

OFF-HIGHWAY VEHICLES
VEHICLE INDUSTRY REGISTRATION PROCEDURES

15

<i>Title</i>	<i>Page</i>
15.000 Introduction	15-2
15.005 Definitions: Off-Highway Vehicle (OHV) Racing Motorcycles All-Terrain Vehicle(ATV)	15-2
15.010 OHV Identification Plate	15-3
15.015 Motorcycle Transportation Permit	15-3
15.020 Non-Complying OHVs	15-3
15.025 Exemptions From OHV Identification	15-4
15.030 OHV Operation In California by Non-Residents: Off-Highway Non-Resident Special Operating Permit	15-5
15.035 OHV Operation on Highways	15-5
15.040 OHV Fees	15-6
15.045 OHV Fee Penalties	15-6
15.050 Requirements for Original OHV Identification	15-7
15.055 OHV Transfers	15-8
15.060 OHV Renewals	15-8
15.065 Certificate of Planned Non-Operation (PNO) for OHV	15-9
15.070 Dual Registration: Adding OHV Registration to an On-Highway Vehicle Adding On-Highway Registration to an OHV	15-9
15.075 Dual Registration for Amphibious Motor Vehicles	15-12

Off-Highway Vehicles

15.000 Introduction (CVC §§38000, 38.010, 38115)

Off-highway vehicles (OHV) are motor vehicles:

- not otherwise registered or exempted under the California Vehicle Code,
- operated exclusively off the highways on lands that are open and accessible to the public.
- These vehicles must display an OHV identification plate issued by the Department of Motor Vehicles.
- The term “highway” does not include fire trails, logging roads, or service roads regardless of surface composition, or other roughly graded trails and roads upon which vehicular travel by the public is permitted. (CVC §38001)
- OHV registration expires June 30 of the second year after the OHV fees become due. Example, an original OHV in 2008 will expire June 30, 2010; an original OHV in 2007 will expire June 30, 2009.

15.005 Definitions

Off-Highway Vehicle (OHV)(CVC §38012)

Includes, but is not limited to any:

- motorcycle or motor-driven cycle, except for any motorcycle eligible for a special transportation identification permit. See “Racing Motorcycles” below.
- snowmobile or other vehicle designed to travel over snow or ice in whole or in part on skis, belts, or cleats. (CVC §557)
- motor vehicle commonly referred to as a sand buggy, dune buggy, all-terrain vehicle, jeep, trail bike or go-cart.

Racing Motorcycles (CVC §38088)

Motorcycles certified by the owner as used exclusively on a closed course in competitive events.

- A “closed course” includes a speedway, racetrack, or a prescribed and defined route of travel on or off a highway that is closed to all motor vehicles other than the participants’ vehicles. (CVC §38014)
- A racing motorcycle not factory-equipped with a spark arrester **cannot** become qualified for off-highway identification by the addition of a spark arrester at a later date.

NOTE: A special Motorcycle Transportation Permit may be issued for the purpose of transporting a racing motorcycle to and from racing events. Refer to section 15.030 for the application requirements.

15.005 Definitions, *continued***All-Terrain Vehicle (ATV) (CVC §111)**

A motor vehicle designed for off-highway operation by an operator with no passengers.

- An ATV has a single seat for the operator and handlebars for steering control, is 50 or less inches wide and weighs 600 pounds or less, unladen.
- An ATV is ***manufactured solely for off-highway use and cannot be converted to on-highway registration***, regardless of aftermarket conversion kits or added equipment.

15.010 OHV Identification Plate (CVC §38.010)

The department issues an OHV plate upon original registration and biennial upon renewal of registration.

- The OHV plate is a numbered sticker with the OHV expiration month and year printed in the top stripe.
- The bottom band is green if it is a regular OHV and red if it is a non-complying OHV.
- The plate must be affixed to the vehicle as specified in Vehicle Code § 38170.

