to be deposited to the credit of the Texas Department of Motor Vehicles fund.*
- (d) *An off-highway vehicle license plate issued under Subsection (c) does not expire. A person who becomes the owner of an off-highway vehicle for which the previous owner obtained a license plate may not use the previous owner's license plate.*

Transportation Code, Sec. 551A.053. Operation on Highway Authorized by Municipality or Certain Counties.

- (a) *In addition to the operation authorized by Section 551A.055, the governing body of a municipality may allow an operator to operate an unregistered off-highway vehicle on all or part of a highway that:*
  - (1) *is in the corporate boundaries of the municipality; and*
  - (2) *has a posted speed limit of not more than 35 miles per hour.*
- (b) *In addition to the operation authorized by Section 551A.055, the commissioners court of a county described by Subsection (c) may allow an operator to operate an unregistered off-highway vehicle on all or part of a highway that:*
  - (1) *is located in the unincorporated area of the county; and*
  - (2) *has a posted speed limit of not more than 35 miles per hour.*
- (c) *Subsection (b) applies only to a county that:*
  - (1) *borders or contains a portion of the Red River;*
  - (2) *borders or contains a portion of the Guadalupe River and contains a part of a barrier island that borders the Gulf of Mexico; or*
  - (3) *is adjacent to a county described by Subdivision (2) and:*
    - (A) *has a population of less than 37,000; and*
    - (B) *contains a part of a barrier island or peninsula that borders the Gulf of Mexico.*

Transportation Code, Sec. 551A.054. Prohibition of Operation in Certain Areas by Municipality, County, or Department.

- (a) *A county or municipality may prohibit the operation of an unregistered off-highway vehicle on a highway under Section 551A.055 if the governing body of the county or municipality determines that the prohibition is necessary in the interest of safety.*

- (b) *The Texas Department of Transportation may prohibit the operation of an unregistered off-highway vehicle on a highway under Section 551A.055 if that department determines that the prohibition is necessary in the interest of safety.*

Transportation Code, 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.*

Transportation Code, 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.*

Transportation Code, Sec. 551A.001. Definitions.

*In this chapter:*

- (1) *“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.*
- (1-b) *“Off-highway vehicle” means:*
- (A) *an all-terrain vehicle or recreation off-highway vehicle, as those terms are defined by Section 502.001;*
  - (B) *a sand rail; or*
  - (C) *a utility vehicle.*
- (3) *“Sand rail” means a vehicle, as defined by Section 502.001, 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:*
- (i) *not less than 700 pounds; and*
  - (ii) *not more than 2,000 pounds.*
- (4) *"Public off-highway vehicle land" means land on which off-highway recreation is authorized under Chapter 29, Parks and Wildlife Code.*
- (5) *"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.*
- (6) *"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.*

Off-highway vehicles include all-terrain vehicles (ATVs), recreational off-highway vehicles (ROVs), utility vehicles (UTVs), and sand rails.

All off-highway vehicles are required to be titled but are not registered. For titling requirements, see the Title Manual.

### **All Terrain Vehicles (ATV)**

A vehicle is classified as an ATV if it:

- has a seat or seats for the rider and one passenger,
- has three or more tires,
- is designed for off-highway use,



- it must have headlights and taillights that are illuminated, and
- depending on the operator, operation does not exceed the specified distance from point of origin to the destination.

To be operated on public off-highway vehicle land, an off-highway vehicle must have:

- a brake system,
- a muffler system,
- a U.S. Forest Service qualified spark arrester,
- head and tail light, and
- an Off-Highway Vehicle decal issued by the Texas Parks and Wildlife Department.

Transportation Code, Section 551.005 allows off-highway vehicles that have been issued an Off-Highway Vehicle license plate to be operated:

- in a master planned community with a uniform set of restrictive covenants and a county or municipality-approved plat; or
- on a highway with a posted speed limit not more than 35 mph if operated during the daytime and the vehicle is driven not more than two miles from the location where it is usually parked for transportation to and from a golf course.

