

AMENDED IN ASSEMBLY MARCH 11, 2026

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

ASSEMBLY BILL

No. 1613

Introduced by Assembly Member Wilson

January 21, 2026

An act to amend Section 5090.24 of the Public Resources Code, and to add Chapter 9 (commencing with Section 38610) to Division 16.5 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1613, as amended, Wilson. Vehicles: off-highway *motor* vehicle safety.

The Off-Highway Motor Vehicle Recreation Act of 2003 creates the Off-Highway Motor Vehicle Recreation Commission and the Division of Off-Highway Motor Vehicle Recreation within the Department of Parks and Recreation. The act gives the division certain duties and responsibilities, including adopting courses of instruction in off-highway motor vehicle safety, operation, and principles of environmental preservation, as specified. Existing law establishes the Off-Highway Vehicle Trust Fund, with specified percentages of these revenues to be available, upon appropriation, for various purposes related to off-highway *motor* vehicles.

This bill would establish the California Off-Highway *Motor* Vehicle Safety and Stewardship Program. The bill would require the division, in conjunction with the Department of Parks and Recreation, to convene a stakeholder group to develop an off-highway *motor* vehicle safety and stewardship course on or before June 30, 2027, as specified. The bill would require the stakeholder group to prepare and submit a consensus report on recommendations on what to include in the course

to the deputy director of the division on or before May 1, 2028. The bill would require the division to develop and implement the California Off-Highway *Motor Vehicle Safety and Stewardship Course* on or before January 1, 2029, based on the stakeholder group's report. The bill would require the course to cover specified topics, including principles of safe operation and the use of appropriate safety gear. The bill would authorize the division to contract with outside vendors to develop the course and to offer the course online, as specified. The bill would authorize the division to update the course curriculum as it deems necessary. The bill would require the division to evaluate the off-highway *motor vehicle safety and responsibility education program* of other states to determine whether to offer reciprocity to individuals who have completed those programs in lieu of completing the course. The bill would require the division to issue California Off-Highway *Motor Vehicle Safety and Stewardship operator cards* to each person who successfully completes the course. *The bill would make the operator cards subject to renewal after 5 years and require the division to establish procedures for the renewal of operator cards, as specified.* The bill would authorize the division to set fees for the above-described course and *the issuance and renewal of operator-card cards* to cover the reasonable costs of carrying out the program. The bill would direct these fees to be deposited into the Off-Highway Vehicle Trust Fund.

On and after January 1, 2029, the bill would prohibit an operator of an off-highway *motor vehicle* who is 16 years of age or older from operating an off-highway *motor vehicle* unless they have an operator card or proof of completion of an approved reciprocal program in their possession, except as specified. *The bill would prohibit a peace officer from stopping an off-highway motor vehicle for the sole purpose of determining whether a violation of this provision has occurred.* The bill would also prohibit a child 15 years of age or younger from operating an off-highway *motor vehicle* without the supervision of a parent or other supervising adult who is in possession of an operator card or proof of completion of an approved reciprocal program. The bill would require an operator to present their operator card or proof of completion to law enforcement personnel upon request. The bill would make a violation of these provisions an infraction punishable by a requirement to successfully complete the California Off-Highway *Motor Vehicle Safety and Stewardship Course* and a fine of \$100, \$250, or \$500, as specified. The bill would specify that a violation of these provisions shall not result in a violation point count on a person's driving

record. Because a violation of the above-described provisions would be a crime, this bill would create a state-mandated local program.

Existing law requires the Off-Highway Motor Vehicle Recreation Commission to prepare and submit a program report to the Governor and the appropriate policy and fiscal committees of each house of the Legislature every 3 years on specified topics related to off-highway motor vehicle recreation.

The bill would require the division to evaluate the efficacy of the course, as specified, and to include the results of the evaluation in the program report described above.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

1 SECTION 1. (a) The Legislature finds and declares all of the
2 following:

3 (1) Neighboring states have successfully implemented an
4 off-highway *motor vehicle* safety program for operators of
5 off-highway *motor* vehicles.

