CHAPTER 15

OFF-HIGHWAY VEHICLES (OHV)

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CHAPTER 15
OFF-HIGHWAY VEHICLES (OHV)

15.000 Introduction

Off-highway vehicles (OHV) are motor vehicles not otherwise registered under this code, operated exclusively off the highways on lands that are open and accessible to the public. OHV display an identification plate or device issued by the Department of Motor Vehicles (DMV) (California Vehicle Code (CVC) §38010).

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).

All-Terrain Vehicle (ATV) (CVC §111)—A motor vehicle which is 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. It is 50 inches or less in width with an unladen weight of 900 pounds or less, and is suspended on three or more low-pressure tires.

ATVs are manufactured for off-highway use, do not meet federal standards for on-highway use, and cannot be converted.

Recreational Off-highway Vehicles (ROVs) CVC §500—An ROV has a:
- Steering wheel for steering control, and nonstraddle seating provided by the manufacturer for the operator and all passengers.
- Maximum speed capability of greater than 30 miles per hour, an engine displacement equal to or less than 1000cc and has a complying emissions system.

Note: Do not register non-straddle single seat ROVs as ATVs: register as ROVs (for example, register a Polaris ACE as an ROV).

OHV (CVC §38012)—Includes, but is not limited to:
- A motorcycle or motor-driven cycle, except for a motorcycle eligible for a special transportation identification permit. See Competition (Racing) Motorcycles section in this chapter.
- A snowmobile or other vehicle designed to travel over snow or ice. A snowmobile is a motor vehicle designed to travel over ice or snow in whole or in part on skis, belts, or cleats (CVC §557).
- A motor vehicle commonly referred to as a sand buggy, dune buggy, all-terrain vehicle (ATV), or jeep.

Note: An OHV does not have to be equipped with a spark arrester for registration. OHV identification of an otherwise-qualified vehicle cannot be denied due to the absence of a spark arrester.
15.000 Introduction, continued

Utility-Terrain Vehicle (UTV) (CVC §531) — A motor vehicle:
- Designed for off-highway operation.
- Suspended on four tires.
- Has a steering wheel for steering control.
- Has one seat to accommodate a driver and one passenger sitting side by side.

15.005 Competition (Racing) Motorcycle (CVC §38088)

Closed course racing and/or competition (racing) motorcycles are frequently loaned to racing teams by manufacturers to be used specifically for racing and are usually returned to the manufacturer. These vehicles cannot be registered. They are eligible for issuance of a special Motorcycle Transportation Permit.

A closed course includes, but is not limited to, 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 those of racing participants. A closed course is not available at any time for vehicular access by the general public (CVC §38014).

Applications for registration of motorcycles manufactured specifically for racing must be refused, as they are not intended:
- To be registered.
- For retail sale.
- For recreational use.
- To be driven on public highways.

Closed course racing and/or competition (racing) motorcycles are frequently loaned to racing teams by manufacturers to be used specifically for racing and are usually returned to the manufacturer. These vehicles cannot be registered. They are eligible for issuance of a special Motorcycle Transportation Permit.

Not all manufacturers identify racing motorcycles in the same manner. Some racing motorcycles may:
- Lack a 17-digit vehicle identification number (VIN).
- Not bear a label indicating it meets California or U.S Environmental Protection Agency (EPA) on-road emissions requirements for 1978 and newer motorcycles.
- Not bear a label indicating it meets Federal Motor Vehicle Safety Standards (FMVSS).
- Bear a “Competition Only” label.
- Be issued a manufacturer’s certificate/statement of origin stating “Competition Only.”
15.005  Competition (Racing) Motorcycle, continued

**NOTE:** Some racing motorcycles may be registered as a noncomplying OHV. To be eligible for noncomplying OHV registration (red sticker), the eight digit of the VIN must be number “3” or letter “C” and the motorcycle must be certified by the California Air Resources Board (ARB) for noncomplying OHV registration. Continue to follow the registration procedures in the Registration of Noncomplying OHV section in this chapter.

