

April 20, 006

Dear Members of the Legislative Committee on Public Lands

It is of great concern to all OHV owners that they be included in any discussions and actions taken regarding OHV registration and other OHV issues. Since no owners are scheduled to speak during the presentations at the April 28, 2006 meeting in Battle Mountain, I am asking that my comments be distributed to members of the Committee and other interested parties. I am an OHV owner. I was deeply involved in the writing of SB400 and the efforts to have it passed in the 2005 legislative session. I spent many hours, including several trips to Carson City, and many of my own dollars on behalf of this bill and OHV owners in Nevada.

There is no doubt that SB400 could have been a better bill if the Governor had not insisted that no fees could be charged. In addition, the owners were surprised to learn at the last minute that, according to the state constitution, monies paid as registration fees go to the Department of Transportation and would not be available to fund an OHV program. We were further dismayed when, after the bill was passed, the Department of Taxation decided they would not grandfather in those OHVs purchased before the bill took effect on January 1, 2006. The Department of Taxation has not implemented the Certificate of Operation (COO) program, which was mandated in SB400, in a timely manner. As of this date, April 20, 2006, they have not implemented it at all and recent phone calls to them to learn what the problem is and when the COOs might be available have not been returned.

I would like to hear NDOW's proposal for OHV registration and hope that I might be able to obtain a copy of it. OHV owners' concern about a registration program under NDOW is that it appears NDOW has a bias against OHVs. As an example they recently voted unanimously to oppose any designated OHV (multi-use) trails in any lands bill, even though a proposed trail is pre-approved by the managing agency, is on existing legal roads, and the bills always allow rerouting the trail in the future should any problem arise. It does not seem to matter that these routes are currently open to OHV use and designating the trail in a lands bill would provide a higher level of monitoring, management, and funding for it. Because of this adversarial situation, owners would very much prefer any registration program to be administered by State Parks, as is the case in almost every other state.

Idaho's registration and OHV program is administered by their State Parks department and it is recognized as a fine program. They have low registration fees (\$10), a board of OHV owners as advisors, and allow counties to issue street legal registrations for ATVs. These are things that Nevada OHV owners would also want from a registration program.

However, the Idaho OHV program has a firm source of revenue from their state gas tax funds. Registration fees alone could never produce enough revenue to fund an OHV program in Idaho or in Nevada. Just administering the registration of the OHVs would consume a reasonable registration fee. State gas tax money is the source of funding for OHV programs in every state that I am aware of. Without it, Nevada cannot develop an OHV program. We will never have the funds to develop and manage our own program and will still be subjected each year to out-of-

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state permit fees in California and Utah. Adequate funding for an OHV program is a critical component of a registration program and it is the fundamental problem with registration in Nevada, no matter who administers it. The benefit that OHV owners in all other states receive from their registration program seems to be unavailable to Nevadans. I would very much like to see work done on possible funding for a Nevada OHV program.

The Certificate of Operation program has not yet had a chance to operate. Unless there is a source of adequate revenue which will fund a program as well as a registration, it may well be that this COO program will do as much good for the state, the dealers, and the owners as any other which may be proposed. It is simple and is already (almost) in place. I suggest that we allow this program a chance to operate for a few years before making any proposal to abandon it. The COO could be made mandatory, with a penalty for failing to obtain it, and a small fee could be added, to go to the dealers for their part in handling the paperwork.

Thank you for this opportunity to present an owner's perspective. Please do not hesitate to contact me for further information or discussion. I would be pleased to attend any future meetings and to work with this Committee on any OHV issue.

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