6 (2) This act is consistent with the mission of the Department of
7 Parks and Recreation and the Division of Off-Highway Motor
8 Vehicle Recreation.

9 (3) This act includes the protection of cultural and natural public
10 resources.

11 (b) It is the intent of the Legislature in enacting this to ensure
12 that all off-highway *motor* vehicle operators are educated on the
13 safe operation of off-highway *motor* vehicles, including adherence
14 to existing laws, trail etiquette, best off-highway *motor* vehicle
15 recreation practices, environmental protection and stewardship of
16 public lands, protecting of cultural and natural resources, and
17 reducing off-highway *motor vehicle* accident and injury rates
18 through a mandatory safety program.

19 (c) It is further the intent of the Legislature to promote
20 responsible off-highway *motor* vehicle operation for the

1 preservation of recreational opportunities and to increase access
2 to recreational opportunities throughout California.

3 (d) It is further the intent of the Legislature to require the
4 division to develop an off-highway *motor* vehicle safety and
5 stewardship course and to issue operator cards to individuals who
6 have successfully completed the course.

7 SEC. 2. Section 5090.24 of the Public Resources Code is
8 amended to read:

9 5090.24. The commission has the following duties and
10 responsibilities:

11 (a) Be fully informed regarding all governmental activities
12 affecting the program.

13 (b) Meet at least four times per year at various locations
14 throughout the state to receive comments on the implementation
15 of the program. Establish an annual calendar of proposed meetings
16 at the beginning of each calendar year. The meetings shall include
17 a public meeting, before the beginning of each grant program cycle,
18 to collect public input concerning the program, recommendations
19 for program improvements, and specific project needs for the
20 system.

21 (c) Hold a public hearing to receive public comment regarding
22 any proposed substantial acquisition or development project at a
23 location in close geographic proximity to the project, unless a
24 hearing consistent with federal law or regulation has already been
25 held regarding the project.

26 (d) Consider, upon the request of any owner or tenant, whose
27 property is in the vicinity of any land in the system, any alleged
28 adverse impacts occurring on that person's property from the
29 operation of off-highway motor vehicles and recommend to the
30 division suitable measures for the prevention of any adverse impact
31 determined by the commission to be occurring, and suitable
32 measures for the restoration of adversely impacted property.

33 (e) Review and comment annually to the director on the
34 proposed budget of expenditures from the fund.

35 (f) Review all plans for new and expanded local and regional
36 vehicle recreation areas that have applied for grant funds.

37 (g) Review and comment on strategic plans periodically
38 developed by the division.

39 (h) Prepare and submit a program report to the Governor and
40 the appropriate policy and fiscal committees of each house of the

1 Legislature on or before January 1, 2022, and every three years
2 thereafter. The report required to be submitted pursuant to this
3 subdivision shall be submitted in compliance with Section 9795
4 of the Government Code. The report shall be adopted by the
5 commission after discussing the contents during two or more public
6 meetings. One of the public meetings shall be held in northern
7 California and one shall be held in southern California. The report
8 shall address the status of the program and off-highway motor
9 vehicle recreation, including all of the following:

10 (1) A summary of the process, standards, and plans developed
11 pursuant to this chapter.

12 (2) The condition of natural and cultural resources of areas and
13 trails receiving state off-highway motor vehicle funds and the
14 resolution of conflicts of use in those areas and trails.

15 (3) The status and accomplishments of funds appropriated for
16 restoration pursuant to paragraph (2) of subdivision (b) of Section
17 5090.50.

18 (4) A summary of resource monitoring data compiled and
19 restoration work completed.

20 (5) Actions taken by the division and department since the last
21 program report to discourage and decrease trespass of off-highway
22 motor vehicles on private property.

23 (6) Other relevant program-related environmental issues that
24 have arisen at state vehicular recreation areas since the last program
25 report, including, but not limited to, actions undertaken to ensure
26 compliance with federal and state Endangered Species Acts, local
27 air quality laws and regulations, federal Clean Water Act and
28 regional water board regulations, or permits.

29 (7) For reports submitted after January 1, 2030, the efficacy of
30 the California Off-Highway *Motor* Vehicle Safety and Stewardship
31 Program described in Chapter 9 (commencing with Section 38610)
32 of Division 16.5 of the Vehicle Code.

