

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO. _____

State parks-trails.

Sponsored by: Joint Travel, Recreation, Wildlife and
Cultural Resources Interim Committee

A BILL

for

1 AN ACT relating to off-road vehicle trails; redefining off-
2 road vehicle trails as off-road vehicle routes; and
3 providing for an effective date.

4

5 *Be It Enacted by the Legislature of the State of Wyoming:*

6

7 **Section 1.** W.S. 31-2-701(a)(ii), 31-2-702,
8 31-2-703(a), (c) and (d), 31-2-707(b), 31-5-1601(a)(i) and
9 39-17-111(c)(iv) are amended to read:

10

11 **31-2-701. Definitions.**

12

1 (a) Except as otherwise provided, as used in this
2 act:

3
4 (ii) "Wyoming off-road recreational vehicle
5 ~~trail~~route" means an off-road recreational vehicle ~~trail~~
6 route or area specifically designated, marked or signed by
7 the department of state parks and cultural resources as a
8 Wyoming off-road recreational vehicle ~~trail~~route.

9
10 **31-2-702. Registration selling agents; application**
11 **for route user registration decal; affidavit required if**
12 **vehicle serial number not visible; penalty.**

13
14 (a) The department of state parks and cultural
15 resources through the division of state parks and historic
16 sites, shall in accordance with W.S. 36-4-123, appoint
17 agents to sell off-road recreational vehicle ~~trail~~route
18 user registration decals. Each selling agent shall retain
19 one dollar (\$1.00) for each ~~trail~~route user registration
20 decal sold. Designated department employees may sell ~~trail~~
21 route registration user decals under this article and if
22 decals are sold, the employee shall not receive any

1 commission on user registration fees collected under this
2 article.

3

4 (b) Beginning January 1, 2002, each owner of an off-
5 road recreational vehicle shall for each vehicle used on
6 Wyoming off-road recreational vehicle ~~trails~~routes as
7 established and administered by the department, annually
8 file in writing and in duplicate with any designated
9 registration selling agent, an application for ~~trail~~route
10 user registration of the off-road recreational vehicle.
11 The application shall state the name and address of the
12 owner, the name of the applicant and the make, model and
13 identifying serial number of the off-road recreational
14 vehicle. If the vehicle identifying serial number is not
15 legible or visible, the applicant shall upon a form
16 provided by the department, provide proof of ownership by
17 affidavit certified in writing. Any person knowingly
18 presenting a false or fraudulent statement under this
19 subsection is subject to the penalties provided by W.S.
20 6-5-303.

21

22 (c) Any person who operates an off-road recreational
23 vehicle on any Wyoming off-road recreational vehicle ~~trail~~

1 route without a decal required under this article or in
2 violation of the provisions of W.S. 31-5-1601 is guilty of
3 a misdemeanor and upon conviction, shall be fined not more
4 than one hundred dollars (\$100.00).

5
6 **31-2-703. Required user registration fee; disposition**
7 **of fees; duties of department of state parks and cultural**
8 **resources.**

9
10 (a) The owner of an off-road recreational vehicle
11 which will be operated on Wyoming off-road recreational
12 vehicle ~~trails~~routes shall, upon filing of an application,
13 pay to the registration selling agent an annual user
14 registration fee of fifteen dollars (\$15.00).

15
16 (c) There is created an off-road recreational vehicle
17 ~~trails~~routes account. The fees received by the department
18 of state parks and cultural resources under this article
19 shall be deposited into the account created by this
20 subsection and shall be expended by the department for the
21 administration of the off-road recreational vehicle ~~trails~~
22 routes program.

1 (d) The department of state parks and cultural
2 resources shall:

3
4 (i) Administer the Wyoming off-road recreational
5 vehicle ~~trails~~routes program;

6
7 (iv) Consult with the Wyoming trails advisory
8 council to assist the department to establish and maintain
9 adequate off-road recreational vehicle ~~trails~~routes.

10
11 **31-2-707. Exemptions.**

12
13 (b) In addition to subsection (a) of this section,
14 the off-road recreational vehicle ~~trail~~route user
15 registration required under this article may be waived on
16 an annual basis by the director of the department of state
17 parks and cultural resources for any area designated by the
18 department through a cooperative agreement whereby other
19 governmental agencies agree to contribute to the off-road
20 recreational vehicle ~~trail~~route maintenance and grooming
21 for that area.

22
23 **31-5-1601. Operation on highways.**

1

2 (a) An off-road recreational vehicle may be operated
3 upon streets, roads or highways within Wyoming subject to
4 the following conditions:

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6 (i) Off-road recreational vehicles may be
7 operated on main-traveled roadways only upon that portion
8 of a street, road or highway designated open by the state,
9 local or federal agency with jurisdiction over the roadway
10 and designated a Wyoming off-road recreational vehicle
11 ~~trail~~route pursuant to W.S. 31-2-701 through 31-2-707 by
12 the department of state parks and cultural resources. No
13 portion of a street, road or highway shall be designated as
14 a Wyoming off-road recreational vehicle ~~trail~~route by the
15 department without the consent of the state, local or
16 federal agency with jurisdiction over the roadway. Off-
17 road recreational vehicles operated upon roadways
18 designated as ~~trails~~routes shall be subject only to the
19 user registration fee prescribed by W.S. 31-2-703 and shall
20 not be deemed a motorcycle as defined in W.S.
21 31-1-101(a)(xv)(E)(I) and 31-5-102(a)(xxii);

22

23 **39-17-111. Distribution.**

1

(c) The department shall certify to the state treasurer amounts to be credited to appropriate accounts based upon deductions from the taxes collected under this article in the following order:

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(iv) Until June 30, 2013, deduct an amount collected on fuel used in off-road recreational vehicles, computed by multiplying the number of off-road recreational vehicles for which user registration fees have been paid during the current fiscal year under W.S. 31-2-703(a) times ten dollars and forty cents (\$10.40). The amount computed shall be credited to a separate account to be expended by the department of state parks and cultural resources to improve off-road recreational vehicle ~~trails~~routes in Wyoming.

17

18 **Section 2.** This act is effective July 1, 2011.

19

20 (END)