

# ATV Riding: Legally and Safely

## Stanislaus National Forest

ROG 16-80; 05/12



In order to legally operate an **ATV** (all-terrain vehicle) or **OHV** (off-highway vehicle) on public land, age, proficiency and safety requirements must all be met. These are outlined below. These legal requirements differ according to age.

### Under Age 14

Must be supervised by a parent, guardian or authorized adult AND be in possession of an ATV safety certificate, OR enrolled in a state-approved course OR be supervised by an adult with a state-approved safety certificate AND must wear a safety helmet meeting standards adopted by the US Dept. of Transportation AND carry no passengers.

### Age 14 through 17

Must be in possession of an ATV safety certificate OR enrolled in a state-approved course OR is under direct supervision of an adult who is in possession of a state-approved safety certificate AND must wear a safety helmet meeting standards adopted by the US Dept. of Transportation AND carry no passengers.

### Age 18 and over

Safety certificate required only if supervising anyone under 18 without a state-approved safety certificate AND must wear a safety helmet meeting standards adopted by the US Dept. of Transportation AND carry no passengers.

### ATV Safety Education Program

A course of instruction was developed under the guidance of the Off-Highway Vehicle Safety Education Committee. The course is known as the California ATV Safety Education Program.

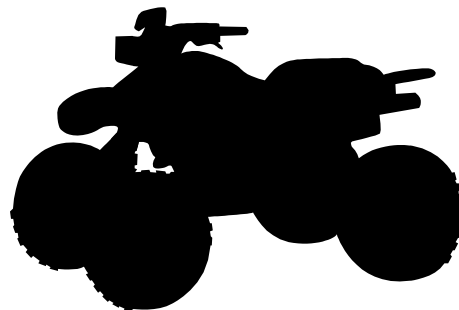
### Goals/Safety Education

- Develop knowledge of skills/ attitudes that will result in responsible, safe use of ATVs.
- Explain California rules for operating ATVs.
- Increase safety awareness and skills.
- Provide information needed to protect the environment.

### Know The California Vehicle Code

The vehicle code for the State of California sets forth all provisions necessary for ATV/OHV riders to be in compliance with existing law. On the reverse of this guide, you will find the applicable provisions of State law which address issues such as vehicle registration and identification, mufflers, exhaust systems and spark arresters. Fines for violation of State law are substantial. Be sure you are in compliance with the law before unloading your ATV/OHV for use on public lands.

Much of the information offered herein was provided by a pamphlet entitled Attention: ATV Riders: The Law-Effective January 1, 1990. This legislation formed the basic legal requirements for operation of ATVs on public land. The Forest Service rigidly enforces this and other state and Federal law in administering ATV/OHV programs in the Stanislaus National Forest.



# ATV Registration Requirements

## California Vehicle Code (CVC)

### Identification Required

38020. Except as otherwise provided in this division, no person shall operate, transport or leave standing any off-highway motor vehicle subject to identification under this code which is not registered under the provisions of Division 3 (commencing with Section 4000), unless it is identified under the provisions of this chapter. A violation of this section is an infraction. Riding in violation of seasons established by Section 2412(f) and 2415 of title 13 of the California Code of Regulations constitutes a violation of this section. This section shall not apply to the operation, transportation, or leaving standing of an off-highway vehicle pursuant to a valid special permit.

Added Ch. 1816, Stats. 1971. Operative July 1, 1972  
Amended Ch. 1093, Stats. 1976. Effective January 1, 1977  
Amended Ch. 1009, Stats. 1986. Effective January 1, 1987

### Unidentified Off-Highway Vehicle

42001. Every person convicted for a violation of Section 38020 shall be punished by a fine of not less than fifty dollars (\$50) for a first offense, and not more than two hundred fifty dollars (\$250) for every subsequent offense.

Added Ch. 1009, Stats. 1986. Effective January 1, 1987  
Amended Ch. 1027, Stats. 1987. Effective January 1, 1988. Supersedes Ch. 56  
Amended and Renumbered (from 42001.9) Ch. 160, Stats. 1988. Effective January 1, 1989

### Mufflers and Exhaust Systems

38365. (a) Every off-highway motor vehicle, as defined in Section 38006, shall at all times be equipped with an adequate muffler in constant operation and properly maintained so as to meet the requirements of Section 38370, and no muffler or exhaust system shall be equipped with a cutout, bypass, or similar device.

(b) The provisions of subdivision (a) shall not be applicable to vehicles being operated off the highways in an organized racing or competitive event upon a closed course or in a hill climb or drag race, which is conducted under the auspices of a recognized sanctioning body or by permit issued by the local governmental authority having jurisdiction.

Added Ch 1093, Stats. 1976, Effective January 1, 1977

### Spark Arrester

38366. (a) Notwithstanding Section 4442 of the Public Resources Code, and except for vehicles with mufflers as provided in Article 2 (commencing with Section 27150) of chapter 5 of Division 12, no person shall use, operate, or allow to be used or operated, any off-highway motor vehicle, as defined in Section 38006, on any forest-covered land, brush-covered land, or grass-covered land unless the vehicle is equipped with a spark arrester maintained in effective working order.

(b) A spark arrester affixed to the exhaust system of a vehicle subject to this section shall not be placed or mounted in such a manner as to allow flames or heat from the exhaust system to ignite any flammable material.

(c) A spark arrester is a device constructed of nonflammable 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.

(d) Subdivision (a) shall not be applicable to vehicles being operated off the highway in an organized racing or competitive event upon a closed course, which is conducted under the auspices of a recognized sanctioning body and by permit issued by the fire protection authority having jurisdiction.

Added Ch 1027, Stats. Effective January 1, 1988.