

Date of Hearing: March 23, 2026

ASSEMBLY COMMITTEE ON TRANSPORTATION

Lori D. Wilson, Chair

AB 1613 (Wilson) – As Amended March 11, 2026

SUBJECT: Vehicles: off-highway motor vehicle safety.

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. 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. Specifically, **this bill:**

- 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) Requires the OHV Division to develop procedures to renew an operator card, which may include a requirement to complete an updated Course.
- 13) 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.
- 14) 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.
- 15) 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.

EXISTING LAW:

- 1) Establishes the OHV Division in DPR to plan, acquire, develop, conserve and restore lands in state vehicular recreation areas, which provide OHV recreation opportunities. The OHV Division also has enforcement responsibility and the duty to conduct safety and education programs. (Public Resources Code §§501, 5001, 5008, and 5090.43)
- 2) Creates within DPR the Off-Highway Motor Vehicle Recreation Commission (Commission), consisting of nine members appointed by the Governor, Senate Pro Temp, and Speaker, the duties of which include reviewing plans for new and expanded local and regional vehicle recreation areas and considering alleged impacts on private property from operation of OHVs.(Public Resources Code §5090.01 *et seq*)

- 3) Defines an off-highway motor vehicle to be:
 - a) A motorcycle, snowmobile, sand/dune buggy, all-terrain vehicle, jeep, “recreational” OHV, off-highway electric motorcycle;
 - b) Any vehicle (e.g., on-road, street legal) that is operated off-highway, and,
 - c) An OHV operated by a non-resident of the state (Vehicle Code §§38006, 38012).
- 4) 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.
- 5) Requires anyone operating a recreational OHV (ORV), generally defined to have four wheels, a steering wheel, and seating capacity for more than one, alone to be at least 16 years of age; those younger must be directly supervised in the ORV by a parent or guardian.
- 6) Defines an all-terrain vehicle (ATV) as a three-wheel vehicle designed for operation off-road by no more than one passenger straddling a single seat and using handlebars for steering. (Vehicle Code §111)
- 7) Requires anyone operating an ATV without supervision to be at least 18 years of age; those between 14-17 years must possess an appropriate safety certificate, be in the process of taking a safety course, or be under the supervision of an adult who possesses a safety certificate. Those under 14 years must be accompanied by and be under the direct supervision of a parent or guardian and possess a certificate or be taking a safety course.
- 8) Establishes that a driver convicted of reckless driving can be imprisoned for up to 90 days or subject to a fine between \$50 and \$500, or both; reckless driving causing bodily injury is punishable by imprisonment up to six months or a fine between \$100 and \$1000, or both. Other fines or penalties apply to removal or altering of trail signs or markers. (Vehicle Code §§38316-38318.5)
- 9) Imposes fines and penalties for violation of state or federal regulations restricting access into a federal or state wilderness area. (Vehicle Code §38301.3)
- 10) Requires certain equipment on OHVs including lighting, brakes, mufflers, spark arrestors, and emissions control devices. (Vehicle Code §§38325-38330)

FISCAL EFFECT: Unknown

COMMENTS: OHVs or vehicles designed to be operated off-highway can generally be categorized into three groups: ATVs, ROVs, or utility terrain vehicles (UTVs). In a May 2025 report, “2024 Report of Deaths and Injuries Involving Off-Highway Vehicles with More Than Two Wheels”, the U.S. Consumer Product Safety Commission (CPSC) defines 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).” The report defines “...UTVs very similarly to ROVs;

however, their maximum speed does not exceed 25-30 mph, and compared to ROVs, they are generally equipped with larger cargo beds and may not always be equipped with ROPS [rollover protective structures], seatbelts, and other safety restraints.” According to the CPSC, in the late 1980s, major ATV distributors agreed to stop distributing new three-wheel ATVs and in 2008 Congress ultimately banned the import and distribution of new ATVs into the U.S.

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.”

Troubling safety statistics. The 2025 CPSC report cited above included the following major findings:

- 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.
 - California ranked the highest in fatalities (153) followed by Pennsylvania (133) and W. Virginia (127).
 - Children under 16 comprised 13% of all deaths over this three-year period; of this subset, those under 12 comprised 40%.
- Of the 2,577 reported deaths, 1,728 (67%) were “associated with” ATVs, 651 (25%) with ROVs, and 57 (2%) with UTVs. The remaining 141 deaths involved either a ROV or a UTV.
- Over the 5-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.
 - 90% of these injuries were associated with ATVs (57% of which were four-wheel ATVs). The remaining 10% were linked to ROVs and UTVs.
- Collisions with stationary objects or other OHVs are the most frequently cited hazard associated with OHV-related fatalities, especially involving ATVs; whereas overturning or roll-overs frequently implicate ROVs.

