

ASSEMBLY THIRD READING

AB 1613 (Wilson)

As Amended March 11, 2026

Majority vote

SUMMARY

Creates the California Off-Highway Motor Vehicle (OHV) Safety and Stewardship Program and convenes a stakeholder group to develop a California Off-Highway Vehicle Safety and Stewardship Course (Course) by June 30, 2027. By January 1, 2029, requires operators 16 years or older of OHVs and on-road vehicles driven off-highway to take the Course and possess an operator card demonstrating successful completion.

Major Provisions

- 1) On or after January 1, 2029, requires an operator of an OHV, with specified exemptions, to possess a California Off-Highway Vehicle Safety and Stewardship operator card or evidence of completion of a reciprocal program in order to access off-highway lands open and accessible to the public and private lands where permission to operate an OHV has not been granted.
- 2) Defines "operator" to mean an individual 16 years or older in control of an OHV, an individual who rents an OHV, or a visitor to California who engages in OHV recreation.
- 3) On or after January 1, 2029, prohibits a minor 15 years of age or younger from operating an OHV on off-highway lands open and accessible to the public and on private lands where permission to operate an OHV has not been granted without the supervision of a parent or supervising adult in possession of an operator card or equivalent.
- 4) Defines "supervision" to mean maintaining visual contact and a physical presence at a distance no more than 300 feet that allows a supervising adult to safely give assistance and advice to a child 15 years or younger operating an OHV.
- 5) Requires the Division of Off-Highway Motor Vehicle Recreation (OHV Division), under the Department of Parks and Recreation (DPR), by June 30, 2027, to convene stakeholder group over a nine-month period to develop the Course.
- 6) Requires the stakeholder group to include individuals who have historically made positive contributions to the state's OHV program, including the Deputy Director of the OHV Division, Commissioner of the California Highway Patrol, an OHV Division representative with peace officer authority, a representative of the Department of Motor Vehicles, and no more than two representatives from organizations representing these interests: OHV recreation, hunting or angling, manufacturing, rental operators or retail dealers, national OHV groups with conservation programs, environmental or conservation that have historically engaged in OHV issues, federal agencies, county governments, and federal recognized tribal governments with lands where OHV recreation occurs.
- 7) Requires the stakeholder group, on or before March 1, 2028, to submit a "consensus" report to the Deputy Director with Course content recommendations.

- 8) Specifies that, on or before January 1, 2029, the OHV Division shall develop, implement and update, if necessary, the Course, which, at a minimum, must include topics like safety, safety gear, trail etiquette, and environmental protection.
- 9) Requires the OHV Division to evaluate similar OHV safety programs in other states to determine whether completion of those programs could be granted reciprocity in lieu of completion of the Course.
- 10) Authorizes the OHV division to establish Course fees, which must be deposited into the Off-Highway Vehicle Trust Fund; upon appropriation, the fees must be made available for the administration of this bill.
- 11) Mandates the issuance of an electronic or physical California Off-Highway Vehicle Safety and Stewardship operator card, valid for five years and subject to renewal, for successful completion of the Course. Requires an operator to present their card to law enforcement upon request.
- 12) Specifies that failure to possess an operator card or present one to law enforcement constitutes an infraction punishable by a court order to successfully complete the Course and:
 - a) For the first violation, a fine no more than \$100.
 - b) For the second violation, a fine no more than \$250.
 - c) For the third and subsequent violation, a fine no more than \$500.
- 13) Prohibits a peace officer from stopping an OHV for the sole purpose of determining whether the vehicle is being operated in violation of the bill's requirements.
- 14) Requires, prior to the implementation of the Course, the OHV Division to compile documented rates of OHV accidents and injuries to establish a baseline from which to evaluate the efficacy of the Course in achieving its stated goals. After January 1, 2030, this information must be included in the triennial report on the status of OHV recreation submitted by the OHV Commission to the Legislature.

COMMENTS

OHVs or vehicles designed to be operated off-highway can generally be categorized into three vehicle types: all-terrain vehicles (ATVs), recreational off-highway vehicles (ROVs), and utility terrain vehicles (UTVs). In a May 2025 report, the U.S. Consumer Product Safety Commission (CPSC) defined ATVs as "off-road, motorized vehicles with three or more low-pressure tires, a straddle seat for the operator, and handlebars for steering control". ROVs and UTVs have many similarities; they are both off-road vehicles with four or more tires. They differ from ATVs in that both ROVs and UTVs have non-straddle, or "side-by-side" seating, and automotive-type controls for steering, throttle, and braking (*i.e.*, a steering wheel and pedals)." Unlike ROVs, UTVs are generally equipped with larger cargo beds.

