

Date of Hearing: April 14, 2026

ASSEMBLY COMMITTEE ON WATER, PARKS, AND WILDLIFE

Diane Papan, Chair

AB 1613 (Wilson) – As Amended March 11, 2026

SUBJECT: Vehicles: off-highway motor vehicle safety

SUMMARY: Requires the Division of Off-Highway Motor Vehicle (OHV) Recreation (OHV Division) of the Department of Parks and Recreation (State Parks) to convene a stakeholder working group and develop and implement a mandatory certification course for OHV operators. Specifically, **this bill:**

- 1) Requires the OHV Division to convene a stakeholder group to develop an OHV safety and stewardship course on or before June 30, 2027 and to meet a minimum of three times over nine months.
 - a) Requires the stakeholder group to include individuals who have historically made positive contributions to the existing OHV program in California, including the Deputy Director of the OHV Division (or their designee), the Commissioner of the California Highway Patrol (or their designee), a representative from the OHV Division with peace officer authority, a representative from the Department of Motor Vehicles (DMV), and no more than two representatives from each of the following: OHV recreation organizations, hunting or angling community organizations, business interests (including manufacturers, rental operators, and motorsports retail dealers), national organizations with OHV conservation programs, environmental or conservation organizations that have historically engaged in OHV issues, federal agencies [including the U.S. Forest Service (USFS) and the Bureau of Land Management (BLM)], county representative organizations, and federally recognized tribal governments with lands where OHV recreation occurs.
 - b) Requires the Director of State Parks and the Deputy Director of the OHV Division to jointly make the final determination on the members in the stakeholder group.
 - c) Requires, on or before March 1, 2028, the stakeholder group to submit a consensus report to the deputy director of the OHV Division, including recommendations on what to include in the California OHV Safety and Stewardship Course (OHV Course) and a discussion on whether the course should be available in languages other than English.
- 2) Requires the OHV Division to develop and implement the OHV Course by January 1, 2029, based on the report submitted by the stakeholder group.
- 3) Establishes that the OHV Course must, at minimum, include information on the following: principles of safe operation of OHVs, adherence to existing laws, use of appropriate safety gear, trail etiquette and best practices, environmental protection and stewardship of public lands, conservation and protection of cultural and natural resources, respect for private property, driving and riding on roads and trails, and promotion of hands-on skills training.
 - a) Permits the OHV Division to contract with an outside vendor to develop the OHV Course through a formal competitive bidding process.

- b) Allows the OHV Division to offer the OHV Course online through no more than two outside vendors.
 - c) Requires the OHV Division to post links to approved providers on its website.
 - d) Allows the OHV Division to update the OHV Course curriculum as it deems necessary;
 - e) Permits the OHV Division to collect fees for the OHV Course to cover the costs of the California OHV Safety and Stewardship Program.
 - f) Requires the OHV Division to evaluate OHV safety and responsibility education programs from other states and consider whether to offer reciprocity to individuals who have completed programs in other states.
- 4) Requires the OHV Division to issue a California OHV Safety and Stewardship operator card (OHV operator card) to each person who successfully completes the OHV Course.
- a) Requires that the operator card shall be valid for five years, and the OHV Division shall establish procedures for the renewal of the card, including payment of a fee and completion of an updated course.
 - b) Establishes that the OHV operator card shall be electronic, except that a physical card shall be offered for an additional fee upon request.
- 5) Defines “operator” as an individual 16 years of age or older in control of an OHV, or an individual who rents an OHV, or a visitor to California who engages in OHV recreation.
- 6) Requires that, beginning January 1, 2029, an operator shall not operate an OHV on lands, other than a highway, that are open and accessible to the public (except private lands under the immediate control of the owner or their agent where permission to operate a motor vehicle is required) unless they have in their possession an OHV operator card or proof of completion of an approved reciprocal program, and provides that a violation is an infraction. Individuals operating agricultural, construction, logging, or over-snow vehicles shall be exempt from possessing an OHV operator card.
- 7) Requires an operator to present their OHV operator card or proof of completion to law enforcement personnel upon request, and provides that a violation is an infraction, except that a peace officer shall not stop an OHV for the sole purpose of checking for an OHV operator card.
- 8) Prohibits a child 15 years of age or younger from operating an OHV on or after January 1, 2029 except under the direct supervision of a parent or supervising adult who is in possession of an OHV operator card or proof of completion, and defines “supervision” as maintaining visual contact and a physical presence at a distance of no more than 300 feet that allows a supervising adult to safely give assistance and verbal advice, and provides that a violation is an infraction on the child’s parent or supervising adult.
- 9) Sets the penalty for an infraction:
- a) For a first violation, a fine not to exceed \$100, which may be waived by the court;

