



Texas Highway Patrol Off-Highway Vehicle Guidance for Law Enforcement

PURPOSE AND SUMMARY

This guidance is intended to assist Texas law enforcement officers in evaluating the legality of off-highway vehicle (OHV) operation on public highways in the state of Texas.

Off-Highway Vehicle operation on public highways can be evaluated using the following three questions:

- 1) Does the vehicle in question meet the [definition](#) of an “off-highway vehicle” in the Texas Transportation Code?
- 2) Is the OHV being operated in [one of the circumstances described in TRC Chapter 551A](#)? If not, the OHV operation is illegal and the driver can be cited for **Operate OHV When Prohibited**.
- 3) Is the OHV [equipped properly](#) and is the operator utilizing the [required safety equipment](#)?

Utilize the links below to evaluate the legality of OHV operation in specific circumstances.

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For additional questions, please contact the Texas DPS State Crash Reconstruction Team – StateCrashTeam@dps.texas.gov.

This document is not law enforcement sensitive.

What is an Off-Highway Vehicle?

To be regulated as an OHV, the vehicle must meet the definition found in [TRC 551A.001\(1-d\)](#).

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

- (1) All-terrain vehicles
- (2) Sand rails
- (3) Recreational off-highway vehicles
- (4) Utility Vehicles

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

Detailed definitions for each of the four types off off-highway vehicles can be located in [TRC 551A.001](#) (see definitions and examples below).

All-Terrain Vehicle - [551A.001\(1\)](#)

"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.*



Sand Rail - [551A.001\(3\)](#)



"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 - [551A.001\(5\)](#)

"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.*



Note: This is the OHV type that is most frequently operated on the highway in violation of state law. Many operators attempt to [register these vehicles in Texas](#) or in a [different state](#), however these processes do not grant authority to operate unrestricted on a public highway.

Utility Vehicle - [551A.001\(6\)](#)

"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.*



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Permitted Operation of OHVs on Public Highways in Texas

The Texas Transportation Code is clear – OHVs may only be operated on the highway in Texas in a manner that is specifically authorized in TRC Chapter 551A. **Any public highway operation outside these boundaries constitutes the offense of Operate OHV When Prohibited.**

The term “highway” is defined in [TRC 541.301\(5\)](#) – *the width between the boundary lines of a publicly maintained way any part of which is open to the public for vehicular travel*. The term “highway” includes all public roadways and the entire width of the right-of-way. Shoulders and the grassy ditch are included in the “highway”.

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

A person may only operate an off-highway vehicle on a highway in a manner specifically authorized by Chapter 551A.

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

The following sections detail the only circumstances a person may operate an off-highway vehicle on the highway (see details over the next few pages). 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](#)

Additionally, an [OHV may cross certain other highways in a specified manner](#).

Out-of-State OHV registration does not constitute authorization to operate on the highway outside these boundaries. For more information on out of state OHVs, see [OHVs Registered in a Different State](#).

OHV OPERATION ON THE BEACH

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\(a\)\(2-b\)](#))
- The operator must hold an OHV safety certificate ([551A.031](#))

Note: Additional equipment or operational requirements for beach operation of OHVs could be imposed by a local authority by ordinance.

Enforcement Actions on the Beach

Circumstance	Violation
OHV operator does not have a driver's license	No Driver License When Unlicensed
OHV operator does not hold safety certificate	Operate OHV Without Safety Certificate
OHV is not using required vehicle equipment	Operate OHV Without Required Equipment
OHV operator is not using required safety belt or other safety equipment	Operate OHV Without Required Safety Apparel
OHV is not equipped with required Slow-Moving vehicle emblem	No/Defective/Improper Slow-Moving Vehicle Emblem

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OHV OPERATION BY CITY OR COUNTY ORDINANCE

551A.053 - Operation on Public Roadway Authorized by Municipalities or Counties

The governing body of a municipality or certain counties may allow operation of an OHV on 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](#))

Traveling on a roadway with a speed limit greater than 35 MPH constitutes a violation of **Operate OHV When Prohibited** even in a city or county that has authorized OHV operation by ordinance.