33 (i) Make other recommendations to the deputy director regarding
34 the off-highway motor vehicle recreation program.

35 SEC. 3. Chapter 9 (commencing with Section 38610) is added
36 to Division 16.5 of the Vehicle Code, to read:

1 CHAPTER 9. CALIFORNIA OFF-HIGHWAY *MOTOR* VEHICLE
2 SAFETY AND STEWARDSHIP PROGRAM

3
4 38610. As used in this chapter, the following terms have the
5 following meanings:

6 (a) “Division” means the Division of Off-Highway Motor
7 Vehicle Recreation of the Department of Parks and Recreation.

8 (b) “Operator” includes an individual 16 years of age or older
9 in control of an off-highway *motor* vehicle ~~that is subject to~~
10 ~~identification pursuant to Section 38010. as defined in Section~~
11 ~~38006.~~ “Operator” also includes both of the following:

12 (1) An individual who rents an off-highway *motor* vehicle.

13 (2) A visitor to California who engages in off-highway *motor*
14 vehicle recreation.

15 (c) “Course” means the California Off-Highway *Motor* Vehicle
16 Safety and Stewardship Course developed and implemented
17 pursuant to Section 38612.

18 (d) “Operator card” means the California Off-Highway *Motor*
19 Vehicle Safety and Stewardship operator card issued pursuant to
20 Section 38613.

21 (e) “*Supervision*” means *maintaining visual contact and a*
22 *physical presence at a distance of no more than 300 feet that allows*
23 *a supervising adult to safely give assistance and verbal advice to*
24 *a child 15 years of age or younger who is operating an off-highway*
25 *motor vehicle.*

26 38611. (a) The division, in conjunction with the Department
27 of Parks and Recreation, shall convene a stakeholder group to
28 develop an off-highway *motor* vehicle safety and stewardship
29 course on or before June 30, 2027, for a period of nine months.
30 The stakeholder group shall facilitate a minimum of three meetings
31 during this period, which shall include an option for remote
32 attendance.

33 (b) The stakeholder group shall include individuals who have
34 historically made positive contributions to the existing off-highway
35 *motor* vehicle program in California, including all of the following:

36 (1) The deputy director of the division, or their designee.

37 (2) The Commissioner of the California Highway Patrol, or
38 their designee.

39 (3) A representative from the division with peace officer
40 authority pursuant to Section 830.2 of the Penal Code.

1 (4) A representative from the Department of Motor Vehicles.

2 ~~(4)~~

3 (5) No more than two representatives from each of the following
4 groups:

5 (A) Off-highway *motor* vehicle recreation organizations.

6 (B) Hunting or angling community organizations.

7 (C) Business interests, including manufacturers, rental operators,
8 and motorsports retail dealers.

9 (D) National organizations with off-highway *motor* vehicle
10 conservation programs.

11 (E) Environmental or conservation organizations that have
12 historically engaged in off-highway *motor* vehicle issues.

13 (F) Federal agencies, including the United States Forest Service
14 and the federal Bureau of Land Management.

15 (G) County representative organizations.

16 (H) Federally recognized tribal governments with lands where
17 off-highway *motor* vehicle recreation occurs.

18 (c) The Director of the Department of Parks and Recreation and
19 the deputy director of the division shall jointly make the final
20 determination as to the individuals invited to join the stakeholder
21 group. If the director and deputy director are unable to appoint a
22 representative from the enumerated categories, the stakeholder
23 group shall convene without those representatives.

24 (d) On or before March 1, 2028, the stakeholder group shall
25 prepare and submit a consensus report to the deputy director of
26 the division that includes, at minimum, both of the following:

27 (1) Recommendations on what to include in the California
28 Off-Highway *Motor* Vehicle Safety and Stewardship Course,
29 including the topics specified in Section 38612.

30 (2) A discussion on whether the course should be available in
31 languages other than English, and if so, in which languages the
32 course should be made available.

33 38612. (a) On or before January 1, 2029, the division shall
34 develop and implement the California Off-Highway *Motor* Vehicle
35 Safety and Stewardship Course.