- b) For a second violation, a fine not to exceed \$250;
 - c) For a third or subsequent violation, a fine not to exceed \$500; and
 - d) For all violations, the court shall order the defendant to successfully complete the OHV Course.
- 10) Requires that the OHV Recreation Commission (Commission) include information about the efficacy of the California OHV Safety and Stewardship Program in its triennial reports to the Governor and Legislature that are submitted after January 1, 2030.
- 11) Provides that no reimbursement is required by this bill because the only costs that may be incurred by a local agency or school district will be incurred because this bill creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction.
- 12) Finds and declares that other states have successfully implemented OHV safety programs, that this bill is consistent with the mission of State Parks, and that this bill includes the protection of cultural and natural public resources.
- 13) States that it is the intent of the Legislature to ensure the education of OHV operators, promote responsible OHV operation, and to require the OHV Division to develop a stewardship course and issue operator cards to individuals who have completed the course.

EXISTING LAW:

- 1) Establishes the OHV Division within State Parks to manage the State Vehicular Recreation Areas (SVRAs), provide law enforcement, and prepare and coordinate safety and education programs, among other responsibilities [Public Resources Code (PRC) §§ 5090.30–5090.32].
- 2) Establishes the Commission within State Parks, composed of nine members, to review and oversee the OHV Recreation Program and to submit a triennial report to the Governor and Legislature on the status of the program and OHV recreation (PRC §5090.15 and § 5090.24).
- 3) Declares that effectively managed areas and adequate facilities for the use of OHVs, conservation, and enforcement are essential for ecologically balanced recreation, and states the intent of the Legislature that OHV recreation areas should be expanded and managed so as to maintain sustained long-term use (PRC § 5090.2).
- 4) Requires State Parks to protect the state park system from damage and preserve the peace therein and authorizes the director of State Parks to appoint any officer or employee as a peace officer (PRC § 5008).
- 5) Defines “OHV” as:
 - a) An OHV subject to DMV registration requirements as a motorcycle, motor-driven cycle, snowmobile or other over-snow vehicle, sand buggy, dune buggy, all-terrain vehicle (ATV), jeep, recreational OHV, or off-highway electric motorcycle;
 - b) A motor vehicle subject to on-highway registration requirements, when used on lands, other than a highway, that are open and accessible to the public (except private lands

under the immediate control of the owner or their agent where permission to operate a motor vehicle is required); or

- c) A motor vehicle owned or operated by a nonresident of this state, whether or not the vehicle is identified or registered, when operated on lands, other than a highway, that are open and accessible to the public (except private lands under the immediate control of the owner or their agent where permission to operate a motor vehicle is required) (Vehicle Code § 38006).
- 6) Requires operators of OHVs subject to registration to maintain and display evidence of registration (Vehicle Code § 38010 *et seq.*).
- 7) Provides rules of the road for OHV operation (Vehicle Code § 38280 *et seq.*).
- 8) Requires OHVs to be equipped with certain equipment (Vehicle Code § 38325 *et seq.*).
- 9) Establishes the OHV Safety Education Committee to develop safety training standards for ATVs (Vehicle Code §§ 38500–38500.1).
- 10) Prohibits any person under 18 years of age from operating an ATV unless that person has been issued a safety certificate or is under the direct supervision of an adult with a safety certificate (Vehicle Code § 38503).
- 11) Prohibits any person under 14 years of age from operating an ATV unless that person has both been issued a safety certificate and is under the direct supervision of an adult with a safety certificate (Vehicle Code § 38504).
- 12) Prohibits any person under 16 years of age from operating a recreational OHV unless that person is directly supervised in the vehicle by an adult (Vehicle Code § 38600).
- 13) Prohibits any person from operating a motor vessel in California unless in possession of a vessel operator card (Harbors and Navigation Code § 678.11).

