OFF-HIGHWAY VEHICLE LAW ENFORCEMENT INFORMATION
This 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. (See exceptions in CVC 38010(b).)

(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)(1) **Unregistered vehicle** on highway (use for an OHV on highway and reference CVC 38025)

I 4461(a) **Loan or allow use** of registration/ID (for ID, reference CVC 38100)

I 4462(b) **Misuse** of registration/ID

M 4462.5 **Registration fraud** - display plate or tab with intent to avoid registration fees

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 visible from rear
I 38170(c)(3) ID devices not clearly displayed on left rear quadrant of ATV visible from rear
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 (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.
Recreational Off-Highway Vehicles (ROVs)

I 38600  Driver shall be at least 16 or be supervised by a parent/guardian or adult authorized by parent/guardian in the vehicle.

I 38601  Driver operates or allows passengers without DOT approved helmet (can only cite driver). [Applies only to Public Lands.]

I 38602  Seatbelt/safety harness required for all occupants (any occupant can be cited).

I 38603(a)  Driver allows passenger in seating area not designed by the manufacturer except (b) vehicles manufactured in 2013 and earlier may have added seating if the occupant is fully contained in vehicle rollover protection (can only cite driver).

I 38604(a)  Occupant handhold required. Manufactured and aftermarket handholds are acceptable (can only cite driver).
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
California Vehicle Code (CVC)

- 24411  **Off-highway lights** must be **covered** on highway
- 38330  Operation of **unsafe vehicle, not equipped** as required or **not safely loaded**
- 38335  **Headlight required** during darkness (must illuminate persons or vehicles at 200 feet)
- 38345  Red **taillight** clearly visible from the rear required during darkness
- 38346  Display of **red or blue warning light** prohibited (a lighted whip is not a warning light)
- 38355(a)  Not equipped with **working brake system**
- 38365(a)  **Inadequate Muffler** on OHV
- 38366(a)  Properly maintained, compliant or USFS qualified **spark arrester required on forest covered, brush covered or grass covered lands**
- 38375(a)  **Siren** prohibited on OHV
- 38375(b)  Use of **siren** prohibited
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.

Noise Limits (CVC)

I 27150(a) Adequate muffler required (applies on highway)
I 38365(a) Inadequate Muffler on OHV (also applies to highway licensed vehicles off-highway)
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

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
Alcohol (CVC)

I 23136(a)  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(c)(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** - alcohol on or off-highway
M 23152(b)  **Blood Alcohol of .08% or more** on or off-highway
M 23152(e)  **DUI** - drugs on or off-highway
M 23152(f)  **DUI** - drugs and alcohol combined on or off-highway
F 23153(a)  **DUI with injury** on or off-highway
I 23154(a)  BAC .01 or more on DUI probation. Also complete Admin Per Se.
I 23220(a)  **Drink while driving** on or off-highway
I 23222(a)  **Open container while driving** on or off-highway
I 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) (14601 through 14601.5(b) apply to OHV operation on lands described in section 38301)

I 12500(a) Unlicensed driver (applies only on highway)
M 14601(a) Suspended/revoked license - negligent or hazardous driving
M 14601.1(a) Suspended/revoked license - acts not related to driving ability
M 14601.2(a) Suspended/revoked license - driving under the influence (subsection (b) for DUI driving restriction violation)
M 14601.3(a) Suspended/revoked license - habitual traffic offender
M 14601.4(a) Driving with suspended/revoked license - proximately cause bodily injury to another
M 14601.5(a) Suspended/revoked license - refusal of chemical test or prior DUI probation violation
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)
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) Ride on part of vehicle not intended for passengers - driver (on highway only)
I 21712(b) Ride on part of vehicle not intended for passengers - passenger (on highway only)
I 21712(d) **Passenger in trunk** (on highway only)
I 21720 **Pocket Bike** shall not be operated on or off-highway on public lands
M 23127 Vehicle **on posted** state, local or private hiking or equestrian **trail**
NP 38025 Crossing a two lane highway permitted at an angle of 90 degrees
I 38026.5(b) **Combined-use highway** - shall not operate off-highway vehicle in violation of any of the following:
(1) During hours of darkness
(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 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 38301(a) **Operate in violation of special regulations including OHV use in closed area** (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 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

OPERATION
Operation (CVC) (Continued)

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

M 38316(a) Reckless driving

M 38317 Reckless driving, bodily injury

M 38318(a) Throw substance at OHV

F 38318(b) Throw substance or shoot at OHV with intent to injure

M 38318.5(a) Malicious acts - remove or alter trail, danger or directional markers

F 38318.5(b) 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
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

I 38330 Operation of **unsafe vehicle, 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 25850(a) Carry loaded firearm in public or vehicle

M/F 26100(b) Driver/owner allowed discharge of firearm from vehicle

M/F 26100(d) Willful and malicious discharge of a firearm from a vehicle
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 (petroleum wastes, demolition debris, tires, tar, trees, wood waste, other combustible, or flammable solid or liquid waste; motor vehicle bodies)

Fish and Game Code (F&G)

M 2000  **Take in violation of code/Title 14**
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
## 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

## United States Forest Service (USFS)
### 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

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

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<thead>
<tr>
<th>Area</th>
<th>Start/End</th>
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<tbody>
<tr>
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<td>Oct 1 – May 31</td>
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<tr>
<td>Eastwood</td>
<td>Oct 1 – May 31</td>
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<td>Shaver Lake Area</td>
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<td>Kings River, Pineridge</td>
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<td>Nevada City District Areas</td>
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California Desert District
Olancha Dunes Year round
Jawbone Canyon, Sep 1 – May 31
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
Rasor 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
Fordyce 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 Peak, 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
Sierra National Forest
Hite Cove Oct 1 – May 31
Miami Motorcycle Trails 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
Metcalfe Motorcycle Park Oct 1 – April 30
Frank Raines-OHV Park Oct 1 – April 30
La Grange Oct 1 – April 30
Park Moabi Year round

\[38020 \text{ CVC}\] 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 Ejection of violators (e) Permits ejection from state park for the rest of the day for any violation. No citation required. Enforceable by any Peace Officer having concurrent jurisdiction.

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.

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

**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.

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.
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

U.S. FOREST SERVICE
Specific To U.S. Forest Service

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 #13-01, 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

Out-of-state residents must purchase a Nonresident OHV Permit unless the driver can provide proof of registration in another state. States that do not currently have an OHV registration program are:

<table>
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<th>Alabama</th>
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For states bordering California, the Oregon OHV Permit, the Nevada OHV Registration Decal, and the Arizona OHV Decal meet the requirement for OHV registration.

Possession of a California driver’s license is proof of California residency.
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
DEFINITIONS

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

ROV - CVC 500 - (a) designed for use off-highway, (b) has steering wheel, (c) has non-straddle seating provided by the manufacturer, (d)(1) has maximum speed of more than 30 mph, (d)(2) or has been modified to reach speeds of over 30 mph, and has an engine displacement of less than 1000cc.

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.
ASI - ATV Safety Institute  
(800) 887-2887 • www.atvsafety.org

MSF - Motorcycle Safety Foundation  
(877) 288-7093 • 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

ROHVA - Recreational Off-Highway Vehicle Association  
(949) 255-2560 x. 3132 • www.rohva.org

OHMVR Public Information Inquiries  
(916) 324-4442 • info@parks.ca.gov
Determining the year of a vehicle can be done using the 10th digit of the VIN.

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California State Parks
Off-Highway Motor Vehicle Recreation Division
1725 23rd Street, Suite 200
Sacramento, CA 95816-7100
Questions/Concerns/Suggestions:

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