
SENATE COMMITTEE ON NATURAL RESOURCES AND WATER

Senator Josh Becker, Chair

2025 - 2026 Regular

Bill No: AB 1613 **Hearing Date:** June 23, 2026
Author: Wilson
Version: May 18, 2026 Amended
Urgency: No **Fiscal:** Yes
Consultant: Edith Hannigan

Subject: Vehicles: off-highway motor vehicle safety

SUMMARY

This bill would establish the California Off-Highway Motor Vehicle Safety and Stewardship Program in the Division of Off-Highway Motor Vehicle Recreation within the California Department of Parks and Recreation.

BACKGROUND AND EXISTING LAW

State Vehicular Recreation Areas. State Vehicular Recreation Areas (SVRAs) are off-highway motor vehicle (OHV) parks operated by the Off-Highway Motor Vehicle Recreation Division (Division) of the California Department of Parks and Recreation (State Parks). Each SVRA has an operational program which provides, in most locations, the following services:

- Trails, tracks, and other OHV recreation opportunities.
- Restrooms, camping, shade ramadas, and water.
- OHV parts store.
- Public safety, including law enforcement, first aid, and search and rescue.
- Maintenance including repair and maintenance of OHV trails, buildings, equipment, and public use facilities.
- Interpretive and educational activities and publications promoting safe and responsible OHV recreation.
- Resource management designed to sustain OHV opportunities that protects and enhances wildlife habitat, and provides for erosion control and revegetation.

There has been a recent surge in the popularity and proliferation of new types of electric vehicles, including in use for off-road recreation. Although federal and state statutes have standards for the safe operation of OHVs, there is no requirement that operators be educated on these requirements or demonstrate their knowledge of them.

Neighboring states' approaches. In 2024, Arizona established a driver's license and education requirement for the operation of an OHV. Beginning in 2025, individuals are required to take a safety course before registering or renewing OHVs.

Utah's H.B. 180 (2022) requires an individual operating an OHV to complete an online course related to OHV safety.

Existing Law:

- 1) Establishes the Division within State Parks and tasks the Division with developing, managing, and operating lands in SRVAs and providing for law enforcement and appropriate public safety activities in these areas. (Public Resources Code (PRC) §§ 5090.30, 5090.32).
 - a) Vests the Division with responsibility for the enforcement of Division 16.5 (commencing with Section 38000) of the Vehicle Code and other laws regulating the use or equipment of off-highway motor vehicles in all areas acquired, maintained, or operated by funds from the Off-Highway Vehicle Trust Fund.
 - b) Specifies the Department of the California Highway Patrol (CHP) has responsibility for enforcement on highways.
- 2) Establishes the Chappie-Z'berg Off-Highway Motor Vehicle Law of 1971. (Vehicle Code (VEH) §§ 38000 *et seq.*).
- 3) Requires motor vehicles intended to be operated or used exclusively off highway to display an identification plate or other device issued by the Department of Motor Vehicles. (VEH § 38010).
- 4) Establishes categories of vehicles to be considered "off-highway motor vehicles," including, but not limited to:
 - a) A motorcycle or motor-driven cycle, except for any motorcycle that is eligible for a certain special transportation identification device.
 - b) A snowmobile or other vehicle designed to travel over snow or ice.
 - c) A motor vehicle commonly referred to as a sand buggy, dune buggy, or all-terrain vehicle.
 - d) A motor vehicle commonly referred to as a jeep.
 - e) A recreational off-highway vehicle. (VEH § 38012).
- 5) Specifies category of vehicles that are prohibited from being operated on forest-covered land, brush-covered land, or grass-covered land, unless the vehicle is equipped with spark arresters. (VEH § 38366 and PRC § 4442).

PROPOSED LAW

This bill would:

- 1) Require the Off-Highway Motor Vehicle Recreation Commission to report on the efficacy of the California Off-Highway Motor Vehicle Safety and Stewardship Program, beginning after January 1, 2030.
- 2) Define terms relevant to the operation of the code:
 - a) "Division" means the Division of Off-Highway Motor Vehicle Recreation of State Parks.
 - b) "Operator" includes an individual 16 years of age or older in control of an off-highway motor vehicle as defined in Section 38006. "Operator" also includes both of the following:
 - i.) An individual who rents an off-highway motor vehicle.