FISCAL EFFECT: Unknown. This bill is keyed fiscal.

COMMENTS:

- 1) **Purpose of this bill.** According to the author, “According to the U.S. Consumer Product Safety Commission, California tragically leads the nation in reported deaths from 2019 to 2021 due to [OHV] related incidents, accounting for the highest percentage of fatalities nationwide. This alarming statistic underscores the urgent need for action to protect our families and communities. In recent years, the OHV community has united at events like the annual Safety Summit, passionately advocating for stronger safety measures in our parks. One critical step is requiring OHV operators to demonstrate their understanding of current rules and regulations through a convenient, self-guided online certification course. Neighboring states have already seen positive results by implementing similar off-highway safety programs. Now is the time for California to follow suit and set a new safety standard.”
- 2) **Background.** OHVs provide outdoor recreational opportunities for millions of Californians; much of the OHV recreation in California occurs on public lands operated by BLM, USFS, and State Parks. State Parks operates nine SVRAs and permits OHV recreation in select areas

of other state park system units. According to a 2024 study¹ by Fresno State and State Parks, there are an estimated nine million OHV users in California (including about one million over-snow users), with over 600,000 DMV-registered OHVs. The same State Parks report estimates an economic impact from OHV recreation of \$10 billion and 58,000 jobs statewide. However, OHV operation is dangerous and impactful to the environment; reckless and unlawful operation has become a concern in many OHV recreation areas.

Safety and environmental impacts of OHV recreation. A variety of state and federal safety laws and regulations for OHVs already exist, and are enforced on public lands by county sheriffs, USFS and BLM law enforcement, and State Parks peace officers. Unfortunately, law enforcement officers are kept busy—according to the 2025 report from the OHV Division to the Commission, State Parks peace officers alone made 44 arrests for driving under the influence, issued 278 OHV-related citations, and responded to 185 injuries and four fatalities at the SVRAs in 2024. The U.S. Consumer Product Safety Commission reports an average of 859 OHV-related deaths per year nationwide between 2019–2021², the most recent available data; California suffers more deaths than any other state.

Analyses of OHV recreation on BLM³ and USFS⁴ lands have found that even lawful OHV recreation has impacts on natural resources, including soils, vegetation, native species habitat, water quality, and air quality. When users do not comply with the rules of the road and “trail etiquette,” this damage can be exacerbated. To help restore environmental damage caused by OHV recreation, State Parks issues millions of dollars per year in restoration grants, including repeated grants made in response to severe damage from illegal OHV operation in Death Valley and Joshua Tree National Parks.

California law already requires safe OHV operation. The problem, according to information provided at the Commission’s 2025 OHV Safety Summit Workshop, is not that state (and federal) laws are inadequate, but that OHV operators are unaware of the laws and that law enforcement capacity is limited. Stakeholders made various recommendations for improving safety in SVRAs, including more effective messaging, enhanced education, more staffing and more present law enforcement, and a standardized trail difficulty rating system that is consistently displayed at trailheads. Additionally, at the accompanying Commission meeting, the Commission endorsed a proposal from the El Dorado County Sheriff’s Office to develop a California OHV Safety and Enforcement Task Force, designed to bring together law enforcement, land managers, and community stakeholders to protect public safety, preserve natural resources, and ensure equitable access to OHV recreation.

State safety certificates. Currently, California requires safety certificates for recreational boaters (see Existing Law #13) and young ATV operators (see Existing Law #10–11), in line

¹ Samuel Lankford, *et al.*, “A Study of the Demographics and Economic Impacts of OHV/OSV Users in the State of California,” (prepared for OHV Division by Fresno State Sustainable Parks and Recreation Community Initiative, 2024).

² Chao Zhang, “2024 Report of Deaths and Injuries Involving Off-Highway Vehicles with More than Two Wheels,” (U.S. Consumer Product Safety Commission, 2025).

³ Douglas Ouren, *et al.*, “Environmental Effects of Off-Highway Vehicles on Bureau of Land Management Lands: A Literature Synthesis, Annotated Bibliographies, Extensive Bibliographies, and Internet Resources,” (U.S. Geological Survey, 2007).