Only certain counties are permitted to authorized OHV operation by ordinance. [TRC 551A.053\(b\)](#) grants this authority 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.

The following counties meet these requirements and can authorize OHV operation by ordinance: Aransas, Bowie, Calhoun, Clay, Cooke, Fannin, Grayson, Hardeman, Lamar, Matagorda, Montague, Red River, Wichita, and Wilbarger.

Note: Additional equipment or operational requirements may be imposed by the city or county that authorizes OHV operation by ordinance. See the authorizing ordinance for details.

Enforcement Actions In a City or County that Has Approved OHV Operation by Ordinance	
Circumstance	Violation
OHV operated on roadway with a speed limit of more than 35 MPH	Operate OHV When Prohibited
OHV operator does not have a driver’s license	No Driver License When Unlicensed
OHV is not covered by insurance or other financial responsibility in state minimum amounts	Fail to Maintain Financial Responsibility
OHV is not displaying an OHV license plate	Operate OHV on Highway Without License Plate
OHV is not using required vehicle equipment	Operate OHV Without Required Equipment
OHV operator is not using required safety belt or other safety equipment	Operate OHV Without Required Safety Apparel
OHV is not equipped with required Slow-Moving vehicle emblem	No/Defective/Improper Slow-Moving Vehicle Emblem

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OHV OPERATION IN A MASTER PLANNED COMMUNITY OR FOR GOLFING PURPOSES

551A.055 - Operation Authorized in Certain Areas

A city or county ordinance is not required for OHV operation under this section. OHVs may be operated on public highways in Texas 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, however:

- Posted speed limit must be 35 MPH or less
- Operation must take place during daytime
- Operation must be not more than 2 miles from where the OHV is usually parked

For OHV operation under this section (master planned community or for golfing purposes):

- 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](#))

Enforcement Actions in a Master Planned Community

Note: These enforcement actions pertain only to a master planned community where the roadways are publicly maintained (city/county/state maintenance). Master Planned Communities with privately maintained roadways are not regulated by the Transportation Code (i.e. roadways are maintained by the property owners or property owner’s association).

Circumstance	Violation
OHV operator does not have a driver’s license	No Driver License When Unlicensed
OHV is not displaying an OHV license plate	Operate OHV on Highway Without License Plate
OHV is not using required vehicle equipment	Operate OHV Without Required Equipment
OHV operator is not using required safety belt or other safety equipment	Operate OHV Without Required Safety Apparel
OHV is not equipped with required Slow-Moving vehicle emblem	No/Defective/Improper Slow-Moving Vehicle Emblem

Enforcement Actions when OHV is Traveling on a Highway to/from a Golf Course for Golfing Purposes

Circumstance	Violation
OHV operator does not have a driver's license	No Driver License When Unlicensed
OHV is not displaying an OHV license plate	Operate OHV on Highway Without License Plate
OHV is traveling more than 2 miles to/from the golf course	Operate OHV When Prohibited
OHV is being operated at nighttime to/from the golf course	Operate OHV When Prohibited
OHV is being operated on roadway with a SL greater than 35 MPH	Operate OHV When Prohibited
OHV is not using required vehicle equipment	Operate OHV Without Required Equipment
OHV operator is not using required safety belt or other safety equipment	Operate OHV Without Required Safety Apparel
OHV is not equipped with required Slow-Moving vehicle emblem	No/Defective/Improper Slow-Moving Vehicle Emblem

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OHV OPERATION FOR AGRICULTURAL OR UTILITY WORK PURPOSES

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

The operator of an unregistered off-highway vehicle may operate the vehicle on a highway if the transportation is in connection with agricultural products or utility work performed by a utility.

