

**AN ORDINANCE AMENDING VANDERBURGH COUNTY'S  
ORDINANCE CONCERNING OFF-ROAD VEHICLES AND GOLF CARTS AND  
AMENDING TITLES 10, CHAPTER 10.60, SECTIONS  
10.60.010 THROUGH 10.60.140 OF THE VANDERBURGH COUNTY CODE**

**WHEREAS**, pursuant to provisions of I.C. §9-21-1-3(a)(14), Vanderburgh County, with respect to roads and highways under the County's jurisdiction, and in accordance with IC 9-21-1-2 and within the reasonable exercise of police power, may regulate off-road vehicles and golf carts;

**WHEREAS**, pursuant to the provisions of I.C. §9-21-1-3.3(a), Vanderburgh County may adopt an ordinance with additional traffic regulations concerning the use of off-road vehicles and golf carts on streets and alleys under the jurisdiction of the County as long as the ordinance does not conflict with or duplicate state law;

**WHEREAS**, pursuant to the provisions of I.C. §9-21-1-3.3(b) and (c), all fines assessed for a violation of the off-road vehicle and golf cart ordinance shall be deposited into the general fund of the County and violations of the ordinance shall constitute a Class C infraction;

**WHEREAS**, the Board of Commissioners of Vanderburgh County, Indiana has determined that a need exists for the regulation of off-road vehicles and golf carts on the streets, alleys and highways under the jurisdiction of Vanderburgh County and that an ordinance should be adopted as authorized under Indiana law; and

**WHEREAS**, the Board of Commissioners of Vanderburgh County, Indiana wishes to amend Titles 10, Chapter 10.60, Sections 10.60.010 through 10.60.140 of the Vanderburgh County Code concerning Off-Road Vehicles and Golf Carts.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Commissioners of Vanderburgh County, Indiana, that Title 10, Chapter 10.60, shall be amended as follows:

**Off-Road Vehicles and Golf Carts**

- 10.60.010 Definitions
- 10.60.020 Use and operation on county roads and highways
- 10.60.030 Driver's License requirement
- 10.60.040 Headlights, taillights, and brakes
- 10.60.050 Statutory restrictions on use
- 10.60.060 Duties in event of accident
- 10.60.070 Liability insurance
- 10.60.080 Possession of registration and certificate of insurance
- 10.60.090 Time of Operation
- 10.60.100 Other laws and regulations
- 10.60.110 Disturbance of roadway
- 10.60.120 Occupants

- 10.60.130 Enforcement
- 10.60.140 Penalty

**Section 1. Amendment.** Title 10, Chapter 10.60, Section 10.60.010, shall be amended to read as follows:

**Definitions**

For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning:

- (a) "Golf Cart" is a vehicle with four wheels originally designed for operation on a golf course and powered by a battery or internal combustion motor.
- (b) "Driver's License" is a valid license to operate a motor vehicle issued by Indiana or any other state.
- (c) "Financial Responsibility" is liability insurance coverage on a golf cart or recreational off road vehicle in an amount not less than required by Indiana law for motor vehicles operated on public highways in the State of Indiana.
- (d) "Off Road Vehicle" shall be defined as set forth in I.C. 14-8-2-185.

**Section 2. Amendment.** Title 10, Chapter 10.60, Section 10.60.020 shall be amended to read as follows:

**Use and operation on county roads and highways**

- A) The operation of a golf cart or an off-road vehicle within Vanderburgh County is strictly prohibited unless the golf cart or off-road vehicle is operated and equipped in full compliance with this chapter.
- (B) Golf carts may be operated on county roadways outside incorporated areas which have a posted speed limit of thirty (30) miles per hour or less.
- (C) Off-road vehicles may be operated on county roadways outside incorporated areas, excluding the following prohibited roadways:

| ROUTE NAME                | FROM                   | TO                            |
|---------------------------|------------------------|-------------------------------|
| ALLEN LN.                 | St. Joseph Avenue      | CSX Railroad/City Limits      |
| BASELINE RD.              | Posey County Line      | Warrick County Line           |
| BAUMGART RD.              | SR 57                  | Browning Road                 |
| BOEHNE CAMP RD.           | SR 62                  | Upper Mt. Vernon Road         |
| BOONVILLE NEW HARMONY RD. | Posey County Line      | Darmstadt Town Limits         |
| BOONVILLE-NEW HARMONY RD. | Darmstadt Town Limits  | Warrick County Line           |
| BROADWAY AV.              | Posey County Line      | Speaker Road                  |
| BROWNING RD.              | Petersburg Road        | Old State Road                |
| BURKHARDT RD.             | Hirsch Road            | Olmstead Road                 |
| COAL MINE RD.             | Old SR 57              | Warrick County Line           |
| COVERT AV.                | Evansville City Limits | Interstate 69 Southbound Ramp |