⁴ Dexter Meadows, *et al.*, “Effects of All-Terrain Vehicles on Forested Lands and Grasslands,” (U.S. Forest Service, 2008).

with most other states. However, other than young ATV operators, safety certificates are not required for OHV operators in California, although there are age restrictions on other types of OHVs, including “recreational OHVs” (see Existing Law #12). The lack of a safety certificate requirement for OHV operators is consistent with most other states, although a few states have begun adopting broader OHV safety certificate requirements in recent years, including Utah (2022) and Arizona (2024).

There is limited data about the effectiveness of certification and safety training programs, whether for OHVs or recreational boating, and where these data exist, they are mostly focused on young operators. One study of Iowa youth found that those who had taken an ATV safety certification course were more likely to wear a helmet and less likely to ride on public roads or with passengers, but that taking the course had no significant effect on crash frequency.⁵ Additionally, only 8% of survey respondents who had ridden an ATV reported taking a safety course, which is optional in Iowa. That rate is similar to the estimated adoption rate for the California Boater Card (about 10% of recreational boaters), which has been phasing in since 2018 and is required for all boaters as of January 1, 2025, demonstrating challenges with the implementation of safety training programs.

- 3) **Arguments in support.** The California Association of Recreation and Parks Districts writes: “California already has federal and state standards governing the safe operation of OHVs, but there is currently no requirement that operators know those standards or demonstrate knowledge through a certification. As a result, misuse, property damage, accidents, injuries, and fatalities have become a problem in public lands where OHV recreation occurs. . . . [This bill] responds to stakeholder concerns raised through community conversations and safety summits, which identified broad interest in expanding training and education for the OHV community.”
- 4) **Dual referral.** This bill was also referred to the Assembly Transportation Committee, where it passed by a vote of 11-4 on March 23, 2026.
- 5) **Related legislation.** AB 2595 (Papan) of the current legislative session creates a pilot program which authorizes a local authority in San Mateo County to prohibit a person under 12 years of age from operating certain classes of electric bicycle. AB 2595 is pending in the Assembly Transportation Committee.

SB 586 (Jones), Chapter 588, Statutes of 2025, defines off-highway electric motorcycles as OHVs.

SB 894 (Jones) of 2022, would have created a DMV vehicle registration program for competition-only OHVs and prescribed certain safety requirements. SB 894 was vetoed by the Governor, who wrote:

I recognize the economic benefits OHV competitions bring to rural communities, but I am concerned about the fiscal impact to implement the bill. It is anticipated that there will be fewer than 2,000 annual applications under this program. DMV’s implementation costs are anticipated to be significant, and the Off Highway Vehicle Trust Fund is

⁵ Charles Jennissen, *et al.*, “All-Terrain Vehicle Exposure and the Association of Certified Training on Adolescent Safety Behaviors and Crash Experiences,” *Injury Epidemiology* 9, no. 36 (2022).

required to reimburse the DMV for those up-front costs. Given the small number of vehicles and the fees set forth in the bill, it may take a decade or more for the OHV Trust Fund to recoup those costs - if at all.

SB 249 (Allen), Chapter 459, Statutes of 2017, requires the OHV Division to implement management and wildlife habitat protection plans for lands in SVRAs and requires the OHV Division to protect natural, cultural, and archaeological resources within SVRAs.

SB 941 (Monning), Chapter 433, Statutes of 2014 requires the Division of Boating and Waterways, by January 1, 2018, to develop vessel operator cards and issue a vessel operator card to a person who has passed a vessel operator examination.

AB 1595 (Cook), Chapter 165, Statutes of 2012, defines recreational OHVs and prescribed safety regulations for their use in California.

AB 2755 (Blakeslee), Chapter 195, Statutes of 2006, provides penalties for parents or guardians who allow underage children to operate ATVs without supervision and/or without a safety certificate.

AB 781 (Allen), Chapter 881, Statutes of 1987 creates the Off-Highway Safety Education Committee and prescribes safety regulations for ATVs, including a safety certificate.

REGISTERED SUPPORT / OPPOSITION:

Support

California Association of Recreation & Park Districts
Off-Highway Vehicles/District 36
San Diego Off Road Coalition
Sierra Access Coalition

Opposition

None on file

Analysis Prepared by: Sean Clair / W., P., & W. / (916) 319-2096