



California

**Public Employees for Environmental Responsibility**

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**Memorandum**

To: Governor Schwarzenegger, Members of the Budget Conference Committee,  
Interested parties

From: Karen Schambach, California Coordinator, Public Employees for  
Environmental Responsibility

Subject: **The Dept. of Parks and Recreation should be getting 83% of motor  
vehicle fuel tax revenues that now go to the Off Highway Vehicle Division**

1. The OHV Division refuses to fund any project that doesn't provide for green sticker recreation (non-street legal motorcycles, ATVs, snowmobiles, etc.)<sup>1</sup>
2. The Fuel Tax Survey shows that 82.6 percent of motor vehicle fuel account revenues transferred to the OHV Trust fund pursuant to Revenue and Tax Code Section 8352.6 are from taxes on fuels used in recreation by street legal vehicles. <sup>2</sup>

In FY 2008/09 fuel tax transfers to the OHV Trust Fund were \$60 million dollars. They are estimated to be the same in FY 2009/2010.

The OHV Division, by refusing to fund any "non-green sticker" opportunity, is in violation of the spirit and the express language in SB742 that provided for "extra consideration" for projects that provided motorized access to non-motorized recreation. **The legislature should therefore reallocate the \$49.8**

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<sup>1</sup> Email correspondence between Karen Schambach and Phil Jenkins, OHV Division Chief. (Available upon request)

<sup>2</sup> ICF International, "Estimating the State Fuel Tax Paid on Gasoline Used in the Off-Highway Operation of Vehicles for Recreation." 2006

**million dollars attributable to street legal vehicle use to the Department of Parks and Recreation to support the street legal motorized access to recreation that the legislature intended when it passed SB742.**