

Date of Hearing: July 1, 2024

ASSEMBLY COMMITTEE ON TRANSPORTATION
Lori D. Wilson, Chair
SB 632 (Caballero) – As Amended May 28, 2024

SENATE VOTE: 40-0

SUBJECT: Vehicles: off-highway recreation: Red Rock Canyon State Park

SUMMARY: Allows the Department of Parks and Recreation (Parks) to establish a pilot project, of 10 miles or less, to designate combined-use highways on roads in Red Rock Canyon State Park that can be used to link existing off-highway motor vehicle (OHV) trails, trailheads, and recreational-use areas on federal Bureau of Land Management or United States Forest Service lands to provide a unified system of trails. Specifically, **this bill:**

- 1) Establishes a pilot project and requires all of the following:
 - a) Prescribe a procedure for highway, road, or route selection and designation, as approved by Parks;
 - b) Prescribe a procedure for Parks to remove a combined-use designation, including a designation that is removed as a result of the conclusion of the pilot project;
 - c) In cooperation with the Department of Transportation (Caltrans), establish uniform specifications and symbols for signs, markers, and traffic control devices to control OHVs;
 - d) OHVs meet the safety requirements of federal and state law regarding proper drivers' licensing and helmet usage;
 - e) Prohibit OHVs from traveling faster than 35 miles per hour on highways designated under this section;
 - f) Prohibit a combined-use highway road segment designated under this section from exceeding 10 miles;
 - g) Allows two or more combined-use highway road segments to share a common starting point or ending point and partially overlap as long as the resulting network of the highway road segments does not include more than three distinct locations of shared starting or ending points; and,
 - h) Include an opportunity for public comment at a public hearing held by Parks in order to evaluate the pilot project.
- 2) Allows the pilot project to include the use of a state highway, subject to the approval of Caltrans, or any crossing of a highway.
- 3) Prohibits Caltrans from designating a highway for combined use unless the Commissioner of the Department of the California Highway Patrol (CHP) finds that designating the highway for combined use would not create a potential traffic safety hazard.
- 4) Requires a report to the Legislature by January 1, 2029, prepared by Parks, in consultation with CHP and Caltrans, evaluating the pilot project.
- 5) Provisions included shall be repealed January 1, 2030.

EXISTING LAW:

- 1) Allows a local or state entity to designate a highway or a portion of a highway of three miles or less for combined use, and to prescribe rules and regulations, signage, and noncompliance with CHP safety regulations. (Vehicle Code (VEH) 38026)
- 2) Establishes a pilot project in the County of Inyo to designate combined-use highways on unincorporated county roads for no more than 10 miles so that the combined-use highways can be used to link existing OHV trails, trailheads, and services on federal Bureau of Land Management or United States Forest Service lands. (VEH 38026.1)
- 3) Establishes a pilot project the City of Needles to designate combined-use highways on unincorporated county roads for no more than 10 miles so that the combined-use highways can be used to link existing OHV trails, trailheads, and services on federal Bureau of Land Management or United States Forest Service lands. (VEH 38062.2)
- 4) Establishes it is unlawful for a person using an OHV on a combined-use highway to operate an OHV:
 - a) On the highway during the hours of darkness;
 - b) On the highway that does not have an operational stoplight;
 - c) Operate a vehicle on the highway that does not have rubber tires; and,
 - d) Operate a vehicle without a valid driver's license of the appropriate class for the vehicle operation in possession. (VEH 38026.5)

FISCAL EFFECT: Unknown.

COMMENTS: OHVs encompass a variety of vehicle types, including motorcycles, snowmobiles, sand buggies, dune buggies, all-terrain vehicles (ATVs), jeeps, and recreational utility vehicles (also known as utility terrain vehicles or side-by-sides), that are intended to be operated or used exclusively off roads. They are therefore not subject to the same registration and safety equipment requirements as vehicles that are routinely used on public roads.

Red Rock Canyon State Park is located between Bakersfield and the Mojave Desert and features scenic desert cliffs, buttes and rock formations. The park is located where the southernmost tip of the Sierra Nevada converge with the El Paso Range.

In March of 2023, the Red Rock Canyon State Park General Plan was approved by the State Park and Recreation Commission. The Plan recognized the value of opening Sierra View Road to both vehicular traffic and OHV use, as use that is not consistent with existing law which limits such routes to three miles. The Commission further recommended that Parks develop a legislative proposal to extend the route length authority to accommodate this portion of road, which is roughly 4.8 miles in length.