NOTE: Fast Facts brochure, Off Highway Vehicle License Plates (FFVR 16), contains specific instructions for affixing the OHV plates to the vehicle.

15.015 Motorcycle Transportation Permit (CVC §§38.088 and 38232)

A motorcycle transportation permit may be issued for transporting a racing motorcycle to and from racing events.

- The owner must certify that the vehicle is be used solely in organized racing or competitive events on a closed course.
- The permit must be attached to the motorcycle in a position that is clearly visible.
- The permit is not renewed and is valid only until the vehicle is transferred to a new owner or junked.

No Certificate of Title is issued in conjunction with a Motorcycle Transportation Permit. A Title Only may be obtained when appropriate documents and fees are presented. See Chapter 6, New Vehicles sold by California Dealers, for Title Only requirements

15.020 Non-Complying OHV's

- California Air Resources Board (ARB) regulations allow a 2003 and newer year model off-highway vehicle (OHV) that does not meet California's off-highway vehicle emissions standards (non-complying vehicles) to be sold and registered off-highway.

15.020 Non-Complying OHV's, *continued*

- A non-complying OHV:
 - is issued a unique OHV sticker with a red band that permits limited operation of the OHV during designated months.
 - can be identified by a “3” or “C” in the eighth position of the manufacturer’s vehicle identification number (VIN).
 - cannot be registered on-highway and does not qualify for dual (on and off-highway) registration.

EXCEPTION: A green OHV sticker is always issued to snowmobiles, amphibians, dune buggies, and golf carts.

- Registration and renewal requirements for a non-complying OHV are the same as for other OHVs.

15.025 Exemptions from OHV Identification (CVC §38010)

The following vehicles are exempt from OHV identification:

- Vehicles used exclusively by the owner on the owner’s private property
- A motor vehicle owned or operated by a nonresident of this state, whether or not such vehicle is identified or registered in a foreign jurisdiction.

NOTE: For the purposes of this paragraph, a person who holds a valid driver license issued by a foreign jurisdiction shall be presumed to be such a nonresident.

- Vehicles crossing a highway in accordance with a permit issued by the Department of Transportation.
- Special construction equipment, special mobile equipment, cemetery equipment, forklift trucks, firefighting vehicles, logging vehicles, and golf carts.
- Special construction equipment described in CVC §565, regardless of whether such motor vehicles are used in connection with highway or railroad work.
- Implements of husbandry. (Defined in Vehicle Code Division 16, beginning with Section 36000.)
- Self-propelled wheelchairs.
- Motorized bicycles (mopeds).
- Motor vehicles owned by the state, or any county, city, district, or political subdivision of the state, or the United States.
- Motor vehicles owned or operated by, or operated under contract with a utility, whether privately or publicly owned, when used as specified in CVC §22530.
- Commercial vehicles weighing 6,001 pounds or more, unladen.
- Any motorcycle manufactured in the year 1942 or prior.

15.025 Exemptions from OHV Identification (CVC §38010), *continued*

- Four-wheel motor vehicles operated solely in organized racing or competitive events upon a “closed course” when such events are conducted under the auspices of a recognized sanctioning body or by permit issued by the local governmental authority having jurisdiction.
- Any racing motorcycle which carries a Motorcycle Transportation Permit while being transported on the highway. Refer to section 15.030 for additional information.

15.030 OHV Operation in California by Non-Residents (CVC §38010)

Nonresidents who retain nonresident status may operate a vehicle off-highway in California whether or not the vehicle is registered in the owner’s home state.

- Nonresident status will be determined by the owner’s or operator’s possession of a valid nonresident driver license.
- The owner may wish to obtain a permit from the Department of Parks and Recreation, as referenced below.
- If the owner of a nonresident vehicle is a California resident, the vehicle must be registered.

Off-Highway Non-Resident Special Operating Permit (CVC §38087.5)

For a fee, the Department of Parks and Recreation may issue to a nonresident owner a special permit which allows the nonresident to operate an off-highway vehicle that would otherwise be required to be registered.