The procedures below must be followed:

- Review the original motorcycle registration documents to determine if the vehicle is a racing motorcycle as follows:
  - The Verification of Vehicle (REG 31) form may indicate the vehicle: lacks a 17-digit VIN, EPA label, FMVSS label, or bears a “Competition Only” label.
  - The manufacturer’s certificate/statement of origin may indicate “Competition Only.”
- Return the application to the customer, if it is determined that the application is a refusal.
- Not collect fees.
- Contact the Technical Compliance Section at (916) 657-6795 (Do not give this number to the public), if unable to determine if the vehicle is a racing motorcycle.
- Make a note in the REMARKS section if a “Competition Only” label is observed when completing a REG 31 for a motorcycle.
- Refer applicants who inquire about ARB’s On-Road New Vehicle and Engine Certification program and Executive Orders to ARB at 1-800-242-4450 or www.arb.ca.gov/msprog/onroad/cert/cert.php#6.

**NOTE:** A racing motorcycle not factory-manufactured with a spark arrester cannot become eligible for a green off-highway identification sticker by the addition of a spark arrester at a later date.
15.010 Conversion From Dual Registration to OHV Only

The following must be submitted:
- A completed Application for Title or Registration (REG 343) form.
- The California Certificate of Title from the on-highway record.
- A Statement of Facts (REG 256) form stating the vehicle will no longer be used on-highway.
- The on-highway license plates.

**NOTE:** In order for the records to be marked as required to prevent future billing notices or revenue collection letters from being generated, when dual registration is converted to one type of registration only, fill out and sign a REG 256 stating the dual registration has been converted to OHV only, the operating indicia was picked up and destroyed.

15.015 Conversion From Dual Registration to On-Highway Only

The following must be submitted:
- A completed Application for Title or Registration (REG 343) form.
- The California Certificate of Title from the on-highway record.
- A Statement of Facts (REG 256) form stating the vehicle will no longer be used off-highway.
- The OHV indicia.

**NOTE:** In order for the records to be marked as required to prevent future billing notices or revenue collection letters from being generated, when dual registration is converted to one type of registration only, fill out and sign a REG 256 stating the dual registration has been converted to OHV only, the operating indicia was picked up and destroyed.

15.020 Conversion From OHV to On-Highway

The following must be submitted:
- The California Certificate of Title or documents required to register the vehicle in the applicant’s name.

**NOTE:** Vehicles originally manufactured for off-highway use without an odometer and converted to on-highway operation are exempt from the odometer disclosure requirement. A Verification of Vehicle (REG 31) form and/or Statement of Facts (REG 256) form are not required as evidence that there is no odometer on the vehicle.

- A REG 31 completed by an authorized DMV employee only.
- A REG 256 which states:
  “I have received the form CHP ### (appropriate form number must be shown—CHP 888 for motorcycles or CHP 885 for other vehicles) and certify this vehicle is in compliance with all requirements.”

  — The REG 256 cannot be signed by power of attorney or anyone other than the registered owner.
15.020 Conversion From OHV to On-Highway, continued

**NOTE:** Four-wheel all-terrain vehicles (Example: Kawasaki Mules, Polaris 4W side-by-side) cannot be registered for on-highway use (auto or commercial).

- Official brake and light certificates.
- A weight certificate for a commercial vehicle.
- A Declaration of Gross Vehicle Weight (GVW)/Combined Gross Vehicle Weight (CGW) (REG 4008) form if, applicable.
- A smog certification, if applicable.
- Fees due.

Use the following chart to determine a motorcycle’s eligibility for on-highway registration:

