

Consensus Points¹
of the OHV Working Group as of August 12, 2008

OHV Titling:

1. Titling should be MANDATORY for all new (as of enactment of the legislation) OHVs, and all re-sales through authorized dealers.
 - A. Proof of sales tax, or a waiver of sales tax signed by the Nevada Department of Taxation, should be required to receive a title.
2. Titling should be VOLUNTARY for all existing OHV's.
3. The Nevada Department of Motor Vehicles (DMV) should be responsible for administering the OHV process.
4. All fees collected from titling should be used to cover the administrative cost of the DMV.

OHV Registration:

1. All OHVs should be registered annually.
 - A. Exemptions should include those listed under the 2007 proposed legislation.
 - B. Annual registration fees should not exceed \$20.
2. All OHVs should be assigned a unique number that is displayed by an identifiable tag.
 - A. The unique number should be assigned at the time of initial registration.
 - (1) Initial registration will require:
 - (a) A copy of title for new OHVs.
 - (b) A copy of title or a physical VIN inspection and signature of affidavit of ownership for existing OHVs.
 - B. The identifiable tag shall consist of either a plate or sticker that is equivalent in dimension and requirements to existing street legal motorcycle plates.
 - (1) The proper location for placement of tags shall be determined for each type of OHV through regulations established by the OHV Commission.
3. The Department of Motor Vehicles should be the agency responsible for administering the OHV registration program.
 - A. A portion of the registration fee should be designated to cover administration costs.
 - (1) This portion may be higher for first-time registration as a VIN inspection will be required for most existing vehicles.
 - B. Every effort should be made to reduce administration costs including the use of OHV authorized dealers and outsourcing of the registration program similar to the Nevada Department of Wildlife's Boat Program.

¹ Please note that these consensus points have been arrived at by the members of the working group, and have not yet been fully vetted through the parent organizations of the working group members.

OHV Registration (continued):

4. All monies not used to cover administrative costs shall be deposited directly into a designated OHV Fund.
5. Under no circumstance should any portion of the registration fee be deposited into the State General Fund.

OHV Fund & Project Grants:

1. Distribution of the funds should be conducted through a grants process developed by the OHV Commission.
2. The grant process should include a requirement to get sign-off approval from all appropriate Federal and State Agencies as part of the Grant Application. The purpose of this requirement is to avoid damage of sensitive ecological, cultural or archeological sites and to ensure that OHV projects fit with multiple use principals of the land management agencies.
3. A Business Manager will be responsible for handling the day-to-day operations of the OHV Fund and Commission.
 - A. This person would NOT be responsible for running the registration program under the Department of Motor Vehicles.
 - B. This person would be housed within the Nevada Department of Conservation and Natural Resources.
4. Fund distribution:
 - A. Up to 10% of annual registration income should be used to cover costs for administration of the registration program. The amount needed for administrative costs associated with registration through DMV, Dealers or other outsourcing companies (first time and renewal) still needs to be determined.
 - B. Of the remaining 90% of the annual fund income:
 - (1) 60% should be used for OHV trails and facilities including:
 - (a) Mapping and Signage
 - (b) Planning
 - (c) Land Acquisitions for OHV Trails and Facilities
 - (d) Constructing New Trails and Facilities
 - (e) Maintenance
 - (f) Restoration of OHV Damaged Areas
 - (g) No more than 30% of available grant funding shall be allocated to a single project category listed above.
 - (2) 20% should be used for OHV Program Enforcement
 - (a) The existing Office of Justice Assistance (OJA) should be used to vet all enforcement grant requests for this portion of money. The OHV Commission would ultimately have to approve the OJA's recommendations.
 - (3) 15% should be used for OHV Education
 - (4) 5% should be used for administration of the Fund & Commission.

OHV Fund & Project Grants (continued):

5. The following entities should be eligible to receive funding:
 - A. Federal and State Agencies
 - B. Counties, Cities, and Towns
 - C. Non-governmental Organizations
6. The OHV Commission shall report to LCB and/or appropriate legislative committee every 2 years to report Fund expenditures and recommend any needed changes.

OHV Commission:

1. The purpose of the Commission is to administer the OHV fund and grant process in order to promote responsible and sustained OHV recreation and opportunities.
 - A. The Commission should be as self-sufficient as possible and have the ability to develop and revise NAC regulations required for the OHV program.
2. The 11-member voting Commission should be comprised of the following interests:
 - A. *Dealer* – Must be an authorized dealer of OHVs
 - B. *Sportsman* – As recommended by the Nevada Board of Wildlife Commissioners
 - C. *Rancher* – As recommended by the Nevada Board of Agriculture
 - D. *Nevada Association of Counties* – As recommended by the Director of NACO
 - E. *Enforcement* – As recommended by the Nevada Sheriffs and Chiefs Association
 - F. *Member of the General Public*
 - G. *ATV Rider* – who has participated for at least 5 years using the type of off-highway vehicle they will represent, who own or operate that type of off-highway vehicle and who reside in this State
 - H. *Dirt Bike Rider* – who has participated for at least 5 years using the type of off-highway vehicle they will represent, who own or operate that type of off-highway vehicle and who reside in this State
 - I. *Off-road Racer* – who has participated for at least 5 years using the type of off-highway vehicle they will represent, who own or operate that type of off-highway vehicle and who reside in this State
 - J. *Snowmobile Rider* – who has participated for at least 5 years using the type of off-highway vehicle they will represent, who own or operate that type of off-highway vehicle and who reside in this State
 - K. *Rock Crawler* – who has participated for at least 5 years using the type of off-highway vehicle they will represent, who own or operate that type of off-highway vehicle and who reside in this State

OHV Commission (continued):

3. Each Board member would be required to sign an Agreement at the beginning of their appointment to uphold the above-defined purpose of the Commission.
4. Terms should be staggered 3-year terms with a 2-term maximum.
5. Appointment should be made by the Governor based on the defined roles and applications submitted.
6. Letters of endorsement from organized groups representing each interest should be weighed heavily.
7. The Commission should be geographically diverse given the wide diversity of environments, local issues and OHV opportunities around the state.
8. There should be an advisory board that interfaces with the Commission but does not hold voting privileges. The purpose of this advisory board is to provide an interface between the Board and the following entities:
 - A. U.S. Forest Service
 - B. Bureau of Land Management
 - C. Natural Resource Conservation Service or Academic Scientist familiar with Nevada
 - D. Nevada Department of Wildlife
 - E. Nevada Department of Conservation and Natural Resources
 - F. Nevada Department of Motor Vehicles
 - G. Nevada Commission on Tourism

OHV Enforcement:

1. Enforcement and compliance language for the OHV titling and registration program should be modeled after existing law on motor vehicles (per Frank Adams, it was suggested language be copied from and rolled into NRS 484).
2. Under the registration exemption portion, language for exempting an antique OHV should be modeled after that of antique motor vehicle exemption language.