For OHV Operation under this section (Agriculture 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](#))

Enforcement Actions when OHV is being Operated for Agricultural Purposes or Utility Work	
Circumstance	Violation
OHV operator does not have a driver’s license	No Driver License When Unlicensed
OHV is not covered by insurance or other financial responsibility in state minimum amounts	Fail to Maintain Financial Responsibility
OHV is not displaying required triangular orange flag or is operated without headlights/taillights illuminated	Operate OHV for Agricultural or Utility Operation When Prohibited
OHV is being operated on an interstate or limited access highway	Operate OHV for Agricultural or Utility Operation When Prohibited
OHV is being operated at nighttime	Operate OHV for Agricultural or Utility Operation When Prohibited
OHV is being operated at distances greater than 25 miles	Operate OHV for Agricultural or Utility Operation When Prohibited
OHV is not using required vehicle equipment	Operate OHV Without Required Equipment
OHV is not equipped with required Slow-Moving vehicle emblem	No/Defective/Improper Slow-Moving Vehicle Emblem

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OHV OPERATION FOR LAW ENFORCEMENT/FIREFIGHTING/EMERGENCY SERVICES

[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](#))

Enforcement Actions when OHV is being Operated for LE/Fire/EMS	
Circumstance	Violation
OHV operator does not have a driver's license	No Driver License When Unlicensed
OHV is not covered by insurance or other financial responsibility in state minimum amounts	Fail to Maintain Financial Responsibility
OHV is not displaying required triangular orange flag or is operated without headlights/taillights illuminated	Operate OHV When Prohibited
OHV is being operated on an interstate or limited access highway	Operate OHV When Prohibited
OHV is not using required vehicle equipment	Operate OHV Without Required Equipment
OHV is being operated at distances greater than 10 miles	Operate OHV When Prohibited
OHV operator is not using required safety belt or other safety equipment	Operate OHV Without Required Safety Apparel
OHV is not equipped with required Slow-Moving vehicle emblem	No/Defective/Improper Slow-Moving Vehicle Emblem

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CROSSING HIGHWAYS ON AN OFF-HIGHWAY VEHICLE

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 may cross a divided highway only at an intersection.

Off-highway vehicles may 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 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.

Enforcement Actions when OHV is Improperly Crossing Highways

Circumstance	Violation
OHV did not cross in the required manner	OHV Crossed Highway Improperly
OHV crossed an Interstate or Limited Access Highway	OHV Crossed Interstate or Limited Access Highway Where Prohibited

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OHV License Plates

[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.

OHVs 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. The plate is non-expiring and can be obtained at the local tax assessor-collector's office.



An OHV license plate does not constitute authorization to operate the vehicle on public highways. It is simply an identifying plate that is required when the OHV is being [legally operated on the highway under one of the specific circumstances described in the TRC Chapter 551A](#).

Exceptions: This plate is not required when an OHV is being operated for [agricultural purposes or utility work](#) under [551A.057](#) or for [Law Enforcement/Fire/EMS purposes](#) under [551A.058](#).

Law enforcement can run this license plate number through the RTS database to identify the name and address of the vehicle's owner.

Enforcement Actions when OHV License Plate is Not Displayed

Circumstance	Violation
An OHV is operating on a public highway without an OHV license plate displayed (see exceptions above)	Operate OHV on Highway Without License Plate

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OHVs Registered in a Different State

Unlike Texas, some states permit the registration of off-highway vehicles for normal on-road use. When OHV owners from these states bring their vehicle to Texas, they often attempt to operate on the highways in this state. Additionally, many Texas residents attempt to register their OHVs in a different state and claim inter-state reciprocity agreements allow them to then operate the vehicles on the highway in Texas.

Neither of these circumstances permit the operation of OHVs on public roadways in Texas.

Some websites advertise the ability to make any vehicle street legal in any state, including Texas. These websites charge a fee to facilitate registration of an OHV in South Dakota, Montana, or some other state that permits OHV registration. Some go so far as to set up an LLC in the state of registration so the OHV can be registered to an entity in that state.