This bill, modeled on similar pilot projects in Inyo County and the City of Needles, would authorize a pilot project to evaluate a combined use highway, up to 10 miles on Sierra View Road within Red Rock Canyon State Park, and would include responsible monitoring and a report to the Legislature evaluating the pilot project.

Previous OHV pilots. The Legislature has authorized pilot programs which allow OHVs on combined-use highways in the County of Inyo and the City of Needles. This bill mirrors the requirements of previous pilots. The Inyo County pilot is set to expire January 1, 2025, and the Needles pilot is set to expire January 1, 2028.

Inyo County submitted a report to the Legislature in December 2018 on the pilot program in consultation with CHP, Caltrans, and Parks. The report notes that seven combined-use routes were approved for the pilot program with three opening in 2015 and the remaining four opening up in 2017. The system now involves combined use totaling approximately 45 miles. Regarding safety, the report indicated no accidents occurred or citations were issued on the seven roads studied in the program. With respect to ridership, the seven roads did not experience an increase in OHV use in comparison to other maintained roads. The report also stated the pilot has not affected non-motorized recreation such as equestrian trails. Regarding road monitoring, the report notes several instances where OHVs were operating on the road shoulder. Ultimately, the report found that only a small number of OHVs were driving on the combined-use designated roads. The next report is due January 1, 2024, a year before the sunset.

Inyo County submitted the interim report required under the pilot in March 2022, in consultation with DFW and the Great Basin Unified Air Pollution Control District. The report assess the operation and impacts of the combined-use system, including on neighboring land. This report states, “There is no indication that OHV usage of combined use trails has caused impacts to cultural resources, streambeds or to water quality. Staff has received no complaints from the public, local agencies, or landowners regarding impacts to habitat, and native plants and wildlife. Regarding particulate pollution, one comment was received citing dust pollution because of driving and OHV on the shoulder of a combined use route at excessive speed. Regarding traffic, the three complaints directly related to combined-use routes cite a lack of awareness of surrounding vehicular traffic and driving on the wrong side of the shared road. No complaints were received regarding noise impacts on the combined use routes.”

The City of Needles must submit a report to the Legislature evaluating the effectiveness and environmental impacts of the pilot project by January 1, 2027.

The intent of previous pilots, and this bill, is to link existing OHV trails and trailheads, mostly on federal land, to OHV recreational use areas with service and lodging facilities. This would create a unified linkage of trail systems for OHV users.

According to the author, “Consistent with other pilot projects authorized by the Legislature, SB 632 would allow for the evaluation of a combined use highway to connect Red Rock Canyon State Park to surrounding and adjacent federal lands authorized for OHV recreation. This pilot will link recreation sites in remote, rural areas, providing a unified trail system while also preserving traffic safety, reducing OHV trespass on private lands, and improving natural and cultural resource protection”.

In support, the Off Road Vehicle Legislative Coalition writes, “SB 632 is an important bill that seeks to authorize California State Parks (Department) to administer a pilot program at Red Rock Canyon State Park to evaluate the use of Off Highway Vehicles (OHV) on specified combined use highways, until 2030, with a report due to the legislature on the efficacy and safety of the program by January 1, 2029.”

Previous legislation. AB 2152 (Smith) Chapter 185, Statutes of 2022 authorizes the City of Needles (Needles), through January 1, 2028, to establish a pilot project to designate combined-use highways on roads in Needles to link existing OHV trails and to link OHV recreational use areas with necessary services and lodging facilities.

SB 402 (Borgeas), Chapter 211, Statutes of 2019 extends the sunset date to January 2025 for the Inyo County pilot program to designate combined-use roadways segments to connect OHV facilities.

SB 1345 (Berryhill), Chapter 217, Statutes of 2016, extends the sunset date to January 1, 2020, for the Inyo County pilot program to designate combined-use roadways segments to connect OHV facilities.

AB 628 (Conway), Chapter 532, Statutes of 2011, authorizes Inyo County to designate road segments up to 10 miles in length for combined-use on a pilot basis.

Double referral. This bill was heard in the Assembly Committee on Water, Parks, and Wildlife, and passed 13-0.

REGISTERED SUPPORT / OPPOSITION:

Support

Friends of Jawbone
Off Road Vehicle Legislative Coalition

Opposition

None on file

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