



# OFF-HIGHWAY VEHICLE LAW ENFORCEMENT INFORMATION

**T**his publication was developed by the California Department of Parks and Recreation, Off-Highway Motor Vehicle Recreation Division, in cooperation with the United States Forest Service and the Bureau of Land Management in an effort to promote consistent application of Off-Highway Vehicle laws throughout the State of California. The contents of this booklet are summaries of law and are not intended to be construed as complete or precise interpretations. For complete definitions, refer to the abridged or unabridged codes.



## Stickers



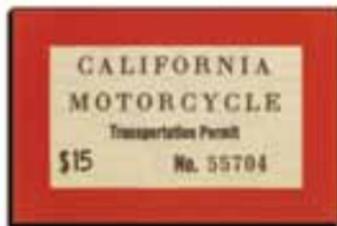
Green Sticker



Red Sticker



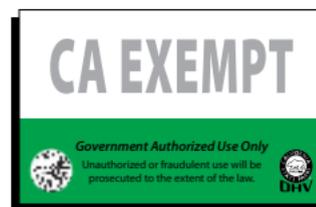
Nonresident Permit



Transportation Permit



OHV Dealer/Manufacturer Permit



California Agency Exempt Sticker\*

\* The OHMVR Division has produced a decal for agencies exempt from California Off-Highway Motor Vehicle Identification (Green Stickers). The decal is intended for use by California Law Enforcement Agencies on their off-highway vehicles used to manage and patrol OHV areas. The CA EXEMPT decal is not to be confused with traditional Green Sticker Identification or other DMV registration indicia. It is not numbered. It cannot be traced or tied to a specific off-highway vehicle VIN. It carries no monetary value.

## Applicability (CVC)

### 38001 Applicability of Provisions

(a) Except as otherwise provided, this division applies to off-highway motor vehicles, as defined in Section 38006, on lands, other than a highway, that are open and accessible to the public, including any land acquired, developed, operated, or maintained, in whole or in part, with money from the Off-Highway Vehicle Trust Fund, except private lands under the immediate control of the owner or his or her agent, where permission is required and has been granted to operate a motor vehicle. For purposes of this division, the term “highway” does not include fire trails, logging roads, service roads regardless of surface composition, or other roughly graded trails and roads upon which vehicular travel by the public is permitted. (b) Privately owned and maintained parking facilities that are generally open to the public are exempt from this division, unless the facilities are specifically declared subject to this division by the procedure specified in Section 21107.8.

### **38006 Off-Highway Motor Vehicle Defined**

As used in this division, an “off-highway motor vehicle” is any of the following:

- (a) A motor vehicle subject to the provisions of subdivision (a) of Section 38010.
- (b) A motor vehicle registered under Section 4000, when such motor vehicle is operated on land to which this division has application.
- (c) A motor vehicle owned or operated by a non-resident of this state, whether or not such motor vehicle is identified or registered in a foreign jurisdiction, when such motor vehicle is operated on lands to which this division has application.

### **360 Highway**

A highway is a way or place of whatever nature, publicly maintained and open to the use of the public for purposes of vehicular travel. Highway includes a street.

(NOTE: USE OF OHVs, NOT REGISTERED UNDER SECTION 4000 OF THE VEHICLE CODE, ON COUNTY, STATE AND FEDERAL ROADS MAY BE PROHIBITED REGARDLESS OF ROAD SURFACE COMPOSITION. CHECK WITH LOCAL AUTHORITIES BEFORE RIDING.)

## Registration/Identification (CVC)

- I 4000(a) **Unregistered vehicle** on highway (use for an OHV on highway)
- I 4461(a) **Loan or allow use** of registration/ID (for ID, reference CVC 38100)
- I 4462(b) **Misuse** of registration/ID
- F 4463(a)(1) **Altered or forged** registration/ID (for ID, reference CVC 38100)
- I 4464 **Display of altered** registration/ID (for ID, reference CVC 38100)
- M 10751(a) **VIN or other ID number removed, altered or defaced**
- I 38020 **Identification (ID) required off-highway** when parked, transported or operated. This section applies if a **non-resident permit is needed** and not obtained. See CVC 38001 for applicability and CVC 38010(b) for exemptions.
- I 38021(a) **Dealer special permit required** - DMV Form REG 132 and green sticker must be carried with EACH vehicle. Dealers/manufacturers can contact the OHV Division for more information.
- I 38085(a) **ID certificate** or facsimile copy thereof not with vehicle for which it is issued when the vehicle is operated or transported.
- I 38090 **Lost or mutilated ID plate** or certificate
- I 38170(a) ID not **displayed**
- I 38170(b) ID not **securely attached**/clearly visible

- I 38170(c)(1) ID devices not clearly displayed on **left fork leg of motorcycle**
- I 38170(c)(2) ID devices not clearly displayed on **left rear quadrant of sand rail**
- I 38170(c)(3) ID devices not clearly displayed on **left rear quadrant of ATV**
- I 38170(c)(4) ID devices not clearly displayed on **left tunnel, back quadrant of snowmobile**

## Red Sticker

- I 38020 CVC Operate, transport or leave standing an OHV **not properly identified** (CCR T13 2412(f) operating red sticker vehicle in closed area)

Two different types of identification decals are issued by DMV to most OHV's, a Green Sticker or a Red Sticker, depending on manufacturer certification to California OHV emission standards. Red sticker identified OHV's have a C or 3 in the eighth character of the VIN.