Transportation Code, Section 551A.053 allows a city or certain county to authorize operation of off-highway vehicles on certain highways within the city or county's boundaries. A city may authorize operation when the highway is within the boundaries of the city and the posted speed limits is 35 mph or less. Certain counties may authorize operation on the county highway that is located in an unincorporated area of the county and the posted speed limit is 35 mph or less. The counties that may authorize operation must:

- border or contain a portion of the Red River;
- border or contain a portion of the Guadalupe River and contain a part of a barrier island that borders the Gulf of Mexico; or
- be adjacent to a county that borders or contains a portion of the Guadalupe River and contain a part of a barrier island or peninsula that borders the Gulf of Mexico with a population less than 37,000.

Off-highway vehicles driven on highways where operation is authorized must display an Off-Highway Vehicle license plate. Off-highway vehicles also must display a slow-moving vehicle emblem if operated on roads at a speed of 25 mph or less.

## Off-Highway Vehicle Decal

The Texas Parks and Wildlife Department (TPWD) issues the Off-Highway Vehicle decals that allow off-highway vehicles to operate in state owned parks and recreation areas. TPWD should be contacted for information concerning the issuance of these decals.

## Safety Certificate for Operation on Public Property

In addition to the decal requirements for the off-highway vehicle, the operator of an off-highway vehicle on public off-highway vehicle land must hold a safety certificate issued by this state or by another state. The operator must carry the certificate when operating the vehicle on public off-highway vehicle land and display the certificate at the request of any law enforcement officer.

Transportation Code, Section. 502.140, states that a person may not register an off-highway vehicle, with or without design modifications, for operation on a public highway.

## 12.2 Neighborhood Electric Vehicles (NEV)

Transportation Code, Sec. 551.301. Definitions.

*In this subchapter: "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).*

Transportation Code, Sec. 551.303. Operation<sup>30</sup> on Roadways.

- (a) *A neighborhood electric vehicle may be operated only on a street or highway for which the posted speed limit is 45 miles per hour or less. A neighborhood electric vehicle may cross a road or street at an intersection where the road or street has a posted speed limit of more than 45 miles per hour. A neighborhood electric vehicle may not be operated on a street or highway at a speed that exceeds the lesser of:*
  - (1) *the posted speed limit; or*
  - (2) *35 miles per hour.*
- (b) *A county or municipality may prohibit the operation of a neighborhood electric vehicle on a street or highway if the governing body of the county or municipality determines that the prohibition is necessary in the interest of safety.*
- (c) *The Texas Department of Transportation may prohibit the operation of a neighborhood electric vehicle on a highway if that department determines that the prohibition is necessary in the interest of safety.*

Transportation Code, Sec. 551.304. Limited Operation.

- (a) *An operator may operate a neighborhood electric 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;*
  - (2) *on a public or private beach; or*
  - (3) *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:*
    - (A) *during the daytime; and*

- may cross a road or street at an intersection where the road or street has a posted speed limit of more than 45 miles per hour, and
- may not be operated on a street or highway if:
  - the governing body of a county or city determines that prohibiting such operation is necessary in the interest of safety, or
  - The department determines that prohibiting such operation is necessary in the interest of safety.

A NEV operated in accordance with 551.304:

- may be operated 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;
- may be operated on a public or private beach; and
- may be operated on a public highway for which the posted speed limit is not more than 35 miles per hour, if operated:
  - during the daytime, and
  - not more than two miles from the location where the NEV is usually parked and for transportation to or from a golf course.

A person is not required to register a neighborhood electric vehicle operated in compliance with this section, 551.304.

## 12.3 Golf Cart

Transportation Code, Sec. 551.401. Definitions.

*In this subchapter, "golf cart" means a motor vehicle designed by the manufacturer primarily for use on a golf course.*

Transportation Code, Sec. 551.402. Registration Not Authorized; License Plates.

- (a) *The Texas Department of Motor Vehicles may not register a golf cart for operation on a highway regardless of whether any alteration has been made to the golf cart.*
- (b) *A person may operate a golf cart on a highway in a manner authorized by this subchapter only if the vehicle displays a license plate issued under this section.*
- (c) *The Texas Department of Motor Vehicles:*
  - (1) *shall by rule establish a procedure to issue license plates for golf carts; and*
  - (2) *may charge a fee not to exceed \$10 for the cost of the license plate, to be deposited to the credit of the Texas Department of Motor Vehicles fund.*
- (d) *A golf cart license plate does not expire. A person who becomes the owner of a golf cart for which the previous owner obtained a license plate may not use the previous owner's license plate.*

Transportation Code, Sec. 551.403. Operation Authorized in Certain Areas.