36 (b) The division shall develop the course based on the
37 stakeholder group report submitted pursuant to Section 38611.
38 The division shall determine the reasonable length of the course,
39 which shall include, at a minimum, information regarding all of
40 the following:

- 1 (1) Principles of safe operation of off-highway *motor* vehicles.
- 2 (2) Adherence to existing laws, including operating under the
- 3 influence and vehicle registration requirements.
- 4 (3) Use of appropriate safety gear.
- 5 (4) Trail etiquette and best practices for off-highway *motor*
- 6 vehicle recreation.
- 7 (5) Environmental protection and stewardship of public lands.
- 8 (6) Conservation and protection of cultural and natural resources.
- 9 (7) Respect for private property.
- 10 (8) Driving and riding on roads and trails and in areas designated
- 11 for off-highway *motor vehicle* travel.
- 12 (9) Promotion of hands-on skills training.
- 13 (c) The division may contract with an outside vendor to develop
- 14 the course through a formal competitive bidding process.
- 15 (d) The division may offer the course online through no more
- 16 than two approved outside vendors.
- 17 (e) The division shall post links to approved course providers
- 18 on its internet website.
- 19 (f) The division may update the course curriculum as it deems
- 20 necessary.
- 21 (g) The division may establish fees for the course to cover the
- 22 reasonable costs of carrying out the California Off-Highway *Motor*
- 23 Vehicle Safety and Stewardship Program. Fees collected pursuant
- 24 to this subdivision shall be deposited into the Off-Highway Vehicle
- 25 Trust Fund. Upon appropriation by the Legislature, the moneys in
- 26 the fund shall be made available for the administration of this
- 27 chapter pursuant to Section 5090.61 of the Public Resources Code.
- 28 (h) The division shall evaluate off-highway *motor* vehicle safety
- 29 and responsibility education programs from other states to
- 30 determine whether those programs meet the criteria outlined in
- 31 this section and whether to offer reciprocity to individuals who
- 32 have completed those programs in lieu of requiring those
- 33 individuals to complete the California Off-Highway *Motor* Vehicle
- 34 Safety and Stewardship Course.
- 35 38613. (a) The division shall issue a California Off-Highway
- 36 *Motor* Vehicle Safety and Stewardship operator card to each person
- 37 who successfully completes the California Off-Highway *Motor*
- 38 Vehicle Safety and Stewardship Course. *The card shall be valid*
- 39 *for five years and subject to renewal.*

1 (b) The operator card shall be in an electronic format that can
2 be downloaded and either be printed by the recipient or viewed
3 electronically. The department shall offer a physical card for an
4 additional fee upon request by the applicant.

5 (c) *The division shall establish procedures for the renewal of*
6 *operator cards that may include a requirement to complete an*
7 *updated course.*

8 (e)

9 (d) The division may establish fees for the issuance *or renewal*
10 of operator cards in amounts sufficient to cover the reasonable
11 costs of carrying out the California Off-Highway *Motor Vehicle*
12 *Safety and Stewardship Program*. Fees collected pursuant to this
13 subdivision shall be deposited into the Off-Highway Vehicle Trust
14 Fund. Upon appropriation by the Legislature, the moneys in the
15 fund shall be made available for the administration of this chapter
16 pursuant to Section 5090.61 of the Public Resources Code.

17 38614. (a) On or after January 1, 2029, an operator shall not
18 operate an off-highway *motor vehicle on lands to which this*
19 *division applies pursuant to Section 38001* unless they have either
20 of the following in their possession:

21 (1) A California Off-Highway *Motor Vehicle Safety and*
22 *Stewardship operator card*.

23 (2) Proof of completion of an approved reciprocal program
24 pursuant to subdivision (h) of Section 38612.

25 (b) An operator shall present their operator card or proof of
26 completion to law enforcement personnel upon request.

27 (c) Subdivision (a) shall not apply to any of the following:

28 (1) Individuals participating in a permitted, sanctioned
29 off-highway *motor vehicle event*.

30 (2) Individuals operating implements of husbandry.

