

dispatcher or public safety telecommunicator.

- 5) Authorizes a peace officer to operate an OHV on highway only during an emergency response situation.
- 6) Establishes OHV rules and regulations of the “off-road” including those governing registration, license, speed, safety, age, unauthorized access, reckless driving, compliance with, for example, signage, environmental protection, and anti-littering requirements (*e.g.*, Vehicle Code §§38280-38321). Any operator of an OHV must be able to reach and operate all controls necessary to safely operate the OHV.

This bill:

- 1) Authorizes a first responder to operate an OHV on highway in an emergency response situation.
- 2) Authorizes a peace officer and first responder to operate an OHV on a highway while performing official duties if an OHV is only operated or driven on highway for up to five miles for purposes of accessing an off-highway operational area or location of patrol.
- 3) Requires a local authority to adopt a policy or plan, subject to public review, for the use of OHVs for the abovementioned purposes and include the following elements:
 - a) A description of the activities or locations for which the local authority seeks to authorize operation of OHVs and the approximate timeframe or duration of the authorization.
 - b) A description of any training, certification, or safety equipment that will be required by the local authority to ensure the safety of the public, including drivers and passengers.
- 4) Expressly authorizes a local authority to regulate the operation of an OHV by peace officers and first responders while performing official duties subject to the requirements above.

COMMENTS:

- 1) *Purpose of the bill.* According to the author, "California's first responders and peace officers are frequently required to operate off-highway vehicles (OHVs)

in emergency, rescue, and public safety situations where regular vehicles cannot go. However, getting these OHVs to the locations where they are needed is often difficult because existing passenger-safety requirements may be infeasible in these contexts, and current operational restrictions prohibit OHVs from traveling any distance on surface streets or thoroughfares, thereby limiting response effectiveness and efficiency. Current law was designed for recreational use and does not account for the urgent, unpredictable conditions under which these professionals must act to protect life and property. This bill provides a narrow and practical exemption to ensure that first responders and peace officers can perform their duties effectively without being constrained by provisions that were not intended for first responder operations or urgent situations. By clarifying that these requirements do not apply in the course of official duties, the bill promotes public safety while recognizing the unique demands placed on those who respond in critical situations.”

- 2) *What is an OHV?* OHVs are vehicles designed to be operated off-highway and can generally be categorized into three groups: all-terrain vehicles (ATVs), recreational off-road vehicles (ROVs), or utility terrain vehicles (UTVs). ATVs have three or more tires, a straddle seat for the operator, and handlebars for steering control. ROVs and UTVs have four or more tires, non-straddle or “side-by-side” seating, and automotive-type controls for steering, throttle, and braking (i.e., a steering wheel and pedals). UTVs are generally equipped with larger cargo beds and can be retrofitted for law enforcement purposes by installing emergency lighting, sirens, logos, communications devices, and cab enclosures.

While OHVs are not required to be registered with the Department of Motor Vehicles (DMV) in the same fashion as standard on-road vehicles, OHVs are required to be registered with DMV and display a DMV-issued ID plate or sticker when operating on public land with registration renewal every two years.

- 3) *Law enforcement and OHVs.* Over the past several decades, law enforcement entities have increasingly utilized OHVs for their day-to-day operations. Manufacturers of OHVs advertise these specialized vehicles can be utilized for supporting patrols of communities, facilities, and land (i.e. parking enforcement, park or beach patrol) or providing safety and security during large events (i.e. special events, parades, marathons, and festivals). Generally, law enforcement or first responders have also used OHVs for search and rescue, remote patrols (i.e. trails), and medical or emergency incident response. While current law allows for peace officers to operate an OHV on a highway during an emergency situation, the provisions specified in this bill expand the scope of

OHV usage to all first responders (as defined by state law) and would allow OHV usage on a highway for both emergency purposes and non-emergency purposes, for up to five miles, to reach an off-highway recreational area or a location of patrol.

Supporters of this measure include a number of municipalities which assert the provisions specified in this bill will enhance local entities' ability to protect public safety without imposing any new costs or regulatory burdens on local government.

- 4) *Double referral.* This bill has been double referred to the Senate Natural Resources and Water Committee.

RELATED/PREVIOUS LEGISLATION:

SB 637 (Knight, Chapter 594, Statutes of 2003) – Authorized peace officers to operate OHVs on highway in an emergency response situation.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

POSITIONS: (Communicated to the committee before noon on Wednesday, June 3, 2026.)

SUPPORT:

City of Carlsbad (Sponsor)
City of Ontario
San Bernardino County Sheriff's Department

OPPOSITION:

None received

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