<table>
<thead>
<tr>
<th>If the Motorcycle Is a</th>
<th>Then it May</th>
</tr>
</thead>
<tbody>
<tr>
<td>New motorcycle submitted on an Application for Registration of New Vehicle (REG 397) form</td>
<td>Be registered for on-highway use.</td>
</tr>
<tr>
<td>1977 year model and older</td>
<td></td>
</tr>
<tr>
<td>1978 year model and newer with an emissions label indicating it meets U.S. EPA and California standards for on-highway use or California standards only for on-highway use</td>
<td>Be registered for on-highway use, regardless of mileage.</td>
</tr>
<tr>
<td>1978 year model and newer with an emissions label indicating off-road or off-highway use only</td>
<td>Not be registered for on-highway use.</td>
</tr>
<tr>
<td>1978 year model and newer with an engine displacement of 50 cc or larger without an emissions label</td>
<td></td>
</tr>
<tr>
<td>1978 through 1981 year models, an engine displacement of 50 cc or larger, and an emissions label indicating it meets U.S. EPA standards only</td>
<td>Be registered for on-highway use (California Code of Regulations, Title 13 §1958(d)).</td>
</tr>
<tr>
<td>1982 year model and newer, an engine displacement of 50 cc or larger and an emissions label indicating it meets U.S. EPA standards only</td>
<td>Be registered for on-highway use, unless it has less than 7,500 miles on the odometer (49-state refusal).</td>
</tr>
<tr>
<td>2005 year model and older with an engine displacement of less than 50 cc</td>
<td>Be registered for on-highway use.</td>
</tr>
<tr>
<td>2006 year model and newer, an engine displacement of less than 50 cc, and an emissions label indicating it meets U.S. EPA standards for on-highway use</td>
<td>Be registered for on-highway use.</td>
</tr>
<tr>
<td>2006 year model and newer and an engine displacement of less than 50 cc without a U.S. EPA emissions label</td>
<td>Not be registered for on-highway use.</td>
</tr>
</tbody>
</table>
15.020 Conversion from OHV to On-Highway, continued

<table>
<thead>
<tr>
<th>If the Motorcycle Is a</th>
<th>Then it May</th>
</tr>
</thead>
<tbody>
<tr>
<td>Specially constructed (SPCNS) vehicle</td>
<td>Be registered for on-highway use if the motorcycle meets the definition of SPCNS (CVC §580).</td>
</tr>
</tbody>
</table>

**NOTE:** Any motorcycle or vehicle originally manufactured and registered for off-highway use cannot be converted for on-highway use, unless it is manufactured for dual purpose.

**IMPORTANT:** If the OHV’s engine bears a small off-road engine (SORE) label, refer to the Original OHV Registration Applications section in this chapter.

The procedures below must be followed:
- Collect regular registration and transfer fees.
- Issue on-highway license plates and stickers.
- Instruct the applicant to remove and destroy the OHV indicia.

15.025 Conversion From On-Highway to OHV

The following must be submitted:
- The California Certificate of Title or documents required to register the vehicle in the applicant’s name.
- A Statement of Facts (REG 256) form stating that the vehicle will no longer be used on-highway.
- The license plates.
- Fees due.

15.030 Conversion From Nontitle/Goldenrod On-Highway to OHV Registration

The following must be submitted:
- The California Certificate of Title or nontitle/goldenrod conversion documents for an OHV title and identification card to be issued. If these cannot be provided, a nontransferable (nontitle/goldenrod) registration card only will be issued.
- The license plates.
- Fees due.

15.035 Conversion from Title Only or Expired On-Highway to OHV Registration

The following must be submitted:
- The California Certificate of Title from the on-highway record or the documents required to register the vehicle in the applicant’s name.
- The license plates.
- Fees due.
15.035 Conversion from Title Only or Expired On-Highway to OHV Registration, continued

The procedures below must be followed:
• Issue the OHV plate.
• Do not collect a substitute/duplicate fee for a missing registration card or license plate(s) on an original OHV application. Fees and penalties may be required if planned nonoperation (PNO) status is not on record.

15.040 Dealer Sales (CVC §§38080 and 38200)

California-licensed dealers must:
• Report sales of OHVs in the usual manner.
• Have a California dealer’s license specifically for California retailers of all-terrain vehicles (ATVs) and snowmobiles.

The procedures below must be followed:
• Process applications received without a dealer’s Application for Registration of New Vehicle (REG 397) form in accordance with the New Vehicles Sold by Non-Franchised Dealer in Chapter 6.
• Mark “OHV” on all copies of the report of sale document.
• Make sure that the engine number and the vehicle identification number (VIN) are shown on OHV applications for motorcycles and ATVs (CVC §38041).
• An engine number is not required for a 4-wheel motorcycle or 4-wheel ATV.

NOTE: The motorcycle cross index fee is not due for an off-highway motorcycle.

15.045 Dismantlers (CVC §38180)

The clearance requirements to report the dismantling of an OHV are the same as for an on-highway vehicle except surrender of the plate is not required.