31 (3) Individuals operating over-snow vehicles commonly referred
32 to as snowmobiles, or other vehicles designed to solely travel over
33 snow or ice.

34 (4) Individuals operating construction vehicles and off-road
35 vehicles, such as logging trucks.

36 ~~(5) Individuals operating off-highway vehicles exclusively on~~
37 ~~private property.~~

38 (d) A violation of subdivision (a) or (b) is an infraction
39 punishable as described in Section 38616.

1 (e) A peace officer shall not stop an off-highway motor vehicle
2 for the sole purpose of determining whether the vehicle is being
3 operated in violation of this section.

4 38615. (a) On or after January 1, 2029, a child 15 years of age
5 or younger shall not operate an off-highway motor vehicle on lands
6 to which this division applies pursuant to Section 38001 without
7 the supervision of a parent or another supervising adult who is in
8 possession of either of the following:

9 (1) A California Off-Highway Motor Vehicle Safety and
10 Stewardship operator card.

11 (2) Proof of completion of an approved reciprocal program
12 pursuant to subdivision (h) of Section 38612.

13 (b) A parent or supervising adult of a child 15 years of age or
14 younger shall present their operator card or proof of completion
15 to law enforcement personnel upon request.

16 (c) A violation of subdivision (a) or (b) is an infraction on the
17 child’s parent or the supervising adult and is punishable as
18 described in Section 38616.

19 38616. (a) A violation of subdivision (a) or (b) of Section
20 38614 or subdivision (a) or (b) of Section 38615 shall be
21 punishable as follows:

22 (1) The court shall order the defendant to successfully complete
23 the California Off-Highway Motor Vehicle Safety and Stewardship
24 Course.

25 (2) A first violation shall be punishable by a fine not to exceed
26 one hundred dollars (\$100), which may be waived by the court.

27 (3) A second violation shall be punishable by a fine not to
28 exceed two hundred fifty dollars (\$250).

29 (4) A third or subsequent violation shall be punishable by a fine
30 not to exceed five hundred dollars (\$500).

31 (b) If the court orders a defendant between 16 and 18 years of
32 age to successfully complete the course, the court may require the
33 defendant to obtain the consent of their parent or guardian to enroll
34 in the course.

35 (c) A person ordered to complete the course pursuant to this
36 section shall submit to the court proof of completion of the course
37 within seven months of the date of conviction. The proof shall be
38 in a form that has been approved by the division and that is capable
39 of being submitted to the court through the United States Postal
40 Service or another certified means of transmission.

1 (d) A violation of subdivision (a) or (b) of Section 38614 or
2 subdivision (a) or (b) of Section 38615 shall not result in a violation
3 point count.

4 (e) The court shall waive any fine required by this section if the
5 defendant provides proof that they had a valid operator card or
6 proof of completion of an approved reciprocal program pursuant
7 to subdivision (h) of Section 38612 at the time the citation was
8 issued.

9 38617. (a) The division shall evaluate the efficacy of the course
10 in achieving its stated goals of responsible ridership, respect for
11 trails, resources, the environment, and a reduction in accident and
12 injury rates while riding or driving an off-highway *motor* vehicle.

13 (b) The division shall compile documented rates of off-highway
14 *motor* vehicle recreation accidents and injuries at state vehicular
15 recreation areas prior to the implementation of the California
16 Off-Highway *Motor* Vehicle Safety and Stewardship Course to
17 establish a baseline to be used to evaluate the efficacy of the course.
18 The division shall include results of this evaluation in the
19 Off-Highway Motor Vehicle Recreation Commission's report
20 required by Section 5090.24 of the Public Resources Code.

21 (c) The division shall post the report on its internet website.

22 SEC. 4. No reimbursement is required by this act pursuant to
23 Section 6 of Article XIII B of the California Constitution because
24 the only costs that may be incurred by a local agency or school
25 district will be incurred because this act creates a new crime or
26 infraction, eliminates a crime or infraction, or changes the penalty
27 for a crime or infraction, within the meaning of Section 17556 of
28 the Government Code, or changes the definition of a crime within
29 the meaning of Section 6 of Article XIII B of the California
30 Constitution.