



Promoting opportunities for quality, human-powered
winter recreation and protecting winter wildlands

Date: December 12, 2007

To: Legislative Committee on Public Lands

Re: Scheduled Meeting on 12/13/2007 at 9:00 am Item VIII. *VIII.

Discussion of Off-Highway Vehicle (OHV) Usage on Public Lands, Travel Management Planning, and Possible Future Legislation Regarding the Titling and Registration of OHVs

This letter is intended to be included as part of the public comments for this agenda item.

I, Gail Ferrell, am submitting these public comments on behalf of Snowlands Network. Our mission is to promote opportunities for quality, human-powered winter recreation on public lands and to protect winter wildlands in Nevada. I live in Reno, NV and have skied on public lands in Nevada for over 20 years. I reside in Washoe County Assembly District No. 25, Washoe County Senate District No. 4, Congressional District No.2

Snowlands Network has worked diligently with public land managers to help curb the unlawful use of snowmobiles. This includes snowmobile user trespass into areas closed to their use and resource and safety problems caused by snowmobile use.

Please support comprehensive registration and licensing of off-road motor vehicles in Nevada!

Mandatory ORV registration would finally enable Nevada to collect sales tax on in-state craft that are purchased out-of-state, so Nevada's ORV dealers expect to gain revenue from sales from residents who now shop out-of-state at discount (pocketing the tax that Nevada fails to collect). *Comprehensive ORV registration also means a chance for Nevada to verify and track ownership of each and every ORV used here, and to visibly tag each permitted ORV with a BOLD identification code.*

There is *no shortage* of ORV opportunity in Nevada, but there *is* a shortage of law compliance and enforcement when it comes to ORV use. The obvious solution, tried and true, is to make ORV motorists accountable by tagging ORVs with easy-to-read decals or license plates sporting a BOLD registration number. If it's good enough for ordinary motorists in our state, why should

ORVs be exempt?

There are many concerns about what is now in Nevada's OHV law and what is not. Please consider adopting the following:

++ Do not permit ORV traffic on highways and streets without ORV license plates!

++ While Nevada clearly needs a comprehensive ORV registration program, a state-sponsored committee to promote ORV opportunity is unwarranted. There is no shortage of ORV opportunity in Nevada.

++ ORVs are not designed for on-highway travel. Except to cross, ORVs should be allowed on designated highways, if at all, only under special circumstances and only when specially equipped, starting with illuminated license plates.

++ ORV motorists must demonstrate reliable compliance with existing laws *before* Nevada sponsors any effort to expand ORV use.

++ Administrative costs of ORV registration should be borne by registrants (as is the case in Nevada for ordinary vehicles like cars and trucks), and ORV registration fees should repay all state costs incurred in starting up an ORV registration program.

++ ORV registration, including tags with BOLD ID, should be required for ORV use on *any* public land in Nevada. Fee-exempt ID plates or tags may be issued for non-recreational ORVs on public land such as craft dedicated for emergency services and agricultural, husbandry and industrial uses.

++ ORV registration monies over and above administrative costs, if any, should be dedicated to operator education, certification, public safety and law enforcement.

++ Out-of-state ORVs used in Nevada should be required to display non-resident registration tags if not currently registered elsewhere, or if the other-state tags fail to prominently display an easy-to-read ID code.

++ ORVs authorized for use on streets and highways should not be exempted from pollution controls.

++ Restore authority of Nevada cities and counties to apply noise ordinances and other local prerogatives to ORV use on Federally controlled lands. Repeal Section 3 of NRS 490.090.

++ "Off-highway vehicles" should be kept OFF highways.

***Note:**

Nevada Revised Statutes offers two definitions that cover specialty vehicles such as ATVs, dirt bikes and snowmobiles. Such all-terrain craft fit the term "off-road vehicles" as well as "off-highway vehicles." The nomenclature in this message avoids the term "off-highway vehicle" when discussing the ON-highway use of ORVs.

NRS 480.420 "Off-road vehicle" defined. "Off-road vehicle" means a vehicle which is intended for recreational or industrial use and which is not intended or designed for use on a public highway.

(Added to NRS by 2001, 2536)

NRS 490.060 "Off-highway vehicle" defined.

1. "Off-highway vehicle" means a motor vehicle that is designed primarily for off-highway and all-terrain use. The term includes, but is not limited to:

- (a) An all-terrain vehicle;
- (b) An all-terrain motorcycle;
- (c) A dune buggy;
- (d) A snowmobile; and
- (e) Any motor vehicle used on public lands for the purpose of recreation.

2. The term does not include:

- (a) A motor vehicle designed primarily for use in water;
- (b) A motor vehicle that is registered by the Department of Motor Vehicles; or
- (c) A low-speed vehicle as defined in NRS 484.527.

(Added to NRS by 2005, 2025)

Specialty vehicles such as ATVs, dirt bikes and snowmobiles fit BOTH definitions under Nevada Revised statutes.

Sincerely,

Gail Ferrell
Snowlands Network

