

Date of Hearing: August 31, 2017

ASSEMBLY COMMITTEE ON WATER, PARKS, AND WILDLIFE

Eduardo Garcia, Chair

SB 159 (Allen) – As Amended June 15, 2017

SENATE VOTE: 38-0

SUBJECT: Off-highway vehicles

SUMMARY: This bill extends the sunset date for the collection of off-highway motor vehicle (OHV) fees to January 1, 2023, if a statute is enacted before January 1, 2018, to extend the operation of the OHV Program until January 1, 2023.

EXISTING LAW:

- 1) Imposes a service fee of \$7 for the issuance and renewal of identification of OHVs subject to identification, and special fee of \$33 paid at the time of payment of the service fees. This is commonly called the “green sticker” fee because a green sticker is attached to OHVs whose owners have paid this fee.
- 2) Creates the Division of Off-Highway Motor Vehicle Recreation (Division) within the Department of Parks and Recreation (Department). The Division plans and acquires lands in state vehicular recreation areas which are units within the state park system. The Division also implements a grants program from revenues in the Off-Highway Vehicle Trust Fund (Fund) which by law assigns percentages of those revenues for various purposes related to off-highway vehicles. The Fund is also used to support the Division and to conduct its other activities.
- 3) Establishes the OHV Program to manage off-highway recreation in a manner that also protects California’s natural and cultural resources.
- 4) Requires the \$33 special fee, and other funds appropriated to the Department, to be allocated to the Fund for the OHV program, other purposes specifically related to off-highway recreation and administration of the Division.
- 5) Sunsets these provisions on January 1, 2018.

FISCAL EFFECT: Unknown. This bill is keyed fiscal.

COMMENTS:

Author’s Statement:

California’s Off-Highway Motor Vehicle Recreation Program, which seeks to ensure residents can enjoy this form of outdoor recreation in a sustainable and safe manner, is set to sunset at the end of 2017. Since its inception, the Program has periodically been assessed and reauthorized by the Legislature. The most recent extension, 10 years ago, sought to improve program administration, environmental protection and law enforcement via grants to non-state facilities.

That legislation also increased the fees paid to register off-highway recreational vehicles.

The program and the vehicle fees once again need to be reauthorized. SB 159 is part of a package of bills that includes SB 249. That bill reauthorizes the programmatic portions of California law, making modest changes to better align the management of the Program with the overall mission and values of the rest of the Parks Department while providing clarity and certainty to the environmental protection provisions of the law. SB 159 provides for the extension of a portion of the Program's funding that is set to expire at the end of 2017. This funding, which makes up about a third of the Division's revenue, is derived from the fees paid by off-highway motorists when entering OHV parks or registering their vehicles.

Background: In 1971, the Legislature established the Off-Highway Vehicle (OHV) Program in Chapter 1.25 of Division 5 of the Public Resources Code (commencing with Section 5090.01) to manage off-highway recreation in a manner that also protects California's natural and cultural resources. To implement all aspects of the OHV program, the Division of OHV Recreation (Division) was created within the Department of Parks and Recreation. The Division is responsible for the planning, acquisition, development, and management of the eight state vehicle recreation areas (SVRAs), the preparation and coordination of safety and education programs, and the administration of the grants and cooperative agreements program (grants program). The Division is also responsible for completing and periodically updating a strategic planning process that will identify future OHV recreation needs and the potential to reduce illegal and environmentally damaging riding.

California's OHV program is set to sunset at the end of 2017. Since its inception, the program has periodically been assessed and reauthorized by the Legislature. The most recent extension, 10 years ago, sought to improve program administration, environmental protection and law enforcement via grants to non-state facilities. That legislation also increased the fees paid to register off-highway recreational vehicles.

The program and the vehicle fees once again need to be reauthorized. SB 159 is part of a package of bills that includes SB 249. The latter bill reauthorizes the programmatic portions of California law, making changes to align the management of the program with the rest of California State Parks while adding environmental protection provisions of the law. SB 159 provides for the extension of a portion of the program's funding that is set to expire at the end of 2017. This funding, which makes up about a third of the Division's revenue, is derived from the fees paid by off-highway motorists when entering OHV parks or registering their vehicles.

Prior and Related Legislation.

SB 742 (Steinberg), Chapter 541, Statutes of 2007, made major revisions to the OHV program and extended the sunset date by ten years.

SB 249 (Allen), of this session, revises and extends the sunset on the OHV program. This bill is currently in the Assembly Appropriations Committee.

Committee Amendments.

The author is currently reconciling both SB 249 and SB 159. Prior to a floor vote of this bill, the author will need to reconcile the final bills to ensure that funding for the program continues. This reconciliation will either include a ten-year sunset of the funding (at a minimum), or, preferably removal of the sunset altogether.

REGISTERED SUPPORT / OPPOSITION:**Support**

None received.

Opposition

None received.

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