All 2002 model year and older OHV's regardless of emissions standards were "grand fathered" into the Green Sticker category. Red Stickers are issued to 2003 model year and newer OHV's that are certified non-compliant to California OHV emission standards.

Riding OHV's with a Red Sticker may be seasonal depending on the area ridden. A list of seasonal riding locations is available by contacting the CA Air Resources Board at (800) 242-4450 (closed courses are exempt). Also see Red Sticker Seasons tab for a list.

## ATV OPERATION/ SNOWMOBILES

### ATV Operation (CVC) (On public lands only)

- I 38503 **Under 18** operating ATV without complying with one of the following:
  - (a) Taking a prescribed training course
  - (b) Under direct supervision of adult possessing appropriate safety certificate
  - (c) Possession of appropriate safety certificate
- I 38504 Person under the age of 14 must satisfy one condition of CVC 38503 and be accompanied and directly **supervised by a parent**, guardian or responsible adult.
- I 38504.1(a) **Parent**, guardian or other authorized adult **allowing** child under 14 years of age to operate an all-terrain vehicle in a manner that violates section 38504.
- I 38505 **Helmet required** (operator and passenger)
- I 38506 **No passengers** on ATV, except that one passenger may be carried if the ATV is designed to carry a passenger (no after-market kits).
- NP 40610 ATV Safety Certificate violations are correctable within ninety days.
  - Refer ATV riders needing training for certification to (800) 887-2887
  - Refer off-highway motorcycle riders who want training to (877) 288-7093
  - To verify California ATV Safety Certificate issuance contact ASI Client Services at (800) 776-7620 (Hours: M-F 7:30 a.m. – 5:00 p.m. PST)
  - ATV training is free to youth 17 and younger. Contact ASI.



## Sno-Parks (PRC)

- I 5091.15(a) Parking in Sno-Park during posted season **without a valid permit** displayed

## Snowmobile Operation (CVC)

- I 23128(a) **Operate on a highway** except as provided in Section 38025
- I 23128(b) In a **careless or negligent manner**, endangering a person or property
- I 23128(c) **Pursuing deer or other game mammal** with intent to harass
- M 23152(a) **DUI** (applies on or off highway)
- M 23152(b) **B.A. of .08% or more** (applies on or off-highway)
- F 23153(a) **DUI with injury**
- F 23153(b) **.08% or more BAC & DUI with injury**
- M 38319 Causing **malicious/unnecessary damage** to **land, wildlife, habitat** or **vegetation**
- M 38320(a) **Littering:** Throw trash or dangerous substance onto public or private land, or driver aid or abet
- M 38320(b) **Dumping:** Dirt or rocks on public or private land

## EQUIPMENT (CVC, PRC)

### California Vehicle Code (CVC)

- I 24411 **Off-highway lights** must be **covered** on highway
- I 38330 Operation of **unsafe vehicle**
- I 38335 **Headlight required** during darkness
- I 38345 Red **taillight** required during darkness
- I 38346 Display of **red or blue warning light** prohibited (a lighted whip is not a warning light)
- I 38355(a) Not equipped with working **brake system**
- I 38365(a) **Inadequate Muffler** on OHV
- I 38366(a) Properly maintained, compliant or USFS qualified **spark arrester required**
- I 38375(a) **Siren** prohibited on OHV
- I 38375(b) Use of **siren** prohibited
- I 38505 **Helmet** required (ATV on public lands only)

### Public Resources Code (PRC)

- M 4442(a) Properly maintained, compliant or USFS qualified **spark arrester required** on forest, brush or grass covered lands. Applies to any internal combustion engine which uses hydrocarbon fuels.

## EPAMD (Segway) Equipment/Operation

- I 21281 Electric personal assistive mobility device, or EPAMD, without:
  - (a) Front, rear, and side **reflectors**
  - (b) **Brake**
  - (c) In hours of darkness, a **white light** that, while the EPAMD is in motion, illuminates the area in front of the operator and is visible from a 300
  - (d) A **sound emitting device**
  
- I 21281.5 Electric personal assistive mobility device, or EPAMD, operation
  - (a) EPAMD on a sidewalk, bike path, pathway, trail, bike lane, street, road, or highway at a **speed greater than is reasonable and prudent**
  - (b) EPAMD at a **speed that endangers** the safety of persons or property
  - (c) EPAMD on a sidewalk, bike path, pathway, trail, bike lane, street, road, or highway with **willful or wanton disregard for the safety** of persons or property.
  - (d) EPAMD on a sidewalk, bike path, pathway, trail, bike lane, street, road, or highway **failure to yield the right-of-way** to all pedestrians on foot

### Noise Limits (CVC)

- I 27150(a) **Adequate muffler** required (**highway legal vehicles only**)
- I 27150(b) SAME - Passenger vehicle when used off-highway. Inadequate muffler or emitting **excessive noise** per allowed limits. Cutout, bypass, or similar device prohibited (also see Modifications 27151).
- I 38365(a) **Inadequate Muffler** on OHV
- I 38370 by manufacturer dates (see CVC book)
- I 38370(h)(1) 20 Inch Test, SAE J-1287

If off-highway vehicle was manufactured	Noise Limit
Before January 1, 1986	101 dBA
On or after January 1, 1986	96 dBA
If competition* off-highway vehicle was manufactured	Noise Limit
Before January 1, 1998	101 dBA
On or after January 1, 1998	96 dBA

\* Competition off-highway vehicles are those that are not manufactured to comply with EPA noise or California emission standards. For information on the designation of the OHV, refer to the owner's manual or contact the local dealership.