Law enforcement officers frequently encounter Texas residents operating OHVs on public roadways with out-of-state license plates. The operators of these vehicles believe that the registration reciprocity between Texas and the state their OHV is registered requires that they be allowed to operate their vehicle on the highway in Texas without restriction. This is incorrect and these operators are committing the offense of **Operate OHV When Prohibited**.

Texas does generally extend registration reciprocity to vehicles registered in other states, however this reciprocity is described in the [TRC 502.145](#). An important component of this reciprocity is described in subsection (c), which states: *The privileges provided by this section may be allowed only if, under the laws of the appropriate state or country, similar privileges are granted to vehicles registered under the laws of this state and owned by residents of this state.* Texas does not grant similar privileges to OHVs registered in Texas.

Additionally, a law enforcement officer who issues a citation for **Operate OHV When Prohibited** to a person operating an OHV that is registered out of state is not alleging a vehicle registration violation. The charge is filed under [TRC 551A.051](#), which states that OHVs may only be operated on the highway in Texas in very specific circumstances. An OHV registered out of state still meets the definition of an OHV in Texas. These definitions are not dependent on how a vehicle is registered or where a vehicle is registered. The definitions for the various types of OHVs in [TRC 551A.001](#) are based on the manufacturer of the vehicle. These vehicles are intended for off-highway use by the manufacturer, as is evidenced by the “Off-Highway” designation on the original Manufacturer’s Certificate of Origin. Registration reciprocity has nothing to do with a violation of TRC Chapter 551A.

Select Your UTV Street Legal Service


Read about the differences below



Montana Registration with Montana LLC

GET STARTED

(Recommended. Cannot be financing)
\$1,295 and up based on your proof of ownership. No sales tax in Montana.



South Dakota Registration

GET STARTED

\$499 and up based on your proof of ownership. 4% sales tax will be due if you haven't already paid it. We will need proof of tax.

A website advertises “street legal” services by registering off-highway vehicles in Montana or South Dakota regardless of where the owner actually lives. Participating in this service does not make an OHV street legal in Texas.

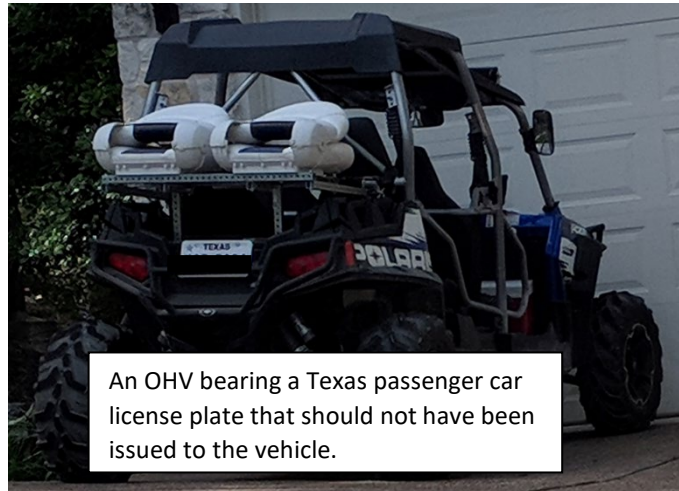
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OHVs Displaying Texas Motorcycle or Passenger Car Plates

Some OHV owners in Texas have obtained Texas motorcycle or passenger car license plates and registration for their vehicle. This process is not sanctioned by the Texas Department of Motor Vehicles.

These vehicles should not have been permitted to pass the required motor vehicle safety inspection and DMV should not have issued this type of registration to an OHV.

[TRC 502.140](#) clearly states that the Texas Department of Motor Vehicles may not register an off-highway vehicle, with or without design alterations, for operation on a public highway.



