

CO.08-25-013
AN ORDINANCE AMENDING VANDERBURGH COUNTY'S
ORDINANCE CONCERNING OFF-ROAD VEHICLES 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 I.C. 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;

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:

SECTION 1: Repeal and Replacement of Chapter 10.60, Off-Road Vehicles.

Chapter 10.60 is repealed and replaced in its entirety as follows:

10.60.010 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.
- (e) "Major Subdivision", "Public Street", and "Private Street" shall be defined as set forth in Vanderburgh County Code 16.04.010.
- (f) "Local Street" is a street whose primary function is to provide access to immediately adjacent lands within expressly residential areas.

10.60.020 Use and operation on county roads and highways.

(A) The operation of an off-road vehicle or golf cart 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) 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
BAUMGART RD.	SR 57	Browning Road
BOONVILLE-NEW HARMONY RD.	US 41	Petersburg Rd.
BROADWAY AV.	Schutte Road	Speaker Road

ROUTE NAME	FROM	TO
BROWNING RD.	Petersburg Road	Old State Road
BURKHARDT RD.	Hirsch Road	Olmstead Road
COVERT AV.	Evansville City Limits	Interstate 69 Southbound Ramp
DARMSTADT RD.	Kratzville Road	Darmstadt Town Limits
DIXIE FLYER HIGHWAY	Tekoppel Ave.	Evansville City Limits
EVERGREEN RD.	Darmstadt Road	Old State Road
FUQUAY RD.	Pollack Avenue	Covert Avenue
GREEN RIVER RD.	Hirsch Road	Petersburg Road
HECKEL RD.	Oak Hill Road	Green River Road
HILLSDALE RD.	US 41	Browning Road
HOGUE RD.	Bohne Camp Road	Evansville City Limits
KANSAS RD.	Petersburg Road	Green River Road
KRATZVILLE RD.	Wimberg Road	Darmstadt Road
LYNCH RD.	Oak Hill Road	Pigeon Creek
MILL RD.	Mesker Park Dr.	Evansville City Limits at CSX RR
MILLERSBURG RD.	Oak Hill Road	Green River Road
MT. PLEASANT RD.	Darmstadt Road	Baumgart Road
OAK HILL RD.	Lynch Road	William Brooks Drive
OAK HILL RD.	Evansville City Limits	Kansas Road

ROUTE NAME	FROM	TO
OLD STATE RD.	Campground Road	Darmstadt Town Limits
OLD STATE RD.	Darmstadt Town Limits	Baseline Road
PETERSBURG RD.	SR 57	Boonville-New Harmony Rd.
POLLACK AV.	Evansville City Limits	Lynn Road
RED BANK RD.	Evansville City Limits	Upper Mt. Vernon Rd.
RESURRECTION DR.	New Harmony Road	SR 66
ROSENBERGER AV.	Evansville City Limits	Hogue Road
ST GEORGE RD.	Evansville City Limits at Indiana Southern RR	Oak Hill Road
ST JOSEPH AV.	Evansville City Limits	Darmstadt Town Limits
UNIVERSITY PKWY.	SR 62	SR 66
UPPER MOUNT VERNON RD.	Posey County Line	Evansville City Limits
WATERWORKS RD.	US 41	Evansville City Limits
WIMBERG RD.	St. Joseph Avenue	Kratzville Road

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

(D) An off-road vehicle may cross a prohibited roadway, at a right angle, when the operation can be done safely.

(E) Golf carts shall not be operated on any public streets, unless the roadway is a local street within a major subdivision.

(F) The owner of an off-road vehicle or golf cart shall not allow or authorize its operation in violation of this chapter.

10.60.030 Driver's License requirement.

(A) 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 an off-road vehicle on a public street maintained by the County.

(B) Only valid licensed drivers, sixteen (16) years of age or older, and issued a driver's license from a State Bureau of Motor Vehicles may operate a golf cart on a public street maintained by the County.

10.60.040 Headlights, taillights, and brakes.

(A) The off-road vehicle or golf cart must meet those standards of headlights, taillights, and brakes specified under I.C. 14-16-1-21.

(B) The golf cart shall be equipped with a rear-view mirror.

10.60.050 Statutory restrictions on use.

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

10.60.060 Duties in event of accident.

(A) 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.

(B) The operator of an off-road vehicle or golf cart who is involved in an accident shall follow all the requirements specified by I.C. 9-26-1-1.1.

10.60.070 Liability insurance.

(A) The owner of an off-road vehicle shall maintain liability insurance specifically covering the operation of the off-road vehicle on a public street.