Testing is done using procedures established by the Society of Automotive Engineers under Standard J-1287. For more information, visit California State Parks Off-Highway Motor Vehicle Recreation Division's website at [www.ohv.parks.ca.gov](http://www.ohv.parks.ca.gov)

For further information regarding the SAE Standard J-1287 testing procedure including purchase of the complete document, go to: [http://www.sae.org/servlets/productDetail?PROD\\_TYP=STD&PROD\\_CD=J1287\\_199807](http://www.sae.org/servlets/productDetail?PROD_TYP=STD&PROD_CD=J1287_199807)

## Alcohol (CVC)

- C 23136(a) (Civil Offense) Driver under 21 with .01 B.A. or more, measured by P.A.S. or other test. See 13390 and use form DS-367M. Civil penalties apply. Admin Per Se
- NP 23136(b)(3) Officer shall advise of suspension or revocation for period of 1-3 years if person refuses or fails to complete preliminary alcohol screening (P.A.S.) test.
- I 23140(a) **DUI under 21** with BAC of .05% or more on or off-highway
- M 23152(a) **DUI** on or off-highway
- M 23152(b) **B.A. of .08% or more**
- F 23153(a) **DUI with injury**
- I 23220(a) **Drink while driving** on or off-highway
- I 23222(a) **Open container while driving** on or off-highway
- M 23222(b) **Driver possess marijuana while driving** on or off-highway
- I 23223(a) **Open container (driver)** while in a motor vehicle on or off-highway
- I 23223(b) **Open container (passenger)** while in a motor vehicle on or off-highway
- M 23224(a) **Open or sealed container (driver under 21)** while in a motor vehicle on or off-highway (unless with parent/guardian and sealed)

- M 23224(b) **Open container (passenger under 21)** while in a motor vehicle on or off-highway
- I 23225(a)(1) **Store open container (reg. owner)** keep alcoholic beverage in a motor vehicle.  
(Applicable to driver if owner not present per b)
- I 23225(a)(2) Same: **Store open container in a motor vehicle w/o trunk**, and vehicle not used exclusively off-highway, in area not normally occupied by the driver or passenger, incl. utility or glove box.
- I 23225(a)(3) Same: **Store open container in a motor vehicle w/o trunk**, and vehicle **used exclusively off-highway**, must store in a locked container.
- NP 23225(c) **Not applicable to living area** of a housecar (motorhome) or camper
- I 23226(a) **Driver keep open container in passenger compartment** of motor vehicle
- I 23226(b) **Passenger keep open container in passenger compartment** of motor vehicle

## Operation (CVC)

- M 14601(a) **Suspended driving privilege** (applies on or off-highway)(includes operation of OHV)  
(see appropriate subsections)
- I 16000(a) **Failure to report accident** to DMV (applies when registered vehicle is involved, on or  
off highway, and there is an injury or \$750 in damages)
- M/F 20001(a) **Hit and run with injury** (applies to all vehicles)
- M 20002(a) **Hit and run property damage only** (applies to all vehicles)
- I 20004 **Failure to report fatality to law enforcement** (applies to all vehicles)
- I 21712(a) **Unlawful riding** (driver permits - on highway only)
- I 21712(b) **Unlawful riding** (passenger - on highway only)
- I 21712(d&e) **Unlawful towing** (driver permits - on highway only)
- I 23123(a) Using **wireless telephone** while driving (applies to public lands)
- I 23123.5(a) Use **text based communication** device (applies to public lands)
- M 23127 Vehicle **on posted** state, local or private hiking or equestrian **trail**
- NP 38025 **Operating OHV on highway** cite for 4000  
(a) VC Other sections to consider are CVC 27150.1 Exhaust systems not in compliance,  
27151, sound, 24002(a), 24002(b), 24252(a), catch-all lights.