- These permits expire December 31 in the year of issuance.
- For further information, go to www.ohv.parks.ca.gov.

15.035 OHV Operation on Highways (CVC §38025)

Motor vehicles identified as off-highway vehicles may be operated or driven upon a highway **only** as follows:

- On a two-lane highway, only to cross the highway at a 90 degree angle at a place where a safe and quick crossing can be made.
- Only to cross at designated places on highways with more than two lanes.
- Towed (not driven) upon a highway provided the vehicle displays a valid OHV identification plate.
- Pushed (not ridden) upon a highway provided the vehicle displays a valid OHV identification plate.
- Transported upon a highway to and from racing events on a closed course when the motorcycle displays a Motorcycle Transportation Permit
- To be transported on the highway, an OHV **must** have OHV identification, regular vehicle registration or a Motorcycle Transportation Permit.

15.040 OHV Fees (CVC §§38225, 38230, 38232, 38255, and 38260)

- OHV fees become due when a vehicle subject to OHV registration is operated or transported on a California roadway.
- OHV registration expires June 30 of the second year after the fees became due and is always an odd or even numbered expiration year based on the original registration year. **For example:**
 - An original OHV registration in 2008 will expire June 30, 2010
 - An original OHV registration in 2009 will expire June 30, 2011
- The original OHV registration and registration renewal fees are the same.
 - The fee is **never** prorated and a nonresident military exemption **cannot** be used.
 - The renewal fees **must** be paid in addition to any other fees due whenever an application for OHV registration or transfer of ownership is submitted between June 1 and June 30 of the OHV expiration year.
 - The renewal fees **may** be paid in addition to any other fees due on applications for OHV registration or transfer of ownership submitted between January 1 and May 31 of the expiration year.
 - The renewal fee will be for the two-year period following June 30th of the year in which the fee is paid.
- Refer to Appendix 1F for all OHV fees.

15.045 OHV Fee Penalties (CVC §§38245, 38246, and 38265)

The penalty is 50 percent of the OHV registration fee.

Original registration

California OHV registration becomes due when an OHV is operated or transported on a California roadway for the first time and must be paid within 20 days avoid a penalty.

Renewals

Renewal fees must be paid on or before the June 30th expiration date to avoid a penalty.

EXCEPTION: When an OHV is sold and the registration expires after the sale date, the transferee has 20 days from the date of sale to pay the renewal fees without a penalty.

15.050 Requirements for Original OHV Identification

See Chapter 7, Miscellaneous Originals, for Unavailable Records.

New OHV Sold by a California Dealer

The requirements are:

- An Application for Registration of New Vehicle (REG 397).
 - Clearly check box labeled “OHV” on **all** copies of the REG 397.
 - Show both the frame and engine numbers for a motorcycle or ATV.
 - Place the temporary operating copy of the REG 397 on the vehicle.
- The OHV fee.

New OHV Purchased in another State

The requirements are:

- An Application for Title or Registration (REG 343).
- A Vehicle Verification (REG 31). (Both the frame and engine numbers must be shown for a motorcycle.) See section 15.050 for emission requirements.
- The Manufacturer’s Certificate/Statement of Origin (MCO/MSO) endorsed to the out-of-state dealer or the original or certified copy of the factory invoice to the out-of-state dealer.
- Any bills of sale needed to establish a complete chain of ownership to the applicant.

NOTE: A Statement of Facts (REG 256) may be accepted in lieu of a MCO/MSO or factory invoice for a vehicle valued at \$5,000 or less, as shown on the REG 343.

A motor vehicle bond and a Statement of Facts (REG 256) are required if the vehicle is valued over \$5,000 and proof of ownership cannot be furnished.

See Chapter 23, Bonds and Certifications, for additional bond requirements

- The OHV fee.

