

**Introduced by Senator Fuller**

February 21, 2014

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An act to amend Section 5090.02 of the Public Resources Code, relating to off-highway motor vehicle recreation.

LEGISLATIVE COUNSEL'S DIGEST

SB 1450, as introduced, Fuller. Off-highway motor vehicle recreation. The Off-Highway Motor Vehicle Recreation Act of 2003 provides for the acquisition, operation, and funding of state off-highway vehicular recreation areas and trails, and makes various legislative findings and declarations regarding the benefits of off-highway motor vehicle recreation, and the need to effectively protect and efficiently manage off-highway motor vehicle recreation areas.

This bill would make nonsubstantive changes in those legislative findings and declarations.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 5090.02 of the Public Resources Code
- 2 is amended to read:
- 3 5090.02. (a) The Legislature finds all of the following:
- 4 (1) Off-highway motor vehicles are enjoying an ever-increasing
- 5 popularity in California.
- 6 (2) Off-highway recreation includes both motorized recreation
- 7 and motorized off-highway access to nonmotorized recreation
- 8 activities.

1 (3) The indiscriminate and uncontrolled use of those vehicles  
2 may have a deleterious impact on the environment, wildlife  
3 habitats, native wildlife, and native flora.

4 (b) The Legislature hereby declares that effectively managed  
5 areas and adequate facilities for the use of off-highway vehicles  
6 and conservation and enforcement are ~~essential~~ *critical* for  
7 ecologically balanced recreation.

8 (c) Accordingly, it is the intent of the Legislature that:

9 (1) Existing off-highway motor vehicle recreational areas,  
10 facilities, and opportunities should be expanded and managed in  
11 a manner consistent with this chapter, in particular to maintain  
12 sustained long-term use.

13 (2) New off-highway motor vehicle recreational areas, facilities,  
14 and opportunities should be provided and managed pursuant to  
15 this chapter in a manner that will sustain long-term use.

16 (3) The department should support both motorized recreation  
17 and motorized off-highway access to nonmotorized recreation.

18 (4) When areas or trails or portions ~~thereof~~ *of off-highway motor*  
19 *vehicle areas* cannot be maintained to appropriate established  
20 standards for sustained long-term use, they should be closed to  
21 use and repaired, to prevent accelerated erosion. Those areas should  
22 remain closed until they can be managed within the soil  
23 conservation standard or should be closed and restored.

24 (5) Prompt and effective implementation of the Off-Highway  
25 Motor Vehicle Recreation Program by the department and the  
26 Division of Off-Highway Motor Vehicle Recreation should have  
27 an equal priority among other programs in the department.

28 (6) Off-highway motor vehicle recreation should be managed  
29 in accordance with this chapter through financial assistance to  
30 local governments and joint undertakings with agencies of the  
31 United States and with federally recognized Native American  
32 tribes.