[Off-Highway Vehicle license plates](#) may be issued for these vehicles, however these plates are simply identifying license plates and do not constitute normal vehicle registration.

Over the past few years, numerous Department of Public Safety Troopers have encountered off-highway vehicles bearing Texas motorcycle or passenger car license plates and registration. In each circumstance, officers have contacted the Texas Department of Motor Vehicles regarding the registration and the DMV has promptly revoked the registration. Officials with the DMV have made it clear that such registration should never have been issued and the Department does not register OHVs to individuals for operation on public highways.

Off-Highway Vehicles are defined in [TRC 551A.001](#), and these definitions are not dependent on how a vehicle is altered or titled after it is purchased originally as an OHV. The definitions for the various types of OHVs in [TRC 551A.001](#) are based on the manufacturer of the vehicle. These vehicles are intended for off-highway use by the manufacturer, as is evidenced by the "Off-Highway" designation on the original Manufacturer's Certificate of Origin. Subsequent processes applied to the vehicle's title do not change the manufacturer's intent, therefore these vehicles are always considered OHVs and may not be registered.

The only Texas license plate an OHV should display is the clearly marked [Off-Highway Vehicle license plate](#) unless the vehicle is owned by the state, a county, or a municipality. Government entities are permitted to register OHVs for use on public highways to maintain public safety and welfare (reference [TRC 502.140\(c\)](#)).

When an officer encounters an OHV bearing a Texas motorcycle or passenger car license plate, the best course of action is to cite the operator for **Operate OHV When Prohibited** under [551A.051](#) if the vehicle is being operated [outside the parameters of TRC Chapter 551A](#). Officers may notify DMV of the illegitimate registration by contacting the Law Enforcement Assistance Team at (512) 465-1243.

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Driver's License and Insurance Requirements for OHVs

DRIVER'S LICENSE

A driver's license is required any time an OHV is operated on a public highway.

Texas [TRC 521.021](#) requires the operator of a motor vehicle to hold a driver's license when operating on a highway (publicly maintained road). There are no exceptions for OHV operators and each type of OHV is defined as a motor vehicle in TRC [551A.001](#). An unlicensed OHV operator can be cited for **No Driver's License**.

INSURANCE/FINANCIAL RESPONSIBILITY

The requirement to maintain financial responsibility (insurance) for an OHV operated on public highways depends on the type of operation taking place. In most circumstances, state minimum insurance coverage for motor vehicles is required ([TRC 601.051](#)).

There are four exceptions to the insurance requirement for OHVs ([TRC 501.052](#)):

- Insurance is not required for an OHV operated on a beach
- Insurance is not required for an OHV operated on public off-highway vehicle land (as defined in [551A.001\(4\)](#))
- Insurance is not required for an OHV operated in a master planned community as described by [551A.055](#)
- Insurance is not required for an OHV operated for transportation to/from a golf course in a manner described by [551A.055](#)

An OHV operated without insurance/financial responsibility outside of the four exceptions described above commits the violation of **Fail to Maintain Financial Responsibility**.

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Vehicle Equipment Requirements for OHVs

[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:**

- 1) a brake system
- 2) a muffler system; and
- 3) 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.

It is a violation to operate an OHV on public off-highway vehicle land, a beach, or a highway **if the vehicle has an exhaust system that has been modified with a cutout, bypass, or similar device** or the spark arrester has been removed or modified (unless the vehicle is being operated in a closed-course competition event).

An OHV operator found in violation of the equipment requirements described in this section commits the violation of **Operate OHV Without Required Equipment**.

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Safety Equipment Requirements for OHVs

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

A person operating or riding on an off-highway vehicle on public off-highway vehicle land, a beach, or a highway:

- Must wear a DOT approved safety helmet
- Must utilize eye protection
- Must use seat belts if the vehicle is equipped with seat belts.

The helmet and seatbelt requirements 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.

A person who violates this section commits the offense of **Operate OHV Without Required Safety Apparel**.