- I 38026.5(b) **Combined-use highway**; Improper use: Not to operate off-highway vehicle in violation of any of the following:
  - (1) Hours of darkness: Drive on a highway
  - (2) Stoplight required
  - (3) Rubber tires required
  - (4) Valid license of the proper class in possession
  - (5) Proof of financial responsibility required in possession
- I 38300 Unlawful to **disobey signs**
- I 38301(a) **Operate in violation of special regulations** (most USFS and BLM motor vehicle related CFRs can be cited by State Peace Officers into Superior Court under this section).
- I/M 38301.3 **Operate in Wilderness** (State or Federal)
- I 38304 Must be **able to reach and operate all controls**
- I 38304.1(a) **Parent**, guardian or other authorized adult **allowing child** under 14 years of age to operate an OHV in a manner that violates 38304
- I 38305 **Speed unsafe** for conditions
- NP 38310 **15 MPH within 50 feet of campsite, people, or animals** (posting NOT required) use 38305 & reference this section
- I 38312 **Unsafe start**
- I 38314 **Unsafe turns**

## OPERATION

## Operation (CVC) (Continued)

- M 38316(a) **Reckless** driving
- M 38317 **Reckless** driving, **bodily injury**
- M 38318(a) **Throw substance** at OHV
- F 38318(b) **Same, or shoot** at OHV with **intent to injure**
- M 38318.5 **Malicious acts** - remove or alter trail, danger or directional markers
- M 38318.5 **Intent to do great bodily harm**-erect or place chain, cable, rope, etc.
- M 38319 Causing malicious/unnecessary **damage** to **land, wildlife, habitat** or **vegetation**
- I 38330 **Unsafe, not equipped** as required or **not safely loaded**
- I 38390 Illegal to operate or maintain in condition of readiness OHV without proper **emission** control equipment.
- I 38346 Display of **red or blue warning light** prohibited
- I 38375(a) **Siren** prohibited on OHV
- I 38375(b) Use of siren prohibited

## Penal Codes (PC)

- M 369g (a) Vehicle upon and along a **railroad track** or over its private right-of-way, without authorization.

- M/F 370 (d) **Forged** receipt or document evidencing ownership of vehicle.
- M 374c **Shoot firearm** from or **upon** a public **road or highway**.
- M 384.5 (a)(1) **Move any minor forest products** upon any public road without valid bill of sale in possession.
- M 384a **Cut, destroy, mutilate, or remove any plant** growing upon public land or upon land not his or her own, without signed written permission. (May be enforced by US Forest Service)
- M 384c **Transport more than five trees** or more than five pounds of shrubs or boughs on public roads or highways without a transportation tag for each load.
- M 402(a) **Impede emergency personnel** at the scene of an emergency.  
(b) Every person who knowingly resists or interferes with a lifeguard in the discharge or attempted discharge of an official duty in an emergency situation.
- M 428 **Obstructing revenue collection** of state funds (entrance staff, self-registration, etc.)
- M 470 **Forged receipt** or document evidencing ownership of vehicle.
- M 537(a) (1)**Defrauding an innkeeper**, \$400 or less (2)Over \$400
- M 602(n) **Trespass** with a vehicle.
- M/F 12031(a)(1) Carry **loaded firearm in vehicle** in public place
- M/F 12034(b) Driver/Owner allowed **discharge** of a **firearm** from vehicle
- M/F 12034(d) Willful and Malicious **discharge** of a **firearm** from a vehicle

## RESOURCE (CVC, H&S)

### California Vehicle Code (CVC)

- I 38300 It is unlawful for a driver of any vehicle to **disobey any sign, signal, or traffic control device placed** or maintained pursuant to Section 38280.
- I 38302 It is unlawful for any person to **place or erect any sign, signal, or traffic control device** for off-highway traffic upon public lands unless authorized by law.
- M 38318 Malicious acts - remove or alter trail, danger or directional markers.
- M 38319 Causing malicious/unnecessary **damage to land, wildlife, habitat or vegetation.**
- M 38320(a) **Littering:** Throw trash or dangerous substance onto public or private land, or driver aid or abet.
- M 38320(b) **Dumping:** Dirt or rocks on public or private land.

### Health and Safety Code (H & S)

- M 12671 Unregistered **fireworks**
- M/F 12677 **Dangerous fireworks** (Under 100 pounds M, or more pounds M/F)
- M 12679 Store, sell or discharge **fireworks within 100 feet of flammable liquids**

- M 12680(a) Place, throw, discharge or ignite, or fire dangerous **fireworks at or near any person** or group of persons with the intent of creating chaos, fear, or panic
- M 41800 **Burning toxic** material (tires, magnesium, etc.)

## Fish and Game Code (F&G)

- M 2006 **Loaded rifle** or **shotgun** in any **vehicle** on or along any public highway or other way open to the public
- M 3002 **Shoot** at any game bird or mammal **from a motor vehicle**
- M 3003.5 **Pursue wildlife** with vehicle
- M 3004(b) **Discharge firearm or arrow** across public road in unsafe manner
- M 5652(a) **Deposit waste** within 150 feet of high water mark

## Red Sticker Riding Schedule (Dates shown are open to OHV recreation)

### State Vehicular Recreation Areas (SVRA)

Clay Pit	Sep 1 – Jun 30
Mammoth Bar	Year round
Prairie City	Oct 1 – Apr 30
Carnegie	Oct 1 – Apr 30
Hollister Hills	Oct 1 – May 31
Oceano Dunes	Year round
Hungry Valley	Oct 1 – Apr 30
Ocotillo Wells	Oct 1 – May 31
Heber Dunes	Year Round

### Bureau of Land Management (BLM)

#### Northern California

Samoa Dunes	Year round
Chappie-Shasta ORV	Oct 1 – Jun 30
Fort Sage OHV Area	Year round
South Cow Mountain Area	Year round
Knoxville Recreation Area	Year round