(B) The owner of a golf cart shall maintain liability insurance specifically covering the operation of the golf cart on a public street.

10.60.080 Possession of registration and certificate of insurance.

(A) Any operator of an 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.

(B) Any operator of a golf cart shall carry on his or her person a certificate of insurance required under this chapter for the golf cart being operated.

10.60.090 Time of Operation.

An off-road vehicle or golf cart shall not be operated on public streets between sunset to sunrise unless the off-road vehicle or golf cart is equipped with two (2) operating headlights (one on each side of the front) and two (2) operating taillights with brake lights (one on each side of the rear), all visible from a distance of five hundred (500) feet.

10.60.095 Unsafe Operation.

(A) Off-road vehicles and golf carts shall not be operated in a reckless, careless, or unsafe manner.

(B) Operators of off-road vehicles and golf carts must yield the right of way to pedestrians, bicyclists, and motor vehicles when they are approaching closely enough to constitute an immediate hazard.

10.60.096 Open Alcoholic Beverages.

(A) No person shall operate or be in physical control of an off-road vehicle or golf cart on any public street within Vanderburgh County while:

- (1) In possession of an open container of an alcoholic beverage; or
- (2) A passenger is in possession of an open container of an alcoholic beverage.

(B) For the purposes of this section, an "open container" means any bottle, can, or other receptacle that:

- (1) Contains any amount of alcoholic beverage; and
- (2) Is open, has a broken seal, or from which some of the contents have been removed.

(C) This section shall not apply to an off-road vehicle or golf cart being operated exclusively on private property not open to public travel.

(D) A violation of this section shall be subject to the penalty provisions in 10.60.150 of this chapter and may also subject the operator to additional enforcement under applicable state law.

10.60.100 Other laws and regulations.

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

(B) Nothing in this chapter shall be construed as to authorize a homeowners association or restrictive covenant to prohibit the use of golf carts on a public street within a major subdivision where such use is permitted under this ordinance and consistent with I.C. 9-21-1-3.3. Any provision in a private covenant or rule attempting to do so shall be deemed void and unenforceable as it pertains to public right-of-way under county jurisdiction. However, this provision shall not affect the authority of such associations to regulate a private street or common area not maintained by Vanderburgh County.

10.60.110 Disturbance of roadway.

No person shall operate an off-road vehicle or golf cart in such a manner which causes damage to county owned or maintained roadways or property. 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.

10.60.120 Occupants.

(A) The number of occupants in an off-road vehicle or golf cart shall be limited to the number of persons for whom factory seating is installed and provided on the off-road vehicle or golf cart.

(B) The operator and all occupants shall be seated in the off-road vehicle or golf cart, and no part of the body of the operator or occupant shall extend outside the perimeter of the off-road vehicle or golf cart while the off-road vehicle or golf cart is being operated, except when signaling a turn as allowed by law.

(C) No person under the age of fourteen (14) years may occupy an off-road vehicle or golf cart being operated on a public street unless accompanied by an adult.

10.60.130 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.

10.60.140 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: \$75.

(2) Second offense: \$150.

(3) Third or subsequent offense: \$750.

(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.

10.60.150 Impoundment.

An off-road vehicle or golf cart operated in violation of this chapter may be removed and impounded by law enforcement if its continued presence constitutes a traffic hazard, obstruction, or threat to public safety, or if the operator fails to provide proof of insurance or a valid driver's license. Impoundment shall be conducted in accordance with Vanderburgh County Code 10.50.


SECTION 2: Effective Date.

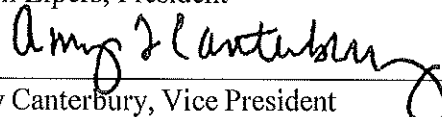
This Ordinance shall be in full force and effect after its passage by the Board of Commissioners of Vanderburgh County, Indiana, and following publication as provided by I.C. § 5-3-1.

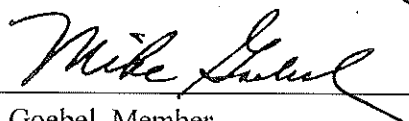
First passed by the Board of Commissioners of Vanderburgh County, Indiana this 8th day of July, 2025.

Final passage by the Board of Commissioners of Vanderburgh County, Indiana this 26th day of AUGUST, 2025.

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

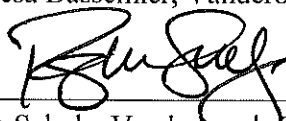

Justin Elpers, President


Amy Canterbury, Vice President


Mike Goebel, Member

ATTEST:


Theresa Bassemir, Vanderburgh County Auditor


Ryan Schulz, Vanderburgh County Attorney