

## LOOK UPSTREAM

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### Should Our Creeks Be ATV Playgrounds?

Reports continue from Cypress Creek watershed communities that All-Terrain Vehicles (ATV) — commonly called a “4-Wheeler” are entering the creek bed areas to operate and “churn sand” in violation of the law. While riding a “4-Wheeler” may be fun and exciting, it comes with both clear dangers and great responsibilities. ATV operation, regulated by the Texas Transportation Code and the Texas Parks and Wildlife Code, require the following:

- Application for a title before selling or disposing of the ATV.
- Registration — and annual renewal — to operate on those public lands where such operation is specifically allowed.
- No passengers are allowed at any time while driving on public lands, (unless the ATV is designed to carry a passenger).
- Use on public streets is prohibited, (with few exceptions).
- All operators under age 14 must be accompanied by a parent or guardian.
- All operators while on public lands must have a safety certificate or be with a parent who has obtained a safety certificate.
- Operation without a lighted taillight and headlight is not allowed from ½ hour after sunset to ½ hour before sunrise.

The number of places within Harris County where ATV's may legally be used are very limited. With the vast number of creeks and bayous within the county, many people appear to unknowingly consider them the perfect place to ride. This is unfortunate. With rare exception these environmentally sensitive areas are protected by laws prohibiting motorized vehicles. Among other disconcerting issues, erosion damage caused by riding in these areas cause banks to fall away and increase flooding in our communities.

ATV operators are allowed to operate on private property, but to do so requires permission be obtained from the owners of the property. Failure to obtain such permission may result in criminal charges of criminal trespass.

Serious accidents resulting in life-long injury and/or death are becoming a matter of record. The high center of gravity, balloon type tires and sensitive steering, cause ATV's to become very unstable when operated on hard surfaces or steep inclines. Please ensure that you, your family and friends read and carefully follow all safety warnings in the manufacture's owner's manual.

Riding ATV's can be fun and enjoyable for the entire family, provided the activity is conducted in a safe and legal manner. Places are available throughout the State of Texas for the riding of ATV's. Texas Parks and Wildlife have specific

areas designated for ATV operation and may be found at <http://www.tpwd.state.tx.us/spdest/ohv/ride.phtml>

Having easy access to a bayou, gulley, or ditch near your community may entice ATV owners to use the neighborhood streets to get there perhaps not knowing ATV's are not street legal. Arrest citations are greater as our neighborhood law enforcement folks work vigorously to curb such use with 1st-time warnings. The list of citations that are possible from just one stop should make it cost prohibitive to ride on the street.

Harris County Constables on patrol are now equipped with ATV's which have emergency equipment, so you may find yourself being pulled over on the side of the bayou by an ATV with red lights. The up side is if you get hurt, these same people will be there to help and are medically trained Emergency Care Attendants.

*Look Upstream* articles are written by the Cypress Creek Flood Control Coalition (CCFCC) as a public service. The information for this article was provided by Constable Ron Hickman. Visit website [www.ccfcc.org](http://www.ccfcc.org) for more information on needed flood protection, environmental preservation, flood insurance and membership. or e-mail to [floodalliance@ccfcc.org](mailto:floodalliance@ccfcc.org).