#### Bakersfield District

Clear Creek Management.	Oct 1 – May 31
Bishop Resource Area	Year round

### United States Forest Service (USFS)

#### Shasta-Trinity National Forest

McCloud Area	Year round
Hayfork Area	Year round

#### Plumas National Forest

Deadman Springs,Snake Lake	Year round
Big Creek, Four Trees, French Creek	Year round
Cleghorn Bar, Poker Flat	Year round
Gold Lake	Year round
Dixie Mountain	Year round

#### Mendocino National Forest

Lake Pillsbury	Year round
Elk Mountain Area	Year round
Davis Flat	Year round

#### Tahoe National Forest

Downieville Area	Year round
Foresthill OHV Area	Year round
China Wall	Year round
Nevada City District Areas	Year round
Fordyce	Year round

### Sierra National Forest

Hites Cove	Oct 1 – May 31
Miami Motorcycle Trails	Oct 1 – May 31
Huntington Lake	Oct 1 – May 31
Eastwood	Oct 1 – May 31
Shaver Lake Area	Oct 1 – May 31
Kings River, Pineridge	Oct 1 – May 31
Quail Flat	Oct 1 – May 31

### Sequoia National Forest

Frog Meadow Area	Oct 1 – May 31
Tule River Area	Oct 1 – May 31
Kennedy Meadows	Year round

### Inyo National Forest

Poleta	Year round
--------	------------

### Los Padres National Forest

Black Mountain	Year round
Ballinger Canyon	Oct 1 – April 30
Alamo Mountain	Oct 1 – April 30
Santa Barbara	Oct 1 – April 30
Ortega Trail	Oct 1 – April 30

**California Desert District**

Olancha Dunes	Year round
Jawbone Canyon,	
Dove Springs	Sep 1 – May 31
Spangler Hills	Sep 1 – May 31
Dumont Dunes	Year round
El Mirage	Oct 1 – Apr 30
Stoddard Valley	Sep 1 – May 31
Razor	Sep 1 – May 31
Johnson Valley	Sep 1 – May 31
Eastern Mojave Desert Areas	Year round
Parker Strip	Year round
Colorado Desert Areas	Oct 1 – Apr 30
Lark Canyon	Oct 1 – Apr 30
Arroyo Salado	Oct 1 – May 31
Superstition Mountain	Oct 1 – May 31
Plaster City	Oct 1 – May 31
Imperial Dunes-Mammoth Wash	Year round
Imperial Dunes-Glamis/Gecko	Year round
Imperial Dunes-Buttercup Valley	Year round

Sierraville Area	Year round
Truckee District Area	Year round
Prosser Hills Area	Year round

**Lake Tahoe Basin Management**

Kings Beach	Year round
-------------	------------

**Eldorado National Forest**

Mace Mill, Rock Creek	Year round
Barrett Lake	Year round

**Stanislaus National Forest**

Corral Hollow, Spicer	Year round
Niagara Ridge Area	Year round
Crandall Peek, Deer Creek	Oct 1 – May 31
Hunter Creek	Oct 1 – May 31
Hull/Trout Creek	Oct 1 – May 31
Date Flat, Moore Creek	Oct 1 – May 31

**Angeles National Forest**

Drinkwater Flats	Oct 1 – April 30
Rowher Flat	Oct 1 – April 30
Littlerock	Oct 1 – April 30
San Gabriel	Oct 1 – April 30

**San Bernardino National Forest**

Lytle Creek Area	Oct 1 – April 30
Lake Arrowhead Area	Oct 1 – April 30
Big Bear Lake Area	Oct 1 – April 30
San Jacinto Area	Oct 1 – May 31

**Cleveland National Forest**

Wildomar	Oct 1 – April 30
Corral Canyon	Oct 1 – April 30

**Other Jurisdictions**

Eugene Chappie OHV Park	Year round
Metcalf Motorcycle Park	Oct 1 – April 30
Frank Raines-OHV Park	Oct 1 – April 30
La Grange	Oct 1 – April 30
Park Moabi	Year round

I 38020 CVC Riding in violation of seasons established by section 2412(f) and 2415 of Title 13 of the California Code of Regulation constitutes a violation of this section.

The season for legal riding areas not listed above and closed courses are year-round.



## Specific To State Parks

### CALIFORNIA CODE OF REGULATIONS (CCR TITLE 14)

- A 4300 **Eviction of violators** (e) Permits eviction from state park for the rest of the day for any violation. No citation required.
- M 4353 **Speed Limits** (a) Speed over 15 miles per hour in camps, picnic areas, utility areas, or headquarters areas or in areas where the general public assembles.
- M 4354 **Dangerous Vehicle Operation.** Operate any vehicle, motor vehicle, off-highway vehicle or bicycle in such a manner as to pursue, harass, endanger, or injure any person or animal.
- M 4355 **Vehicle Operation.** Operate, drive, use, leave, park, place or stop a vehicle, except on a road or parking area.  
(a) Or in violation of the restrictions in such unit or portion thereof;  
(b) Or in violation of any regulation contained herein.
- 4609 VEHICLES – **Oceano Dunes SVRA (Pismo)**
- I/M 4609(a)(2) **Towing object** other than another vehicle