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OHV Passengers

[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.

The operator of an OHV transporting passengers on a vehicle that is not designed for passengers commits the violation of **Operate OHV With Passenger, When Not Equipped For Passengers**.

What about dirt bikes or other vehicles that do not meet the definition of an OHV?

Some off-road vehicles such as dirt bikes do not meet the definition of an “off-highway vehicle” in the Texas Transportation Code ([TRC 551A.001](#)).

Operation of these vehicles is regulated through the requirement to register motor vehicles operated on the highway in Texas ([TRC 502.040](#)). A person operating a dirt bike or other motor vehicle that DMV will not register for on-road operation in Texas commits the violation of **Operate Unregistered Motor Vehicle**.



Information regarding golf carts and neighborhood electric vehicles can be located in the [THP Field Enforcement Guide](#) (link will only work on DPS network computers).

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Operation of OHVs in Places Other than Public Highways

PRIVATE PROPERTY

OHV operation on private property is not regulated by the Texas Transportation Code.

PUBLIC OFF-HIGHWAY VEHICLE LAND

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](#).

[551A.031 - Operation on Public Land or Beach; Safety Certificate Required](#)

A person operating an OHV on public off-highway vehicle land or a beach must hold an OHV safety certificate or must be under the supervision of an adult who holds a safety certificate.

[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.

The Texas Parks and Wildlife Department also requires an OHV decal to operate on public off-highway vehicle land. For more information about this process, see the [Parks and Wildlife Decal Program](#).

Enforcement Actions

A person found to be in violation for the age or safety training requirements for operation on public off-highway vehicle land or the beach can be cited for **Operate OHV By Person <14 YOA Without Adult Supervision**, **Operate OHV on a Beach When Prohibited**, or **Operate OHV without Safety Certificate**.

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OHV Operation Quick Reference Chart

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 §521.021 ^A §551A.002(a) [#] §551A.033(b) ^C	Insurance §601.051 ^A §601.052(2-b) [#] §601.007 ^C	Equipment §551A.071 ^A §551A.058 ^C §547.703(a) ^F	Apparel §551A.072	Specifications of Operation
Private Property	No	No	<ul style="list-style-type: none"> None Brake, Muffler, and Spark Arrester^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 Arrester^A Headlight and Taillight at Night or Reduced Visibility^A At Speeds ≤25 mph, Slow Moving Vehicle Emblem^F 	<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 Arrester^A Headlight and Taillight at Night or Reduced Visibility^A At Speeds ≤25 mph, Slow Moving Vehicle Emblem^F 	<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 Arrester^A Headlight and Taillight at Night or Reduced Visibility^A OHV License Plate^B At Speeds ≤25 mph, Slow Moving Vehicle Emblem^F 	<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 Arrester^A Headlight and Taillight at Night or Reduced Visibility^A OHV License Plate^B At Speeds ≤25 mph, Slow Moving Vehicle Emblem^F 	<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 Unincorporated Areas of Certain Counties §551A.053(b)	Yes ^A	Yes ^A	<ul style="list-style-type: none"> Brake, Muffler, and Spark Arrester^A Headlight and Taillight at Night or Reduced Visibility^A OHV License Plate^B At Speeds ≤25 mph, Slow Moving Vehicle Emblem^F 	<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
Farming or Utility Work §551A.057	Yes ^A	Yes ^A	<ul style="list-style-type: none"> Headlights and Taillights Turned On^B Orange Triangle Flag^B At Speeds ≤25 mph, Slow Moving Vehicle Emblem^F 	<ul style="list-style-type: none"> Exempt per §551A.057(c) 	<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
Law Enforcement §551A.058	Yes ^A	No ^C	<ul style="list-style-type: none"> Brake, Muffler, and Spark Arrester^A Headlights and Taillights Turned On^C Orange Triangle Flag^C At Speeds ≤25 mph, Slow Moving Vehicle Emblem^F 	<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