The above CPSC report also included the following major findings:

- 1) As of September 2024, there were 2,577 deaths in the U.S. associated with OHVs (ATVs, ORVs, and UTVs only) between 2019 through 2021, the most recent data over a three-year period.
 - a) California ranked the highest in fatalities (153) followed by Pennsylvania (133) and W. Virginia (127).
 - b) Children under 16 comprised 13% of all deaths over this three-year period; of this subset, those under 12 comprised 40%.
- 2) Over the five year period from 2019 through 2023, there were an estimated 509,900 emergency department-treated injuries in the U.S. associated with OHVs; 2019 and 2020 experienced a significant increase in injuries.
 - a) 90% of these injuries were associated with ATVs (57% of which were four-wheel ATVs). The remaining 10% were linked to ROVs and UTVs.

Data compiled by the OHV Division for the state's nine OHV State Vehicular Recreation Areas (SVRA) in 2023 and 2024 show sizable numbers of injuries, DUI arrests, citations and even fatalities. For example, in 2023, there were 58 DUI arrests, 335 OHV citations, 443 injuries (214 of these "major") and six fatalities. In 2024, there were 44 DUI arrests, 276 OHV citations, 185 injuries and four fatalities. The OHV Division has historically implemented an education, safety and enforcement program, in partnership with local, state and federal entities, which includes grant funding from OHV registration fees, to fill funding gaps at these entities. However, it is apparent that these efforts have been insufficient to address the above troubling safety statistics.

Given the above statistics, the existence of larger, faster, and more powerful OHVs on the market, especially since the COVID pandemic, and a significant rise in OHV recreation, including by larger and more powerful street-legal SUVs there is wide consensus across OHV stakeholders that such a safety and stewardship program and operator card requirements are long overdue.

This bill would require OHV operators, including on-road vehicles driven off-highway, 16 years old and above, on or after January 1, 2029, to possess a California Off-Highway Vehicle Safety and Stewardship operator card or evidence of completion of a reciprocal course. Modeled after a vessel operator card program created by SB 941 (Monning), Chapter 433, Statutes of 2014, covering basic vessel operations, rules of navigation and boating safety and issued by the Division of Boating and Waterways (DBW), all boaters, regardless of age, must possess a boater card as of January 1, 2025.

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 off-highway vehicle (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. I am honored to champion this community-driven call for legislative change and committed to ensuring safer experiences for everyone who enjoys our OHV parks."

Arguments in Support

The California Association of Recreation and Parks Districts writes in support: "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. Our members work every day to provide safe, welcoming recreational opportunities and to protect natural resources. When unsafe OHV activity occurs, it can jeopardize visitor safety, strain staffing and enforcement resources, and undermine stewardship goals."

Arguments in Opposition

None on file.

FISCAL COMMENTS

- 1) This bill creates significant one-time work for the OHV Division to (1) convene the OHV stakeholder group, (2) develop and implement the CA OHV Safety Course and establish course fees, (3) determine whether out-of-state OHV safety programs meet California standards and whether to offer reciprocity and (4) compile data, evaluate the program and produce a report. One-time start-up costs are likely to total in the millions of dollars, as are ongoing costs (OHV Trust Fund). State Parks would need to front start-up monies to establish the CA OHV Safety Program. OHV course fees will likely be sufficient to cover those start-up costs and ongoing costs.

State Parks estimates costs of \$3.5 million in the first year of implementation, and ongoing costs of \$1.3 million, based on approximately 670,000 OHVs registered with DMV and 2.5% annual growth. State Parks expects the CA OHV Safety Course fees will be sufficient to cover all start-up and ongoing costs. (OHV Trust Fund.)

Costs to other state entities to participate in the stakeholder group should be minor and absorbable.

- 2) Costs to the courts as a result of the bill's creation of a new infraction should be minor.

VOTES

ASM TRANSPORTATION: 11-4-1

YES: Wilson, Aguiar-Curry, Ahrens, Carrillo, Harabedian, Jackson, Papan, Ransom, Rogers, Sharp-Collins, Ward

NO: Davies, Hoover, Lackey, Macedo

ABS, ABST OR NV: Hart

ASM WATER, PARKS, AND WILDLIFE: 9-2-2

YES: Papan, Alvarez, Ávila Farías, Bains, Bennett, Boerner, Caloza, Muratsuchi, Rogers

NO: Jeff Gonzalez, Gallagher

ABS, ABST OR NV: Alanis, Hart

ASM APPROPRIATIONS: 11-3-1

YES: Wicks, Aguiar-Curry, Calderon, Caloza, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache

NO: Hoover, Dixon, Ta

ABS, ABST OR NV: Tangipa

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