- I/M 4609(a)(3) **Whip** required with red or orange flag (8 feet from ground on all non-street registered vehicles)
  - I/M 4609(a)(4)(A) **Roll bars or roof and seatbelt** required for vehicles in dunes other than motorcycle and ATVs
  - I/M 4609(a)(4)(B) **Whip and flag** as stated above for all vehicles in dunes
  - I/M 4609(b) **Unsafe speed**
  - I/M 4609(c) **Endangering** health and safety of **minor**
  - I/M 4609(d) **Allow minor to operate** with minor's health and safety endangered
- 4610 **Drivers' Licenses, Off-Highway Units**
- I/M 4610(a) Unlicensed driver accompanied & supervised at all times by licensed driver, shall not supervise more than 3 unlicensed drivers.
  - I/M 4610(b) Unlicensed driver must be capable of operating all controls. May not operate during nighttime, or outside designated OHV area.

### **San Luis Obispo County Code (SLCC)**

- M 15.44.040 **Reckless** Driving (see 23103 north of post-2, and 38316 south of Post-2)
- M 15.44.110 **Towing object** in unsafe manner
- I 15.44.210 **Speed** in excess of 15 MPH on beach.

## Specific To U.S. Forest Service (for use by Federal officers only)



### TITLE 36 CODE OF FEDERAL REGULATIONS

A violation of these prohibitions is punishable by a fine of not more than \$5,000 for an individual or \$10,000 for an organization, or imprisonment for not more than 6 months, or both. 16 USC 551 and 18 USC 3559 and 3571.

### PROPERTY

- 251.50(a) Group use, event, or commercial use **without special use permit.**
- 261.9(a) **Damaging any natural feature** or other property of the United States
- 261.9(c) **Damaging any plant** that is classified as a threatened, endangered, sensitive, rare, or unique species

### OCCUPANCY AND USE

- 261.10(a) **Construct/maintain** any road/trail w/o special use authorization
- 261.10(f) Placing a vehicle or other object in such a manner that is an **impediment or hazard** to the safety or convenience of any person
- 261.58(bb) **Open Alcoholic Container** (Reg. Order #98-1) and minor in possession.
- 261.58(g) **Parking** a vehicle in violation of posting when provided by Order

## NATIONAL FOREST SYSTEM ROADS/TRAILS

- 261.12(c) **Damaging**/leaving damage on any road/trail
- 261.12(d) **Blocking/restricting** use of road/trail

## MOTOR VEHICLE USE

- 261.13 Possess/operate motor vehicle **off designated route** after identified on a “motor vehicle use map”

## USE BY OVER-SNOW VEHICLES

- 261.14 Possess/operate **over-snow vehicle** in violation or prohibition (after identified on an “over-snow motor vehicle use map”) of 36 CFR 212, subpart C

## USE OF VEHICLES OFF ROAD

- 261.15(a) Without **valid license** as required by state law
- 261.15(b) Without an operable **braking system**
- 261.15(c) **Operating** in hours of **darkness** w/o lights
- 261.15(d) Violation of any **Federal (USFS or EPA) or State noise standards**
- 261.15(e) While **under the influence** of alcohol or drugs
- 261.15(f) Creating **excessive** or **unusual smoke**
- 261.15(g) **Reckless** driving

## Specific To U.S. Forest Service Continued ...



### USE OF VEHICLES OFF ROAD

- 261.15(h) **Damaging/disturbing** land/wildlife/vegetation
- 261.15(i) In **violation of state law** established for vehicles used off-roads (see 38000 section of CVC)
- 261.56 Use of vehicles **off National Forest System Roads** – Prohibited when provided by an order

### DEVELOPED RECREATION SITES

- 261.16(m) **Operating or parking a motor vehicle** or trailer except in places developed or designated for this purpose.
- 261.16(n) **Operating a bicycle, motorbike, or motor-cycle** on a trail unless designated for this use
- 261.16(o) **Operating a motorbike, motorcycle,** or other motor vehicle for any purpose other than entering or leaving the site.

### NATIONAL FOREST WILDERNESS

- 261.18(a) Possessing/using a **motor vehicle** without authorization

### PACIFIC CREST TRAIL

- 261.20 Using **motor vehicle** without special use authorization

## NATIONAL FOREST PRIMITIVE AREAS

261.21(b) Possessing/using **motorized equipment**

## FIRE RESTRICTIONS

(when provided by an order)

261.52(j) Operating engine without properly maintained and USFS qualified **spark arrester**  
(Reg. Ord. #91-01)

261.52(h) Operating an **internal combustion engine**. Limits OHV use when provided by an order

## NATIONAL FOREST SYSTEM ROADS

(when provided by an order)

261.54(a)/(b) Operating a vehicle on any **road posted as closed** to traffic or restricted to use by traffic

261.54(d) Operating or possessing a motor vehicle on National Forest Systems roads **in violation of state law** established for vehicles used on roads (Regional Order #08-01, see 38000 section of the CVC)

261.54(f) **Reckless** operation of vehicle

## WILDERNESS RESTRICTION

(when provided by an order)

261.57(h) Possessing/using **vehicle in wilderness** (Regional Order #88-03)

## Specific To BLM (for use by Federal officers only)



### TITLE 43 CODE OF FEDERAL REGULATIONS

Any person who violates or fails to comply with these regulations is subject to citation or arrest, conviction, and punishment pursuant to appropriate laws and regulations. Such punishment may be a fine of not more than \$100,000 or imprisonment for not longer than 12 months, or both.

