

The TRUTH about OHMVR Divi\$ion funding

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It is often said that “we”, meaning the OHV (Off-Highway Vehicle) users at State Vehicular Recreation areas (SVRAs) such as Carnegie SVRA, paid for and purchased the Tesla Park land. This statement is misleading and inaccurate.

In 1997/1998, the period during which most of the Tesla property was purchased, 79% of the OHMVR Division Budget, was from Fuel Tax Transfers. The other 21% of the budget was made up of park entrance fees, green/red sticker fees and miscellaneous other state contributions. Green/red stickers are the special DMV registration program for non-street legal motorcycles, All Terrain Vehicles (ATVs) and other vehicles that can legally use SVRAs and ride off-road on other public lands (1).

The amount of the Fuel Tax Transfer was based on a 1990 study and Department of Finance analysis which included estimates of all 4-Wheel Drive (4WD) and 2-Wheel Drive (2WD) vehicles, legal and illegal ORV vehicles and miles driven on dirt roads in the formula. A 1999 analysis of the Fuel Tax Transfers showed that only 9% of the fuel tax transfers were actually attributable to legal green/red sticker vehicles eligible to use SVRAs, such as Carnegie SVRA. This information is documented in [California Off-Highway Vehicles: In the Money and Out of Control](#) (2).

This was the general composition of the OHMVR Division budget until 2008 when new legislation (SB 742) reauthorizing the OHMVR program approved the doubling of sticker fees. Today the OHMVR Budget is about 69% Fuel Tax Transfers and 24% park entrance fees and green/red sticker fees and 7% miscellaneous other state contributions. In 2006, a new Fuel Tax Transfer study was conducted that found that that only 13.3% of the fuel tax transfers were attributable to legal green/red sticker vehicles eligible to use SVRAs, such as Carnegie SVRA, and over 82% was for street legal 4WD and 2WD vehicles driving on dirt roads for all recreation purposes. In addition to the vast majority of fuel tax transfers being attributable to street legal vehicles, nearly 50% of the use was specifically for non-OHV uses such as camping, picnicking, fishing and hiking. The 2006 study also determined that the Fuel Tax Transfers to the OHMVR Division were actually **2 TIMES** as much as they should be based upon actual dirt road recreation use, not considering the fact that nearly 50% of that dirt road use was for non-OHV use recreation. Unfortunately, the 2008 reauthorization bill did not change the OHMVR Division funding methodology and the OHMVR Division continues to receive about **75% more** in public tax dollars that can objectively be attributable to the type of OHV use that occurs at SVRAs. This information can be found in the [2011 State OHMV Commission Report](#) (3) and [2006 Fuel Tax Survey](#) (4) and [Recreational Pursuits and Destinations 2007 Final Report](#) (5).

It is misleading and inaccurate to state that OHV users, like those who use SVRAs, paid for the Tesla Park land. The general recreation public paid for the vast majority of Tesla Park. The OHV Lobby over the course of many years has successfully lobbied the State Legislature to misdirect a large portion of Fuel Tax Transfers to SVRAs and OHV use on public lands that no other State Park has. The OHV Lobby has been able to get legislation that defines OHV use as broadly as possible to collect the maximum amount of public tax dollars into the OHMVR Division and then redefine it as narrowly as possible through administrative policy to establish that those tax dollars can only be spent for the type of ORV use that occurs at places such as Carnegie SVRA.

OHV users did not exclusively pay for Tesla Park – all recreation users that purchase gas in the State of California paid for the vast majority of Tesla Park. Because Tesla Park is public state park land, it is important that we ask “what is the best public use for this historically and culturally significant, biologically diverse and unique, and wonderfully scenic park land?”

The answer is unquestionably, not as expansion of Carnegie SVRA as an off-highway vehicle park.

- (1) *OHMVR Division funds are also used for OHV on BLM,, National Forest and other public lands.*
- (2) *The report California Off-Highway Vehicles: In the Money and Out of Control can be found on the Center for Sierra Nevada Conservation at <http://www.sierranevadaconservation.org/Travel%20Management/OHV%20report%20699.pdf>*
- (3) *The 2011 OHMVR Commission Report is on the State Parks OHMVR Division Web Site under Home, Publications/Reports at <http://ohv.parks.ca.gov/pages/1140/files/ohmvr%202011%20report%20-%20final-web.pdf>*
- (4) *The 2006 Fuel Tax Survey, Estimating the State Fuel Tax Paid on Gasoline Used in the Off-Highway Operation of Vehicles for Recreation, Survey Results, September 2006 is on the State Parks OHMVR Division Web Site under Home, Publications/Reports at <http://ohv.parks.ca.gov/pages/1140/files/fuel%20tax%20survey%20report.pdf>*
- (5) *The report Recreational Pursuits and Destinations, Final Report, September 2007 is on the State Parks OHMVR Division Web Site under Home, Publications/Reports at http://ohv.parks.ca.gov/pages/25010/files/Recreational_Pursuits_and_Destinations_SEPT-2007.pdf*