15.050 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 for a vehicle registered on-highway and operated off-highway.

IMPORTANT: Noncomplying OHVs do not qualify for dual registration. Refer to the Registration of Noncomplying OHV section in this chapter.

Dual registration applicants should be informed that both on-highway and OHV registration fees must be paid as long as dual registration continues. Vehicles with dual registration have both OHV and regular registration expiration dates.

The California Certificate of 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 OHV identification and nontransferable on-highway registration.
15.050 Dual Registration, continued

The OHV registration becomes void, even if it has not expired, when an OHV is converted to on-highway. **Do not** insist that the applicant request dual registration just because the OHV registration has not expired. Refer to the Conversion from OHV to On-highway section in this chapter for procedures.

**Emission Standards**—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. However, implementation of the procedures required to bring motorcycles into compliance with these regulations was delayed until January 1, 2004.

**OHV Motorcycle Verification**—All new and used off-highway motorcycles converting to on-highway or dual registration on or after January 1, 2004, **must** be verified only by an authorized DMV employee to determine if the motorcycle complies with the ARB regulations. See the Conversion from OHV to On-highway Registration section in this chapter to determine a motorcycle’s eligibility for on-highway registration.

**Original California Dual Registration**—Two transactions must be processed as indicated below when on-highway and off-highway registration is requested for a vehicle **not** previously registered in California. (On-highway registration first, OHV registration second).

**On-Highway Original Registration**—The applicant must submit:

- All original or nonresident vehicle registration requirements.
- A Verification of Vehicle (REG 31) form completed only by an authorized DMV employee for a new or used off-highway motorcycle.
- A Statement of Facts (REG 256) form from the applicant stating they request dual registration on a permanent basis and understand payment of both on-highway and OHV fees will be required.
- A smog certification, if applicable.
- Official brake and light certificates, if applicable.
- A weight certificate, if applicable.
15.050  Dual Registration, continued

The procedures below must be followed:

- Determine if the motorcycle can be registered from the OHV Motorcycle Verification information in the Conversion from OHV to On-highway Registration section in this chapter.
- Collect all registration fees due.
- Issue license plates and stickers.

**OHV Original Registration**—The following must be submitted:

- A completed Application for Title or Registration (REG 343) form.
- A REG 256 from the applicant stating he/she requests dual registration on a permanent basis and understands payment of both on-highway and OHV fees will be required.

The procedures below must be followed:

- Write the on-highway license plate number on the top of the REG 343.
- Collect the OHV fee shown in Appendix 1F.
- Issue an OHV plate.

**OHV Registration for Vehicle Registered On-Highway**

The following must be submitted:

- A completed REG 343.
- A REG 256 from the applicant stating they request dual registration on a permanent basis and understand payment of both on-highway and OHV fees will be required.
- If ownership is being transferred, the documents required to register the vehicle in the applicant’s name.
- Verify the current on-highway registration on the database.
- Collect the fees due.
- Issue an OHV plate.

**On-Highway Registration for Vehicle Registered OHV**—Two separate applications must be processed as indicated below when on-highway registration is requested for currently registered off-highway vehicle. (On-highway registration first, OHV registration second).
15.050 Dual Registration, continued

On-Highway Registration—The following must be submitted:
• The OHV Certificate of Title or documents required to register the vehicle in the applicant’s name.

**Note:** Vehicles originally manufactured for off-highway use without an odometer and converted to on-highway operation are exempt from the odometer disclosure requirement. A REG 31 and/or REG 256 are **not** required as evidence that there is no odometer on the vehicle.

• A REG 31 completed **only** by an authorized DMV employee for a new or used off-highway motorcycle.
• Official brake and light certificates.
• A weight certificate for a commercial vehicle.
• A Declaration of Gross Vehicle Weight (GVW)/Combined Gross Vehicle Weight (CGW) (REG 4008) form, if applicable.
• A smog certification, if applicable.
• A REG 256 signed by the owner (signature by power of attorney **is not** acceptable) stating: “I have received the form CHP ### (appropriate form number **must be** shown—CHP 888 for motorcycles or CHP 885 for other vehicles) and certify this vehicle is in compliance with all requirements.” These forms can be accessed at [www.chp.ca.gov/publications/](http://www.chp.ca.gov/publications/).
• A REG 256 from the applicant stating they request dual registration on a permanent basis and understand payment of both on-highway and OHV fees will be required.