43 USC 1733(a) and 18 USC 3559 and 3571

### PROPERTY AND RESOURCES

8365.1-5(a)(1) Willfully deface, disturb, remove, or destroy any personal property, or structures, or any scientific, cultural, archaeological or historic resource, natural object or area

8365.1-5(a)(2) Willfully deface, remove or destroy plants or their parts, soil, rocks or minerals, or cave resources except as permitted

2932.57(a)(1) **Group, event, commercial, competitive, or special area use without a Special Recreation Permit (SRP) or fail to pay required fees** (motor vehicle races, rallies, appreciation days, etc.)

2932.57(a)(2) **Violating stipulations or conditions** of an issued SRP

2932.57(a)(3) **Knowingly participate** in an event or activity if BLM has not issued an SRP

2932.57(a)(4) **Failing to post copy** of commercial or competitive SRP

- 2932.57(a)(5) **Failing to show copy** of SRP to BLM employee or participant
- 2932.57(a)(6) **Obstructing or impeding** pedestrians or vehicles or harass visitors with physical contact in connection with SRP activity or event
- 2932.57(a)(7) **Refusing to leave** or disperse after lawful order by BLM, State or local law enforcement with or without an SRP

## OCCUPANCY AND USE

- 8364.1(d) Violation of **closure or restriction** order
- 8365.1-1(b)(1) **Littering** (cans, bottles, other nonflammable trash)
- 8365.1-1(b)(2) **Littering** (flammable trash or garbage)
- 8365.1-1(b)(3) **Drain or dump** refuse or waste (other than wash water) from trailer or other vehicle
- 8365.1-2(b) **Unattended personal belongings** longer than 10 days unless authorized
- 8365.1-3(a) **Speeding**, willfully **endangering** persons or property, or act in a **reckless, careless** or **negligent** manner while operating motor vehicle
- 8365.1-3(b) **Seatbelt required** for driver and front seat passenger of motor vehicle (OEM)
- 8365.1-4(a)(1) Making **unreasonable noise**
- 8365.1-4(a)(2) **Creating a hazard** or **nuisance**
- 8365.1-6 **Violate** established **Supplementary Rules** (area specific)

## Specific To BLM Continued ...

8365.1-6 **Open alcoholic container** in motor vehicle or **minor in possession** (CA statewide)

### OFF-ROAD VEHICLE USE

8341.1(b) **Operating off designated routes or trails** in limited use area

8341.1(c) **Operating** in area or trail **closed to motor vehicle use**

8341.1(d) **Operating in violation of state laws and regulations** relating to use, standards, registration, operation, and inspection (assimilate California Vehicle Code Section)

8341.1(e) **Operating without a valid license** as required by state law

8341.1(f)(1) **Reckless, Careless or Negligent Driving**

8341.1(f)(2) **Speeding**

8341.1(f)(3) **DUI** (alcohol, narcotics, or dangerous drugs)

8341.1(f)(4) **Operating in a manner causing, or likely to cause significant, undue damage to or disturbance of the soil, wildlife, wildlife habitat, improvements, cultural, or vegetative resources**

8341.1(f)(5) **Operating** in hours of **darkness** without headlight and taillight

8341.1(g) Failing to **yield right-of-way** to pedestrians and animals (saddle horses, pack trains, etc.)

- 8343.1(a) **Brakes** required
- 8343.1(b) **Muffler** required
- 8343.1(c) **Spark arrester** required when posted
- 8343.1(d) **Headlight and taillight standards** for nighttime operation:
  - (1) Headlight illuminates 300 feet to the front
  - (2) Red Taillight illuminates 500 feet to the rear
- 8351.11(a) **Operating** along a **national scenic trail** except as authorized

## **DEVELOPED RECREATION SITES AND AREAS**

- 8365.2-2(a) Making unreasonable noise from audio device or motorized equipment that disturbs others
- 8365.2-3(a) Parking any trailer except in places developed or designated for this purpose
- 8365.2-3(b) Leaving personal property unattended for more than 24 hours in a day use area or 72 hours in other areas
- 8365.2-3(d) Entering campground at night when not occupant or visitor
- 8365.2-4 Driving a motor vehicle except in places developed or designated for this purpose

## **BLM WILDERNESS RESTRICTION**

- 6302.20(d) Using a motor vehicle without authorization

## Out-of-State Off-Road Motor Vehicle Registration Requirements

**Oregon** <http://egov.oregon.gov/OPRD/ATV>

**All-Terrain-Vehicle, Class I** – Issued to Class I all-terrain vehicles, defined as motorized off-road vehicles 50 inches or less in width with a dry weight of 800 pounds or less, traveling on three or more low-pressure tires and having a saddle (seat) for the operator. Out-of-state residents may purchase a 60-day non-resident permit.