|                      |                                   |                                  |
|----------------------|-----------------------------------|----------------------------------|
| DARMSTADT RD.        | Kratzville Road                   | Darmstadt Town Limits            |
| DARMSTADT RD.        | Darmstadt Town Limits             | Old Princeton Road               |
| DIXIE FLYER HIGHWAY  | Nurrenbern Road                   | Evansville City Limits           |
| EVERGREEN RD.        | Darmstadt Road                    | Old State Road                   |
| FUQUAY RD.           | Pollack Avenue                    | Covert Avenue                    |
| GREEN RIVER RD.      | Hirsch Road                       | Petersburg Road                  |
| HARMONY WAY          | Evansville City Limits            | New Harmony Road                 |
| HECKEL RD.           | Oak Hill Road                     | Green River Road                 |
| HILLSDALE RD.        | US 41                             | Browning Road                    |
| HOGUE RD.            | Upper Mt. Vernon Road             | Evansville City Limits           |
| KANSAS RD.           | Petersburg Road                   | Green River Road                 |
| KRATZVILLE RD.       | Wimberg Road                      | Darmstadt Road                   |
| KUEBLER RD.          | SR 65                             | Mohr Road                        |
| LYNCH RD.            | Oak Hill Road                     | Pigeon Creek                     |
| MARX RD.             | Posey County Line                 | New Harmony Road                 |
| MEIER RD.            | St. Joseph Avenue                 | Kuebler Road                     |
| MIDDLE MT VERNON RD. | SR 62                             | Jobes Lane                       |
| MILL RD.             | St. Joseph Avenue                 | Evansville City Limits at CSX RR |
| MILLERSBURG RD.      | Oak Hill Road                     | Green River Road                 |
| MOHR RD.             | St. Joseph Avenue                 | Darmstadt Road                   |
| MT. PLEASANT RD.     | Darmstadt Road                    | Baumgart Road                    |
| NEW HARMONY RD.      | Harmony Way                       | Marx Road                        |
| NURRENBERN RD.       | Broadway Avenue                   | Old Henderson Road               |
| OAK HILL RD.         | Lynch Road                        | William Brooks Drive             |
| OAK HILL RD.         | Evansville City Limits            | Kansas Road                      |
| OLD BOONVILLE HWY.   | Lynch Road                        | Warrick County Line              |
| OLD MT. VERNON RD.   | West Franklin Road                | Broadway Avenue                  |
| OLD PRINCETON RD.    | Darmstadt Road                    | Gibson County Line               |
| OLD SR 57            | SR 57                             | Coal Mine Road                   |
| OLD STATE RD.        | Campground Road                   | Darmstadt Town Limits            |
| OLD STATE RD.        | Darmstadt Town Limits             | Gibson County Line               |
| OLMSTEAD RD.         | Burkhardt Road                    | Warrick County Line              |
| OWENSVILLE RD.       | Baseline Road                     | Gibson County Line               |
| PEERLESS RD.         | SR 62                             | Upper Mt. Vernon Road            |
| PETERSBURG RD.       | SR 57                             | Green River Road                 |
| POLLACK AV.          | Evansville City Limits            | Warrick County Line              |
| RED BANK RD.         | Evansville City Limits            | New Harmony Road                 |
| RED BANK RD.         | Ogden Avenue                      | Nurrenbern Road                  |
| RESURRECTION DR.     | New Harmony Road                  | SR 66                            |
| ROSENBERGER AV.      | Evansville City Limits            | Hogue Road                       |
| ST GEORGE RD.        | Evansville City Limits at Indiana | Oak Hill Road                    |

|                        |                        |                        |
|------------------------|------------------------|------------------------|
|                        | Southern RR            |                        |
| ST JOSEPH AV.          | Evansville City Limits | Darmstadt Town Limits  |
| ST JOSEPH AV.          | Darmstadt Town Limits  | Baseline Road          |
| SCHUTTE RD.            | Broadway Avenue        | SR 66                  |
| SEVEN HILLS RD.        | Volkman Road           | Old SR 57              |
| SMITH DIAMOND RD.      | Posey County Line      | West Franklin Road     |
| STACER RD.             | Old Princeton Road     | US 41                  |
| TEKOPPEL AV.           | Old Henderson Road     | Evansville City Limits |
| UNIVERSITY PKWY.       | SR 62                  | SR 66                  |
| UPPER MOUNT VERNON RD. | Posey County Line      | Evansville City Limits |
| VOLKMAN RD.            | US 41                  | Old State Road         |
| WATERWORKS RD.         | US 41                  | Evansville City Limits |
| WEST FRANKLIN RD.      | Smith Diamond Road     | Old Mt. Vernon Road    |
| WIMBERG RD.            | St. Joseph Avenue      | Kratzville Road        |

(D) Golf carts and off-road vehicles shall not be operated on sidewalks, bicycle/walking paths, or upon any state or federal highways.

(E) A golf cart or off-road vehicle may cross a prohibited roadway, at a right angle, when the operation can be done safely.

**Section 3. Amendment.** Title 10, Chapter 10.60, Section 10.60.030 shall be amended to read as follows:

**Driver’s License requirement**

Only valid licensed drivers, eighteen (18) years of age or older, and issued a driver’s license from a State Bureau of Motor Vehicles may operate a golf cart or off-road vehicle on Vanderburgh County roadways.

