

Date of Hearing: April 6, 2026

ASSEMBLY COMMITTEE ON TRANSPORTATION
Lori D. Wilson, Chair
AB 2453 (Michelle Rodriguez) – As Amended March 26, 2026

SUBJECT: Vehicles: off-highway motor vehicles

SUMMARY: Authorizes a first responder to operate an off-highway motor vehicle (OHV) on a highway in an emergency response situation, and authorizes peace officers and first responders to operate OHVs on highways while performing official duties at a distance not to exceed five miles in order to access an off-highway operational area or location of patrol. Specifically, **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 subject to the following conditions:
 - a) An OHV may only be operated or driven on highway for up to five miles for purposes of accessing an off-highway operational area or location of patrol;
 - b) An applicable local authority must adopt a policy or plan, subject to public review, for the use of OHVs, and include the following elements:
 - i. 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.
 - ii. 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.
- 3) 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.

EXISTING LAW:

- 1) 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 that is operated off-highway, and;
 - c) An OHV operated by a non-resident of the state. (Vehicle Code §§38006, 38012)
- 2) Defines highway as “a way or place of whatever nature, publicly maintained and open to the use of the public for purposes of vehicular travel. Highway includes street”. (VEH §360)
- 3) Defines, in part, a peace officer to be a sheriff, undersheriff, or deputy sheriff of a county, a chief of police of a city or chief, director, or chief executive officer of a consolidated municipal public safety agency that performs police functions, a police officer, employed in

that capacity and appointed by the chief of police or chief, director, or chief executive of a public safety agency, of a city, a chief of police, or police officer of a district. (Penal Code §830.1).\

- 4) Defines a first responder to mean an employee of the state or a local public agency who provides emergency response services, including a peace officer, a firefighter, a paramedic, an emergency medical technician or a public safety dispatcher or public safety telecommunicator. (Government Code §8562)
- 5) Authorizes a peace officer to operate an OHV on highway only during an emergency response situation. (Vehicle Code §38025)
- 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.

FISCAL EFFECT: Unknown

COMMENTS: 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.

Law enforcement increasingly relies on OHVs. Law enforcement first begun using OHVs in the 1970s given their ability to access remote areas inaccessible by foot or patrol cars. During the 1980s and 90s, a large OHV manufacturer began producing militarized ATVs for the U.S. Army and other military services. This same manufacturer started making OHVs for law enforcement, fire departments and rescue operations in 2018 and others followed. Marketing materials for these vehicles generally describe their enhanced ability to provide access in rugged terrain or congested urban settings, flexibility given their compact size, and reduced operations and maintenance costs compared to a regular patrol vehicle. Law enforcement or first responders have used OHVs for search and rescue, crowd and event control, remote patrols (*e.g.*, public lands, beaches), and medical or emergency incident response.

Current law authorizes peace officers to operate an OHV on highway, without limitation, when responding to an emergency. The Cities of Carlsbad and Ontario, co-sponsors of this bill, assert that the above authority should be expanded to include first responders and for purposes other than emergencies where traditional patrol vehicle access is constrained or where trailering an OHV becomes impractical. These include beach patrols, incident response at parks or open space areas, concerts, sporting events, street fairs or similar events closed to vehicle traffic.

The City of Ontario writes, “Police officers may use recreational off-road vehicles as a practical tool to support special events, non-proactive enforcement operations, and respond to emergent situations in those spaces. These vehicles allow officers to safely and efficiently navigate areas not easily accessible by standard patrol units—such as parks, trails, large venues, and pedestrian-heavy environments—enhancing visibility, response capability, and public safety. Their use is intended to facilitate community engagement, provide rapid assistance, and support event logistics, rather than to conduct routine traffic enforcement or proactive policing activities.”

According to the City of Carlsbad. “AB 1909 closes a restrictive gap in our current law by ensuring that all first responders—not just peace officers—can legally operate UTVs and other OHVs on public highways when seconds matter most. By granting our fire, search and rescue, and medical teams the same flexibility already afforded to law enforcement, we are equipping them with the tools necessary to save lives in difficult terrain. This bill is a vital update to our vehicle code that prioritizes public safety and ensures our heroes can do their jobs without unnecessary legal hurdles.”

Reasonable limitations requested by the California Highway Patrol (CHP). Despite the merits of this bill, the CHP has requested reasonable limitations on the use of OHVs on a highway because they are typically not designed or warranted by manufacturers to be operated on streets or roads. The City of Carlsbad indicates that UTV manufacturers do not currently provide vehicle identification numbers or VINs necessary for registration with the DMV because UTVs are not designed to be operated on-road.

As such, it is prudent to discourage over-reliance on OHVs for traditional patrol purposes. Both Carlsbad and Ontario indicate that their intended use of OHVs is not for routine traffic enforcement or traditional policing activities. This bill limits on-highway OHV use by peace officers and first responders to up to five miles for purposes of accessing an off-highway operational area or location of patrol. Moreover, the relevant local authority must first adopt a policy or plan, subject to public review, describing their intended use and the safety, training or other measures the local authority will undertake to ensure the safety of drivers, occupants and the public.

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

REGISTERED SUPPORT / OPPOSITION:

Support

San Bernadino County Sheriff’s Department

Opposition

None on file

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