**Note:** Four-wheel all-terrain vehicles **cannot** be registered for on-highway use.

The procedures below must be followed:
• Determine if the motorcycle can be converted to on-highway from the **OHV Motorcycle Verification** information in the Conversion from OHV to On-highway Registration section in this chapter.
• Verify the registration status of the vehicle on the database.
• Collect the fees due for on-highway registration.

**OHV Registration**—The following must be submitted:
• A REG 256 from the applicant stating they request dual registration on a permanent basis and understand payment of both on-highway and OHV fees will be required.
• Collect OHV renewal fees, if due.
Print the on-highway license number on the DMV file copy of the OHV application.

**Amphibious Motor Vehicles**—OHV registration may be requested for an amphibious motor vehicle required to be numbered as a vessel. When an original application is submitted for dual OHV and vessel registration, ownership documents **must be** a part of the OHV application. An OHV Certificate of Title will be issued in lieu of the vessel Certificate of Ownership.
15.055  **Duplicates (CVC §§38090, 38095, and 38260)**

Process applications for a duplicate OHV Certificate of Title or identification card on an Application for Duplicate or Transfer of Title (REG 227) form and applications for a substitute OHV plate or sticker on an Application for Replacement Plates, Stickers, Document (REG 156) form, refer to Appendix 1F for fees.

A duplicate identification card application and duplicate fee are **not** required in conjunction with any other application.

15.060  **Exemptions (CVC §38010)**

The following vehicles are exempt from OHV identification:

- Vehicles crossing a highway in accordance with a permit issued by the Department of Transportation (CALTRANS).
- Special construction equipment, special mobile equipment, cemetery equipment, forklift trucks, firefighting vehicles, logging vehicles, and golf carts.
- Implements of husbandry. (defined in CVC Division 16, beginning with §36000.)
- Self-propelled wheelchairs.
- Motorized bicycles (mopeds).
- Motor vehicles owned by the state, or a 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 company, whether privately or publicly owned, when used as specified in CVC §22512.
- Special construction equipment described in CVC §565, regardless of whether such motor vehicles are used in connection with highway or railroad work.
- 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. For the purposes of this paragraph, a person who holds a valid driver license issued by a foreign jurisdiction shall be presumed to be a nonresident.
- Commercial vehicles with an unladen weight of 6,001 pounds or more.
- Any motorcycle manufactured in 1942 or prior.
- 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 government authority having jurisdiction.
- Any racing motorcycle which carries a Motorcycle Transportation Permit while being transported on the highway.

15.065  **Involuntary Transfers (CVC §§5601 and 5909)**

Applications for OHV involuntary transfers are processed in the same manner as regular on-highway registered vehicles.
15.070 **Motorcycle Transportation Permit (CVC §§38088 and 38232)**
A special Motorcycle Transportation Permit may be issued for the purpose of transporting a racing motorcycle to and from racing events.

15.075 **Moving Permits (CVC §4002)**
A Vehicle Moving Permit (REG 172) may be issued to have an OHV verified or to have a frame or engine number assigned. **Do not** issue a One Trip Permit (REG 402).

Unregistered off-highway vehicles (OHVs) transported on a trailer or pickup truck no longer require a special transportation permit. Customers may transport OHVs on a trailer or pickup truck from the dealership without paying registration fees or obtaining a permit.

The procedures below must be followed:
New legislation ends the requirement for a special transportation permit to transport certain OHVs as described in *California Vehicle Code* §38020.

15.080 **Nonresident OHV Vehicles (CVC §38040)**
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. Refer to the Original OHV Registration Application section in this chapter for procedures.

**Off-Highway Nonresident Special Operating Permit (CVC §38087.5)***—For a fee, the Department of Parks and Recreation may issue a special permit to a nonresident owner which allows the nonresident to operate an OHV that would otherwise be required to be registered.