Nonresident OHV

The requirements for an OHV last registered in another state or country are:

- An Application for Title or Registration (REG 343).
- A Vehicle Verification (REG 31). (Both the frame and engine numbers must be shown for a motorcycle.) See section 15.050 for emission requirements.
- The nonresident title or equivalent proof of ownership with endorsements and any bills of sale necessary to establish chain of ownership.
 - Refer to Chapter 12, Nonresident Vehicles, for additional nonresident vehicle information.

15.050 Requirements for Original OHV Identification, *continued***Nonresident OHV, *continued***

NOTE: A Non-title (goldenrod) registration may be issued on an OHV when the out-of-state titling documents are not submitted.
The goldenrod must be issued in the name of the registered owner as shown on the out-of-state registration.

- A Report of Sale–Used Vehicle (REG 51), if applicable.
- The OHV fee (and use tax, if applicable).

NOTE: Dual registration is required if the buyer applies for OHV identification but will operate the vehicle in California in a manner which causes regular registration fees to be due. Refer to section 15.160.

15.055 OHV Transfers (CVC §38195)

Requirements for transfer of the registered and/or legal owner of an OHV are the same as regular (on-highway) vehicle transfer requirements except a smog certification is not required.

NOTE: Vehicles originally manufactured for off-highway use **without** an odometer are exempt from odometer disclosure even if converted to on-highway operation.

15.060 OHV Renewals (CVC §38115, 38120)

- OHV registration expires on June 30 of the second year from the date fees become due and the expiration date cannot be changed once it is assigned.
- Renewal fees may be paid any time after January 1 of the registration expiration year for a currently registered off-highway vehicle.
- Any application for identification or transfer of ownership of an off-highway vehicle submitted between June 1 and June 30 of the expiration year must include the following in addition to any other fees due:
 - the full OHV renewal fee, or
 - a PNO fee, if the vehicle will not be operated.
- The renewal fee may be paid on applications submitted between January 1 and May 31 of the expiration year, but is not mandatory.
- OHV renewals in conjunction with other transactions are processed in the same manner as vehicles registered on-highway.

15.065 Certificate of Planned Non-Operation (PNO) for OHV (CVC §38121)

The owner of an off-highway vehicle who does not wish to renew the registration must complete a Certificate of Planned Non-Operation (PNO–REG 102) and pay the required PNO fee prior to the registration expiration date.

An OHV PNO must be filed by the end of expiration cycle.

15.070 Dual Registration (CVC §§4000 and 38010)

- The term dual registration refers to a vehicle which is registered for both on-highway (regular registration) and off-highway operation.
 - OHV indicia is not required in order to operate a vehicle off-highway as long as the vehicle displays current on-highway registration.

IMPORTANT: A non-complying OHV **does not** qualify for dual registration.

- Applicants for dual registration should understand that both the regular registration fees and the OHV fees must be paid as long as dual registration continues.
 - Vehicles with dual registration have both OHV and regular registration expiration dates, which are not the same.
- The title is always issued from the on-highway application and “No OHV Title Issued” is printed on the OHV registration.
 - A vehicle currently issued nontransferable (nontitle/goldenrod) registration is issued nontransferable OHV and on-highway registration.
- When a currently registered OHV is converted to on-highway, the applicant should request dual registration since the OHV registration has not expired.

Emission Standards Overview

The California Air Resources Board (ARB) established emission regulations for on-highway motorcycles beginning with 1978 year models, which require an on-highway motorcycle to have an emission label affixed to the vehicle indicating certification by the manufacturer for on-highway use.

OHV Motorcycle Verification

All new and used off-highway motorcycles **converting to on-highway or dual registration must** be verified to determine if the motorcycle complies with the ARB regulations.

- These regulations require a 1978 year model and newer off-highway motorcycles to have an emission label affixed to the vehicle indicating certification by the manufacturer for on-highway use.