- ii.) A visitor to California who engages in off-highway motor vehicle recreation.
 - c) “Course” means the California Off-Highway Motor Vehicle Safety and Stewardship Course developed and implemented pursuant to Section 38612.
 - d) “Operator card” means the California Off-Highway Motor Vehicle Safety and Stewardship operator card issued pursuant to Section 38613.
 - e) “Supervision” means 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 to a child 15 years of age or younger who is operating an off-highway motor vehicle.
- 3) Require the division to convene, for nine months, a stakeholder group to develop an off-highway motor vehicle safety and stewardship course on or before June 30, 2027.
- 4) Require the stakeholder group to include individuals who have historically made positive contributions to the existing off-highway motor vehicle program in California, including
- a) The deputy director of the division, or their designee.
 - b) The Commissioner of the CHP, or their designee.
 - c) A representative from the division with peace officer authority pursuant to Section 830.2 of the Penal Code.
 - d) A representative from the Department of Motor Vehicles.
 - e) No more than two representatives from each of the following groups:
 - i.) Off-highway motor vehicle recreation organizations.
 - ii.) Hunting or angling community organizations.
 - iii.) Business interests, including manufacturers, rental operators, and motorsports retail dealers.
 - iv.) National organizations with off-highway motor vehicle conservation programs.
 - v.) Environmental or conservation organizations that have historically engaged in off-highway motor vehicle issues.
 - vi.) Federal agencies, including the United States Forest Service and the federal Bureau of Land Management.
 - vii.) County representative organizations.
 - viii.) Federally recognized tribal governments with lands where off-highway motor vehicle recreation occurs.
- 5) Require the stakeholder group to prepare and submit a consensus report to the deputy director of the division that includes, at a minimum:
- a) Recommendations on what to include in the safety and stewardship course.

- b) A discussion on which the course should be available in languages other than English, and what those languages should be.
- 6) Require the division to develop and implement the safety and stewardship course on or before January 1, 2029.
- 7) Require the division to develop the course based on the stakeholder group's recommendations.
- 8) Require the division to determine the length of the course.
- 9) Require the course include, at a minimum, information regarding the following:
 - a) Principles of safe operation of off-highway motor vehicles.
 - b) Adherence to existing laws, including operating under the influence and vehicle registration requirements.
 - c) Use of appropriate safety gear.
 - d) Trail etiquette and best practices for off-highway motor vehicle recreation.
 - e) Environmental protection and stewardship of public lands.
 - f) Conservation and protection of cultural and natural resources.
 - g) Respect for private property.
 - h) Driving and riding on roads and trails and in areas designated for off-highway motor vehicle travel.
 - i) Promotion of hands-on skills training.
- 10) Authorize the division to contract with an outside vendor to develop the course.
- 11) Authorize the division to offer the course online through no more than two approved outside vendors.
- 12) Authorize the division to update the course curriculum as necessary.
- 13) Require the division to establish a course fee of \$25 and authorize the division to increase the fee as necessary to cover reasonable costs.
 - a) Require the division to hold at least one public hearing and notify the Legislature at least 30 days prior to any increase.
 - b) Require fees collected under this program to be deposited into the Off-Highway Vehicle Trust Fund.
 - c) Upon appropriation, require the moneys in the fund be available for the administration of these requirements.
- 14) Require the division to evaluate off-highway motor vehicle safety and responsibility education programs from other states to determine whether those programs meet the criteria of this program, and whether to offer reciprocity to individuals who have completed those programs.
- 15) Require the division issue a California Off-Highway Motor Vehicle Safety and Stewardship operator card to each person who completes the safety and stewardship course.
- 16) Require the operator card be valid for five years and subject to renewal.

- 17) Require the operator card be in an electronic format that can be downloaded and either printed or viewed electronically.
- 18) Authorize the department to offer a physical card for an additional fee upon request by the applicant.
- 19) Require the division to establish procedures for the renewal of operator cards that may include a requirement to complete an updated course.
- 20) Require, on or after July 1, 2029, that an operator shall not operate an off-highway motor vehicle on lands where such vehicles are authorized unless they have either a safety and stewardship operator card or proof of completion of an approved reciprocal program.
- 21) Require an operator to present their card to law enforcement personnel upon request.
- 22) Exclude from the requirement to possess an operator card:
 - a) Individuals participating in a permitted, sanctioned off-highway motor vehicle event.
 - b) Individuals operating implements of husbandry.
 - c) Individuals operating over-snow vehicles, commonly referred to as snowmobiles, or other vehicles designed to solely travel over snow or ice.
 - d) Individuals operating construction vehicles and off-road vehicles, such as logging trucks.
- 23) Establish that a peace officer shall not stop an off-highway motor vehicle for the sole purpose of determining whether the vehicle is being operated without such card.
- 24) Require that, on or after July 1, 2029, a child 15 years of age or younger shall not operate an OHMV without a supervising adult who is in possession of a safety and stewardship card or proof of completion of an approved reciprocal program.
- 25) Require the supervising adult present their card to law enforcement personnel upon request.
- 26) Establish penalties for violations of this section:
 - a) The court shall order the defendant to successfully complete the California Off-Highway Motor Vehicle Safety and Stewardship Course.
 - b) A first violation shall be punishable by a fine not to exceed one hundred dollars (\$100), which may be waived by the court.
 - c) A second violation shall be punishable by a fine not to exceed two hundred fifty dollars (\$250).
 - d) A third or subsequent violation shall be punishable by a fine not to exceed five hundred dollars (\$500).
- 27) Authorize the court to, if the defendant is between 16 and 18 years of age, require the defendant to obtain the consent of their parent or guardian to enroll in the course.