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. In its 2025 report to the Legislature, the OHV Commission stated that: “Emphasis is placed on educating the public about OHV laws and regulations to encourage voluntary compliance. For instance, the OHMVR Division law enforcement team staff members attend county fairs, youth and career fairs, and other special events to promote responsible recreation and safety.”

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. This data is not disaggregated by OHV type or age, for example, nor does it include local or federal incident data. Anecdotal and logically, the most inexperienced operators are typically the ones involved with accidents and like on-road vehicle accidents, speed is a major factor.

The impact of the significant state resources invested in local and federal enforcement, education and safety partnerships on safety, including over \$7 million in grant funding to local enforcement agencies and nearly \$16 million to the BLM and U.S. Forest Service from fiscal year 2021-22 to 2024-25 respectively is unclear. From 2016-2021, nearly \$28 million in grants were awarded to local, federal and NGO entities. Unfortunately, there appears to be little positive correlation between this investment and safety outcomes.

Given the above statistics, 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, during and post-COVID, there is wide consensus across OHV stakeholders that such a safety and stewardship program and operator card requirements are long overdue. Traditionally limited to recreational uses, these vehicles have crossed over into agricultural, construction and other occupational use cases, including those used by law enforcement and first responders feeding a roughly \$10 billion market in 2023 by some accounts and projected to grow to \$16 billion by 2030.

OHV Operator Card, meet California Boater Card. 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. As of November 2025, over 430,000 California boaters possess a boater card (out of approximately 4 million recreational boaters or roughly 10% of all boaters). Boating accidents appear to be falling since 2021, yet there appears to be insufficient data to draw definitive conclusions about the efficacy of the California Boater Card program, particularly given the low rate of compliance thus far.

Issues for consideration. Parts of the state's OHV statute appear to be a patchwork of laws in pursuit of an issue du jour overlaid on each other with little apparent consistency or conformity. An example of this inconsistency, compared to this bill's requirements, is the minimum age for minors to operate different OHVs without supervision, as shown in the table below.

Vehicle type	Minimum age (without supervision)	Training required?
ATV	14	Yes, until 17
ROVs	16	No
AB 1613 (all OHVs)	16	16+

This bill imposes a minimum age of 16 for operation of OHVs without supervision, conforming with ROVs, one of the most popular vehicle classes today. According to the OHV Division, ROV recreation has risen 500% since 2020 while the popularity of ATVs has declined.

Finally, pursuant to existing law, ATV riders without supervision and between the ages of 14-17 must already take an in-person safety training course by an approved ATV safety training organization certified by the Off-Highway Safety Education Committee, comprised of the CHP Commissioner, DMV Director, Deputy Director of Parks and Recreation of OHVs, and a member of the OHV Commission (AB 781 (Allen), Chapter 881, Statutes of 1987). Those under 14 must possess a safety training certificate or be in training and be supervised by an adult. Given that the overwhelming number of fatalities and injuries reported by the CPSC involve ATVs such training, and especially in-person, is prudent.

This bill's operator card requirement adds to these requirements but could give riders the impression that no other training is required. To address this concern, the OHV Division has informally committed to include as part the operator card training education about existing ATV safety training requirements for those under 18.

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."

Related legislation. AB 1595 (Cook) Chapter 165, Statutes of 2012, defined recreational OHVs and prescribed safety regulations for their use in California.

SB 941 (Monning) Chapter 433, Statutes of 2014 required the Division of Boating and Waterways, by January 1, 2018, to develop vessel operator cards and issue a vessel operator card to a person who has passed a vessel operator examination.

AB 781 (Allen) Chapter 881, Statutes of 1987 created the Off-Highway Safety Education Committee, comprised of the CHP Commissioner, DMV Director, Deputy Director of Parks and Recreation of OHVs, and a member of the OHV Commission.

REGISTERED SUPPORT / OPPOSITION:

Support

California Association of Recreation & Park Districts
California Outdoor Recreation Foundation
San Diego Off Road Coalition
Sierra Access Coalition

Opposition

None on file

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