**All-Terrain-Vehicle, Class II** – Issued to Class II all-terrain-vehicles, defined as motor vehicles weighing more than 800 and less than 8,000 pounds. Designed to travel on or over land, water, sand, snow, ice, marsh, swampland or other natural terrain and actually being operated off a highway. Decal is issued in conjunction with paper operating permit. Decal and permit are required to operate in certain designated recreation areas. Permit and decal are in addition to any other plates required for operation on public highways.

**All-Terrain-Vehicle, Class III** – Issued to Class III all-terrain-vehicles, defined as off-highway motor-cycles with a dry weight of 600 pounds or less and traveling on two tires. Out-of-state residents may purchase a 60-day non-resident permit.

Statutory authority: ORS 801.194, 821.080, 821.320.

**Snowmobile** – Issued to any self-propelled vehicle capable of traveling over snow or ice, which uses an endless belt or cleats. Vehicle must be steered wholly or in part by skis or sled-type runners. Decal is placed on left side on front or rear of the snowmobile tunnel. Out-of-state residents may operate in Oregon by purchasing a 60-day non-resident permit. Statutory authority: ORS 801.490, 821.080, 821.320.



**Nevada** – [www.dmvnv.com/ohv.htm](http://www.dmvnv.com/ohv.htm) for details on Nevada OHV decal.



(Proposed 2012)

**Arizona** – [www.gf.state.az.us](http://www.gf.state.az.us) for details on Arizona OHV decal.

## Definitions

**ATV** - All terrain vehicle  
- Any 3 or 4 wheel cycle  
- See CVC 111

**Closed Course** - Limited access race course not available to general public - CVC 38014

**Closed Course Competition Event (Federal Areas/  
EPA Definition)** - 40 CFR 205.151(11) means any organized competition event covering an enclosed, repeated or confined route intended for easy viewing of the entire route by all spectators. Such events include short track, dirt track, drag race, speedway, hillclimb, ice race, and the Bonneville Speed Trials.

**Dual-Sport** - A motorcycle designated for use on and off-highway that has a highway motorcycle license plate. Conversion of an off-highway motorcycle to dual-sport highway license is illegal in California.

**Green/Red Sticker** - A Green or Red adhesive type indicia for an OHV, Includes a 2-Year Date. Red may be restricted to regional riding Seasons.

**Highway** - Publicly maintained route that is open to the use of the public for vehicle travel - See CVC 360

**Motorcycle** - Section CVC 400/436

**Muffler** - Effectively reduces noise - CVC 425

**OHV** - Off-highway vehicle  
- Any vehicle subject to registration under 38010 CVC - See CVC 38012

**OHV Training**- ASI ATV Rider Course 1-800-887-2887; MSF Dirt Bike School 1-877-288-7093.

**ORV** - Off-road vehicle (see OHV)

**Public Lands** - Any land held in public trust

**Quad** - Refer to ATV

**Snowmobile** - Vehicle designed to travel over ice or snow  
- See CVC 557

**Spark Arrester** - is a properly maintained device constructed of non-flammable materials specifically for the purpose of removing and retaining carbon and other flammable particles over 0.0232 of an inch in size from the exhaust flow of an internal combustion engine or which is qualified and rated by the United States Forest Service. A USFS qualified spark arrester is required on Federal Lands.

**Street Legal Vehicle** - Any vehicle subject to registration under CVC 4000 must be properly equipped when on the highway.

**Transportation Permit**- A red colored sticker which allows the owner to transport to and from, and operate in a closed course, such as a motocross facility. Otherwise, no operation on public lands.

\*Definitions are for general reference only, and are not legal definitions.

## DEFINITIONS

**ASI - ATV Safety Institute**

(800) 887-2887 • [www.atvsafety.org](http://www.atvsafety.org)

**MSF - Motorcycle Safety Foundation**

(877) 288-7093 • [www.dirtbikeschool.com](http://www.dirtbikeschool.com)

**Off-Highway Vehicle Enforcement/Sound Training (P.O.S.T. Certified)**

(916) 324-4442

**DMV - Department of Motor Vehicles**

(800) 777-0133 • [www.dmv.ca.gov](http://www.dmv.ca.gov)

**ROHVA - Recreational Off-Highway Vehicle Association**

(949) 255-2560 x. 3132 • [www.rohva.org](http://www.rohva.org)

**OHMVR Public Information Inquiries**

(916) 324-4442 • [info@parks.ca.gov](mailto:info@parks.ca.gov)







---

---

---

Postage

California State Parks  
Off-Highway Motor Vehicle Recreation Division  
1725 23<sup>rd</sup> Street, Suite 200  
Sacramento, CA 95816-7100



# California State Parks

## Off-Highway Motor Vehicle Recreation Division

1725 23<sup>rd</sup> Street, Suite 200  
Sacramento, CA 95816-7100  
(916) 324-4442

[www.ohv.parks.ca.gov](http://www.ohv.parks.ca.gov)

Edmund G. Brown Jr., Governor  
John Laird, Secretary for Resources  
Ruth Coleman, Director - California State Parks  
Phil Jenkins, Division Chief



© Copyright, June 2012 by OHMVR. All rights reserved.