**Do not** process off-highway vehicle (OHV) transactions for exempt agencies.

**Procedures**

The procedures below must be followed:
If an application to register an OHV is received from an exempt agency:
• Inform the representative that their agency is exempt from displaying indicia on their OHVs.
• Return the application to the exempt agency.
15.085  **OHV Fees (CVC §§38115, 38120, 38225, 38225.4, 38225.5, 38230, 38232, 38245, 38246, 38255, 38260, and 38265)**

Fees must be paid within 20 days before an OHV subject to OHV registration is operated and/or transported in this state or the fee is delinquent (CVC §38245). OHV registration expires June 30 of the second year from the date fees become due and is always an odd or even numbered expiration year based on the original registration year (CVC §38115). For example:

- An original OHV registration in 2013 will expire June 30, 2015.
- An original OHV registration in 2014 will expire June 30, 2016.

The odd or even expiration year is maintained even if the registration is renewed late.

**Original/Renewal OHV Fee**—The original and renewal OHV registration fees are the same.

- The penalty, if due, is 50 percent of the fee (CVC §38265).
- The fee is **never** prorated.
- A nonresident military exemption **cannot** be claimed for OHV registration/renewal.

The renewal fee **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 registration expiration year. The renewal fee **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.

**OHV Fees**—Refer to Appendix 1F.

**Exception:** When a transferee acquires the vehicle and the OHV registration subsequently expires, the transferee has 20 days from the date of transfer to pay the renewal fees without penalty.

15.090  **OHV Identification Plate (CVC §§38010, 38020, 38088, and 38160)**

The OHV identification plate is a numbered sticker (plate) issued upon original registration of an OHV and biennially upon renewal of registration. The year and month of expiration are printed in the center stripe of the plate. Placement of the plate on the vehicle is specified statutorily (CVC §38170). The placement information is contained in *Off-Highway Vehicle License Plates* (FFVR 16) *Fast Facts* brochure, which may be given to OHV owners.

A vehicle registered as an OHV is issued a California Certificate of Title and identification card **unless** dual (on-highway and off-highway) registration is requested. In that case, the California Certificate of Title is issued on the on-highway registration.
15.095 OHV Motorcycle Engine Changes (CVC §4161)
When the engine number of an off-highway motorcycle has been recorded on
DMV’s records and the owner later reports an engine change, process in accordance
with the VIN and/or Engine Changes.

**NOTE:** If the vehicle is registered for both on-highway and off-highway use, pick up
the OHV identification card and the on-highway certificates, line out the old engine
number, and write the new engine number above the lined out number.

15.100 OHV Verification (CVC §38041)
The following applies to OHV verifications:
- The Verification of Vehicle (REG 31) form may only be completed by an
  authorized DMV employee for new and used off-highway motorcycles
  converting to on-highway or dual registration in order to verify the emission
  label and determine if the motorcycle can be converted to on-highway use.
  Refer to the OHV Motorcycle Verification information in the Conversion from
  OHV to On-Highway Registration section in this chapter.
- The REG 31 for a motorcycle must include the engine and frame numbers.
- A clear pencil tracing of a snowmobile vehicle identification number (VIN)
  may be accepted in lieu of a physical verification. (Neither are required when an
  Application for Registration of New Vehicle (REG 397) form is submitted.)
- A REG 31 is not required when evidence of prior California registration or
  identification is submitted and there is a vehicle record on DMV’s database.
- A REG 31 is required when there is not a record for the vehicle on the database
  (unavailable records).
- If a small off-road engine (SORE) label is found, on the REG 31 check the “See
  Remarks” box in the Emission Label section and write “Small Off-Road
  Engine emission label” in the Remarks section. Refer to the Original OHV
  Registration Applications section in this chapter.

15.105 Operation of an OHV on the Highway (CVC §38025)
Motor vehicles identified as OHVs may be operated or driven upon a highway only
as follows:
- On a two-lane highway only to cross the highway which is closed to motor
  vehicles subject to registration commencing with CVC §4000.
- Only to cross at designated places on highways with more than two lanes.
- Towed (not driven) upon a highway, if it displays an OHV identification (ID) plate.
- Motorcycles may be pushed upon a highway if they have a valid OHV ID plate
  displayed upon them.
- Racing or competitive motorcycles displaying a Motorcycle Transportation
  Permit may be transported upon a highway to and from racing events on a
  closed course.