**Section 4. Amendment.** Title 10, Chapter 10.60, Section 10.60.040 shall be amended to read as follows:

**Headlights, taillights, and brakes**

The off-road vehicle must meet those standards of headlights, taillights, and brakes required under I.C. 14-16-1-21.

**Section 5. Amendment.** Title 10, Chapter 10.60, Section 10.60.050 shall be amended to read as follows:

**Statutory restrictions on use**

Nothing in this chapter modifies, alters or changes the restrictions on operation established under I.C. 14-16-1-23.

**Section 6. Amendment.** Title 10, Chapter 10.60, Section 10.60.060 shall be amended to read as follows:

### **Duties in event of accident**

Nothing in this chapter modifies, alters or changes the duties under I.C. 14-16-1-24 placed on the operator of an off-road vehicle in the event of an accident.

**Section 7. Amendment.** Title 10, Chapter 10.60, Section 10.60.070 shall be amended to read as follows:

### **Liability insurance**

An operator operating a golf cart or off-road vehicle on a county roadway shall have liability insurance specifically for such golf cart or off-road vehicle.

**Section 8. Amendment.** Title 10, Chapter 10.60, Section 10.60.080 shall be amended to read as follows:

### **Possession of registration and certificate of insurance**

Any operator of a golf cart or off-road vehicle shall carry on his or her person any registration required under I.C. 14-16-1 and the certificate of insurance required under this chapter for the off-road vehicle being operated.

**Section 9. Amendment.** Title 10, Chapter 10.60, Section 10.60.090 shall be amended to read as follows:

### **Time of Operation**

Golf carts and off-road vehicles shall not be operated on county roadways between sunset to sunrise unless the golf cart or off-road vehicle is equipped with two (2) operating headlights (one on each side of the front of the golf cart or off-road vehicle) and two (2) operating fail light with brake lights (one on each side of the rear of the golf cart or off-road vehicle) which are visible from a distance of five hundred (500) feet.

**Section 10. Amendment.** Title 10, Chapter 10.60, Section 10.60.100 shall be amended to read as follows:

### **Other laws and regulations**

Nothing in this chapter modifies, alters or changes the requirements of the operation of vehicles on public roadways in Indiana, and all operators of golf carts and off-road vehicles must obey and follow all rules and regulations applicable to the operation of vehicles on roadways in Indiana.

**Section 11. Amendment.** Title 10, Chapter 10.60, Section 10.60.110 shall be amended to read as follows:

### **Disturbance of roadway**

No person shall operate a golf cart or off-road vehicle on county roadways in such a manner which causes damage to the roadway or highway or disturbs the surface of the roadway or highway. Any violator of this section, in addition to such penalties set forth

in § 10.60.140 below, shall be responsible for all costs of repair of such damage or disturbance.

**Section 12. Amendment.** Title 10, Chapter 10.60, Section 10.60.120 shall be amended to read as follows:

**Occupants**

The number of occupants in a golf cart or off-road vehicle shall be limited to the number of persons for whom factory seating is installed and provided on the golf cart or off-road vehicle. The operator and all occupants shall be seated in the golf cart or off-road vehicle and no part of the body of the operator or occupant shall extend outside the perimeter of the golf cart or off-road vehicle while the golf cart or off-road vehicle is being operated. No one under the age of eight (8) years is allowed to ride on the back seat of the golf cart or off-road vehicle unless accompanied by an adult.

**Section 13. Amendment.** Title 10, Chapter 10.60, Section 10.60.130 shall be amended to read as follows:

**Enforcement**

All law enforcement officers in the county shall have the power and it shall be their duty to enforce the provisions of this chapter unless otherwise prevented by state statutes regarding the enforcement of state laws.

**Section 14. Amendment.** Title 10, Chapter 10.60, Section 10.60.140 shall be amended to read as follows:

**Penalty**

(A) Any person who violates any provision of this chapter shall be deemed guilty of a violation and, upon conviction, shall be fined pursuant to the following schedule:

- (1) First offense in a calendar year: \$50.
- (2) Second offense in a calendar year: \$100.
- (3) Third offense in a calendar year: \$150.

(B) Each day that a violation occurs constitutes a separate offense.

(C) All such fines shall be paid into the Office of the Vanderburgh County Treasurer and shall be distributed by the Vanderburgh County Treasurer to the Vanderburgh County Auditor to be maintained as part of the County General Fund.

**Sections 15: Effective Date.**

This Ordinance shall be in full force and effect after its passage by the Board of Commissioners of Vanderburgh County, Indiana, and following publication as provided by I.C. §5-3-1.

First passed by the Board of Commissioners of Vanderburgh County this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Final passage by the Board of Commissioners of Vanderburgh County this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**THE BOARD OF COMMISSIONERS OF  
VANDERBURGH COUNTY INDIANA**

By: \_\_\_\_\_  
Jeff Hatfield, President

By: \_\_\_\_\_  
Ben Shoulders, Vice President

By: \_\_\_\_\_  
Cheryl Musgrave, Member

ATTEST:

By: \_\_\_\_\_  
Brian Gerth, Vanderburgh County Auditor

APPROVED AS TO LEGAL FORM:

By: \_\_\_\_\_  
David L. Jones, Vanderburgh County Attorney