15.070 Dual Registration (CVC §§4000 and 38010), *continued***OHV Motorcycle Verification, *continued***

- A motorcycle may not be converted to on-highway or dual registration if the motorcycle is:
 - **1978 or newer** year model motorcycle with an engine **50cc and larger** and no emissions label.
 - **1978 or newer** year model with an emissions label indicating off-road or off-highway only.

Dual Registration for New or Nonresident Vehicles

Two applications are required. Follow the chart below:

Dual Registration for New or Nonresident Vehicles

<i>For...</i>	<i>Submit the following...</i>
regular (on-highway) registration	<ul style="list-style-type: none"> • Application for Registration of New Vehicle (REG 397) <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> • Application for Title or Registration (REG 343) and the usual nonresident registration requirements as shown in Chapter 12, Nonresident Vehicles, including a vehicle verification to determine if the vehicle can have dual registration. • A Statement of Facts (REG 256) from the applicant which: <ul style="list-style-type: none"> — requests dual registration on a permanent basis, and — confirms that he/she understands renewal fees for both the on-highway and OHV registration will be required to maintain the dual registration. • A smog certification, if appropriate. • On-highway registration fees.
off-highway vehicle (OHV) registration	<ul style="list-style-type: none"> • An Application for Title or Registration (REG 343) clearly marked “Dual Registration”. • The OHV fee.

Adding OHV Registration to an On-Highway Vehicle

The requirements are:

- An Application for Title or Registration (REG 343) in the buyer’s name.
- A Statement of Facts (REG 256) completed by the buyer which requests dual registration on a permanent basis and confirms that he/she understands renewal fees for both the on-highway and OHV will be required to maintain the dual registration.
- The OHV fee.

15.070 Dual Registration (CVC §§4000 and 38010), *continued***Adding On-Highway Registration to an OHV**

Two applications are required to add on-highway registration to a currently registered OHV.

On-Highway Registration—The requirements are:

- An Application for Title or Registration (REG 343) in the buyer's name clearly marked "Dual Registration".
- A vehicle verification completed by an authorized DMV employee. Verifications completed by anyone other than a DMV employee will not be accepted.
- The OHV title.
- Any bills of sale required to establish a complete chain of ownership.
- The Report of Sale–Used Vehicle (REG 51), if applicable.
- Official Brake and Light Certificates.
- Odometer reading, if applicable.

NOTE: Vehicles originally manufactured for off-highway use **without** an odometer being converted to on-highway operation are exempt from odometer disclosure.

- Weight certificate for a commercial vehicle weighing less than 10,001 pounds.
 - The estimated unladen weight is required **and** must be shown on a Statement of Facts (REG 256) if the vehicle:
 - » weighs 10,001 pounds or more, **or**
 - » if the vehicle is a trailer in the PTI program,.
- Declaration of Gross Vehicle Weight/Combined Gross Vehicle Weight (REG 4008) completed **and** signed by the owner for a commercial vehicle weighing 6,001 pounds or more unladen. (Not required for pickups.)
- A Statement of Facts (REG 256) stating the vehicle is in compliance with all requirements shown on the CHP 888 (for motorcycles) or CHP 885 (for vehicles other than a motorcycle or ATV).
- A smog certification, if appropriate.
- On-highway Registration fees.

OHV Registration—The requirements are:

- An Application for Title or Registration (REG 343) in the buyer's name.
- A Statement of Facts (REG 256) from the buyer which:
 - requests dual registration on a permanent basis, **and**
 - confirms that he/she understands that renewal fees for both the on-highway and OHV registration will be required.
- The OHV fee.

15.075 Dual Registration for Amphibious Motor Vehicles

Off-highway identification may be requested for an amphibious motor vehicle required to be numbered as a vessel.

- When an original application is submitted for dual OHV identification and vessel Certificate of Number, ownership documents must be a part of the OHV application.
- An OHV Certificate of Title will be issued in lieu of the vessel ownership.