*An operator may operate a golf cart:*

- (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; 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 two miles from the location where the golf cart is usually parked and for transportation to or from a golf course.

Transportation Code, Sec. 551.4031. Prohibition of Operation on Highway by Municipality, County, or Department.

- (a) A county or municipality may prohibit the operation of a golf cart on a highway under Section 551.404 if the governing body of the county or municipality determines that the prohibition is necessary in the interest of safety.
- (b) The Texas Department of Transportation may prohibit the operation of a golf cart on a highway under Section 551.404 if the department determines that the prohibition is necessary in the interest of safety.

Transportation Code, Sec. 551.404. Operation on Highway Authorized by Municipality or Certain Counties.

- (a) In addition to the operation authorized by Section 551.403, the governing body of a municipality may allow an operator to operate a golf cart on all or part of a highway that:
  - (1) is in the corporate boundaries of the municipality; and
  - (2) has a posted speed limit of not more than 35 miles per hour.
- (b) In addition to the operation authorized by Section 551.403, the commissioners court of a county described by Subsection (c) may allow an operator to operate a golf cart on all or part of a highway that:
  - (1) is located in the unincorporated area of the county; and
  - (2) has a speed limit of not more than 35 miles per hour.
- (c) Subsection (b) applies only to a county that:
  - (1) borders or contains a portion of the Red River;
  - (2) borders or contains a portion of the Guadalupe River and contains a part of a barrier island that borders the Gulf of Mexico; or
  - (3) is adjacent to a county described by Subdivision (2) and:
    - (A) has a population of less than 37,000; and
    - (B) contains a part of a barrier island or peninsula that borders the Gulf of Mexico.

Transportation Code, Sec. 551.4041. Equipment.

*A golf cart operated under Section 551.404 must have the following equipment:*

- (1) *headlamps;*
- (2) *taillamps;*
- (3) *reflectors;*
- (4) *parking brake; and*
- (5) *mirrors.*

Transportation Code, Sec. 551.405. Crossing Intersections.

*A golf cart 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.*

Transportation Code, Section 551.403 allows golf carts that have been issued a Golf Cart License Plate to be operated:

- in a master planned community with a uniform set of restrictive covenants and a county or municipality-approved plat;
- on a public or private beach that is open to vehicular traffic; or
- on a road with a posted speed limit not more than 35 mph if operated during the daytime and the golf cart is driven not more than two miles from the location where it is usually parked for transportation to and from a golf course.

Transportation Code, Section 551.404 allows a city or certain county to authorize operation of golf carts on certain highways within the city's or county's boundaries. A city may authorize operation when the highway is within the boundaries of the city and the posted speed limit is 35 mph or less. Certain counties may authorize operation on county highways that are located in an unincorporated area of the county and the posted speed limit is 35 mph or less. The golf cart must be equipped with head lamps, tail lamps, reflectors, a parking brake, and mirrors. The counties that may authorize operation must:

- border or contain a portion of the Red River;
- border or contain a portion of the Guadalupe River and contain a part of a barrier island that borders the Gulf of Mexico; or
- be adjacent to a county that borders or contains a portion of the Guadalupe River and contain a part of a barrier island or peninsula that borders the Gulf of Mexico with a population less than 37,000.

Golf carts driven on highways where operation is authorized must display a Golf Cart License Plate. Golf Carts also must display a slow-moving vehicle emblem if operated on roads at a speed of 25 mph or less.

There will be a one-time fee of \$10, and there will be no expiration date or plate sticker for these plates once programming is completed. The Golf Cart License Plate is not proof of registration for operation on a public highway.

Customers who currently have Golf Cart License Plates will no longer receive a registration renewal notice and will not be required to pay the annual \$6 fee. Customers should be instructed to remove the plate sticker once it expires.

**Note: Issuance of Golf Cart License Plates is done through the RTS Title Application Event, by selecting Non-Titled.**

## 12.4 Package Delivery Vehicles

Transportation Code, Sec. 551.452. License Plates for Package Delivery Vehicles.