- 28) Require a person ordered to complete the course as a result of a conviction to submit to the court proof of completion within seven months of the date of conviction.
- 29) Specify that a violation of this section shall not result in a violation point count.
- 30) Require the court waive any fine if the defendant provides proof they had a valid operator card or proof of completion of a reciprocal program at the time the citation was issued.
- 31) Require the division to evaluate the efficacy of the course in achieving its stated goals.
- 32) Require the division to document rates of OHMV recreation accidents and injuries at SVRAs prior to the implementation of the safety and stewardship program to be used to evaluate the efficacy of the program.
- 33) Require the division include those results in the report of the Commission required by Section 5090.24 of the PRC.
- 34) Require the division post the report on its internet website.

ARGUMENTS IN SUPPORT

According to the author, “According to the US 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 OPPOSITION

None received.

COMMENTS

This bill is double referred. This bill was heard in the Transportation Committee on April 7, 2026, and passed out of Committee with a vote of 12-0. Any issues discussed in this analysis under the portfolio of the Transportation Committee are included here for completeness and context only.

Amendments for Consistency. The Committee may wish to amend the bill for internal consistency. These changes provide clarity with regards to references to the Division of Off Highway Vehicles versus the California Department of Parks and Recreation, and references to peace officers versus law enforcement personnel. **[SEE Amendments #1 and 2]**

Related legislation

SB 1167 (Blakespear, 2026) would clarify the vehicle identification requirements for certain OHVs and e-bikes. This bill is pending hearing in the Assembly Transportation Committee.

SB 586 (Jones, Chapter 588, Statutes of 2025) defined an “off-highway electric motorcycle.”

SB 249 (Allen, Chapter 459, Statutes of 2017) extended the Off-Highway Motor Vehicle Recreation Act indefinitely and made various other changes to the Act including, amongst others, making certified community conservation corps and resource conservation districts eligible grant program applicants for scientific research, natural resource conservation activities, trail and facility maintenance, restoration, and programs involving off-highway motor vehicle safety or education.

SUGGESTED AMENDMENTS

AMENDMENT 1

Amend Sec. 38613 as follows:

38613.

- (a) The division shall issue a California Off-Highway Motor Vehicle Safety and Stewardship operator card to each person who successfully completes the California Off-Highway Motor Vehicle Safety and Stewardship Course. The card shall be valid for five years and subject to renewal.
- (b) The operator card shall be in an electronic format that can be downloaded and either be printed by the recipient or viewed electronically. The division ~~department~~ shall offer a physical card for an additional fee upon request by the applicant.
- (c) The division shall establish procedures for the renewal of operator cards that may include a requirement to complete an updated course.

AMENDMENT 2

Amend Sec. 38614 as follows:

- 38614.** (a) On or after July 1, 2029, an operator shall not operate an off-highway motor vehicle on lands to which this division applies pursuant to Section 38001 unless they have either of the following in their possession:
- (1) A California Off-Highway Motor Vehicle Safety and Stewardship operator card.
 - (2) Proof of completion of an approved reciprocal program pursuant to subdivision (h) of Section 38612.
- (b) An operator shall present their operator card or proof of completion to law enforcement personnel upon request.
- (c) Subdivision (a) shall not apply to any of the following:
- (1) Individuals participating in a permitted, sanctioned off-highway motor vehicle event.
 - (2) Individuals operating implements of husbandry.
 - (3) Individuals operating over-snow vehicles commonly referred to as snowmobiles, or other vehicles designed to solely travel over snow or ice.

(4) Individuals operating construction vehicles and off-road vehicles, such as logging trucks.

(d) A violation of subdivision (a) or (b) is an infraction punishable as described in Section 38616.

(e) Law enforcement personnel ~~A peace officer~~ shall not stop an off-highway motor vehicle for the sole purpose of determining whether the vehicle is being operated in violation of this section.

SUPPORT

California Association of Recreation & Park Districts

California Chapter of the American College of Emergency Physicians

California Medical Association (CMA)

California Outdoor Recreation Foundation

San Diego Off Road Coalition (SDORC)

Sierra Access Coalition

OPPOSITION

None received

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