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**SB-159 Off-highway vehicles.** (2017-2018)

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**Senate Bill No. 159**

**CHAPTER 456**

An act to amend Section 38225 of the Vehicle Code, relating to off-highway vehicles, and declaring the urgency thereof, to take effect immediately.

[ Approved by Governor October 03, 2017. Filed with Secretary of State October 03, 2017. ]

**LEGISLATIVE COUNSEL'S DIGEST**

SB 159, Allen. Off-highway vehicles.

Existing law generally imposes a service fee of \$7 for the issuance or renewal of identification of off-highway motor vehicles subject to identification, and a special fee of \$33 paid at the time of payment of the service fee. Existing law requires the special fees, specified use fees for state vehicular recreation areas, and other specified funds to be deposited in the Off-Highway Vehicle Trust Fund, and requires moneys in the fund, upon appropriation, to be allocated for specified purposes related to off-highway recreation. These provisions are to be repealed on January 1, 2018.

This bill would extend the operation of these provisions indefinitely.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3 Appropriation: no Fiscal Committee: yes Local Program: no

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

**SECTION 1.** Section 38225 of the Vehicle Code is amended to read:

**38225.** (a) A service fee of seven dollars (\$7) shall be paid to the department for the issuance or renewal of identification of off-highway motor vehicles subject to identification, except as expressly exempted under this division.

(b) In addition to the service fee required by subdivision (a), a special fee of thirty-three dollars (\$33) shall be paid at the time of payment of the service fee for the issuance or renewal of an identification plate or device.

(c) All money transferred pursuant to Section 8352.6 of the Revenue and Taxation Code, all fees received by the department pursuant to subdivision (b), and all day use, overnight use, or annual or biennial use fees for state vehicular recreation areas received by the Department of Parks and Recreation shall be deposited in the Off-Highway Vehicle Trust Fund, which is hereby created. There shall be a separate reporting of special fee revenues by vehicle type, including four-wheeled vehicles, all-terrain vehicles, motorcycles, and snowmobiles. All money shall be deposited in the fund, and, upon appropriation by the Legislature, shall be allocated according to Section 5090.61 of the Public Resources Code.

(d) Any money temporarily transferred by the Legislature from the Off-Highway Vehicle Trust Fund to the General Fund shall be reimbursed, without interest, by the Legislature within two fiscal years of the transfer.

**SEC. 2.** This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to provide for the uninterrupted registration of off-highway motor vehicles which protects the safety and ownership rights of vehicle owners and operators, it is necessary for this act to take effect immediately.