- (a) *The Texas Department of Motor Vehicles may issue distinguishing license plates for a vehicle operated by a motor carrier for the purpose of picking up and delivering mail, parcels, and packages if the vehicle:*
  - (1) *is a golf cart, a neighborhood electric vehicle, or an off-highway vehicle; and*
  - (2) *is equipped with headlamps, taillamps, reflectors, a parking brake, and mirrors, in addition to any other equipment required by law.*
- (b) *The Texas Department of Motor Vehicles by rule shall establish a procedure to issue the license plates to be used only for operation in accordance with this subchapter.*
- (c) *The license plates must include the words "Package Delivery."*
- (d) *The Texas Department of Motor Vehicles may charge a license plate fee not to exceed \$25 annually to be deposited to the credit of the Texas Department of Motor Vehicles fund.*

Transportation Code, Sec. 551.453. Limited Operation.

- (a) *A motor carrier may operate, for the purpose of picking up or delivering mail, parcels, or packages, a vehicle bearing license plates issued under Section 551.452 on a public highway that is not an interstate or a limited-access or controlled-access highway and that has a speed limit of not more than 35 miles per hour.*
- (b) *The Department of Motor Vehicles may not require the registration of a vehicle operated under Subsection (a) unless the registration is required by other law.*

Golf carts, NEVs, and off-highway vehicles (ATVs, ROVs, UTVs and sand rails) operated by a motor carrier for the purpose of picking up or delivering mail, parcels, and packages are eligible for Package Delivery License Plates.

The plate fee is \$25 annually, and NEVs pay registration fees in addition to the plate fee.

Operation of the vehicle is limited to a public roadway with a speed limit of 35 miles or less, unless crossing on or through a road or street.

For operation in a subdivision or condominium, the Package Delivery vehicle must comply with any applicable rules adopted by the property owner's association that manages the subdivision or condominium.

For operation on all or part of a public highway allowed by a municipality or county, the Package Delivery vehicle must operate in the corporate boundaries of the municipality or unincorporated areas of the county with a speed limit 35 miles or less.

Initial issuance of the license plates must be purchased through the county tax office. Renewal may take place at the county, online, or through a subcontractor.

## 12.5 Pocket Bike or Minimotorbike

Transportation Code, Sec. 551.353. Application of Subchapter to Pocket Bike or Minimotorbike.

- is not designed by the manufacturer for farm or lawn care, and
- is not more than 50 inches wide.

### **Recreational Off-Highway Vehicles (ROV)**

A vehicle is classified as an ROV if it:

- has a seat or seats for the rider and one or more passengers,
- has four or more tires,
- is designed for off-highway use, and
- is not designed by the manufacturer for farm or lawn care.

### **Utility Vehicle (UTV)**

A vehicle is classified as an UTV if it:

- has side by side seating for the operator and passenger,
- has four or more tires,
- is designed for off-highway use, and
- is designed by the manufacturer for utility work and not recreational purposes.

### **Sand Rail**

A vehicle is classified as a sand rail if it:

- is designed or built for off-highway use in sandy terrains,
- has a tubular frame,
- has an integrated roll cage,
- has an engine that is rear-mounted or placed midway between the front and rear axles, and
- has a gross vehicle weight between 700-2,000 pounds.

## **Operation of Off-Highway Vehicles**

Off-highway vehicles may be operated on public roads without the issuance of an Off-Highway Vehicle license plate if the vehicle is:

- owned by a state, county or municipality and operated on a public beach or highway to maintain public safety and welfare;
- operated by a farmer or a rancher and operation is during the daytime and does not exceed a distance of 25 miles from point of origin to the destination, and use of the vehicle is in connection with the production, cultivation, harvesting, etc. of agricultural products;
- operated by a public utility worker for utility work and operation is during the daytime and does not exceed a distance of 25 miles from point of origin to the destination; or
- operated by a law enforcement officer, or other person who provides law enforcement, firefighting (includes volunteer), ambulance, medical, or other emergency services, and does not exceed a distance of 10 miles from point of origin to the destination.

If the vehicle qualifies as indicated above and is operated on public roads:

- it must display a triangular orange flag (slow moving emblem) mounted to the back of the vehicle that is at least six feet above ground level,