Legislation Text

File #: 21-150, **Version:** 1

Presenter
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SUBJECT:
Presentation and possible direction to staff to amend the existing golf cart and neighborhood electric vehicles ordinance to include off-highway vehicles.

BACKGROUND / RATIONALE:
City Council District: All

Staff received requests from residents to amend the existing private use golf cart and neighborhood electric vehicles ordinance to include off-highway vehicles. The existing ordinance generally prohibits the operation of off-highway vehicles on a public street in Sec. 126-481, unless allowed by state law. In 2015, when the existing ordinance was adopted by the City of New Braunfels, off-highway vehicles were not allowed to drive on roads or highways per the state Transportation Code. In 2019, the Transportation Code was amended by the Texas legislature to expand the ability of off-highway vehicles to drive on roads or highways, but the statute allows for a city to prohibit their operation on public roads or highways if they find it is in the interest of public safety. Additionally, the Texas Transportation Code was amended in 2019 to update the definition of an off-highway vehicle to provide clarification of different terms that were used to describe these types of vehicles.

ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:
N/A

FISCAL IMPACT:
N/A

COMMITTEE RECOMMENDATION:
This request was presented to the Transportation and Traffic Advisory Board at their meeting on November 19, 2020. The board voted 4-2 to not amend the existing ordinance to include off-highway vehicles, citing speed, safety, and the inability to police the new types of vehicles as their justification for this recommendation. Two members in opposition expressed support for adding utility vehicles and recreational off-highway vehicles and prohibiting all-terrain vehicles.

STAFF RECOMMENDATION:
N/A