An OHV must have OHV ID, regular vehicle registration, or a Motorcycle
Transportation Permit in order to be transported on the highway.
15.110 Original OHV Registration Applications (CVC §§4000, 24007, 38010, 38012, 38040, 38070, and 38080)

California Air Resources Board (ARB) regulations require 2003 and newer year model OHVs to have approved emissions systems in order to be issued a green (complying) sticker. To determine if the vehicle’s emission system is in compliance, or exempt from, California regulations, all 2003 and newer year model OHV must be verified.

New and Used OHVs Defined—New OHVs are vehicles that have not been previously registered or operated by a prior owner in another state before being purchased by a California resident. Used OHVs are vehicles that have been previously registered or operated by a prior owner in another state.

The following must be submitted:

- Proof of ownership. This may be any one of the following:
  - An Application for Registration of New Vehicle (REG 397) form, if sold by a California dealer. The frame and engine numbers must be shown for motorcycles and all-terrain vehicles (ATVs).
  - A completed Application for Title or Registration (REG 343) form and nonresident requirements.
  - The Manufacturer’s Certificate/Statement of Origin (MCO/MSO) endorsed to the nonlicensed dealer or the original or certified copy of the factory invoice to the nonlicensed dealer and any bills of sale needed to establish a complete chain of ownership to the applicant. A Statement of Facts (REG 256) form 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 REG 256 are required if the vehicle is valued over $5,000 and proof of ownership cannot be furnished.
  - A business invoice with the name and address of a California nondealer.
- A completed Application for Title or Registration (REG 343) form, if a REG 397 is not submitted.
- A Verification of Vehicle (REG 31) form, unless a REG 397 is submitted.
- Fees due.

The procedures below must be followed:

- Determine if the OHV qualifies for issuance of a green sticker as follows:

<table>
<thead>
<tr>
<th>If the OHV Is a</th>
<th>Then the OHV</th>
</tr>
</thead>
<tbody>
<tr>
<td>2002 or older year model vehicle</td>
<td>Can be registered and issued a green sticker.</td>
</tr>
<tr>
<td>2003 or newer year model vehicle with an emission label indicating compliance with California regulations for off-road vehicles or on-highway use</td>
<td></td>
</tr>
</tbody>
</table>

Vehicle Industry Registration Procedures

REV. August 2018
15.110 Original OHV Registration Applications, continued

<table>
<thead>
<tr>
<th>If the OHV Is a</th>
<th>Then the OHV</th>
</tr>
</thead>
<tbody>
<tr>
<td>2003 or newer year model vehicle with an emission label indicating it meets or complies with U.S. EPA standards only for on-highway use</td>
<td>Can be registered and issued a green sticker unless it is a California noncertified refusal as explained in the California Noncertified and Direct Import Vehicles Registration Refusals.</td>
</tr>
</tbody>
</table>
| 2003 or newer year model vehicle that does not have an emission label | Cannot be registered and issued a green sticker unless:  
  • It was brought into California new or used by a nonresident and registered to that owner.  
  • The owner qualifies for an exemption, as explained in California Noncertified and Direct Import Vehicles Exemptions. |
| 2003 or newer year model vehicle with a “3” or “C” in the eighth position of the vehicle identification number, Note: Street-legal motorcycles with a “3” or “C” in the eighth position may be registered if assigned the correct on-highway type license code | Is noncomplying and cannot be issued a green sticker. Refer to the Registration of Noncomplying OHVs section in this chapter for procedures. |
| Vehicle sold new on or after January 1, 2008, which bears a small off-road engine (SORE) label | Cannot be registered.  
The procedures below must be followed:  
Refuse the registration application.  
  • Copy the documents, and return the originals to the customer.  
  • Fax the copies to the Technical Compliance Section (TCS) at (916) 657-6763 with a Statement of Facts (REG 256) form stating “Registration refused SORE label.”  
  • Collect the fees and use tax, if due. Refer to Appendix 1F.  
  — The motorcycle cross index fee is not due for OHV motorcycles.  
  — The nonresident service fee is not required for OHV registration. |

Direct Import Motorcycles—A direct import is considered new if it enters California or is obtained by a California resident before it is two years old. The following applies when OHV registration is requested for a direct import motorcycle:  
  • A used direct import motorcycle (more than two years old) may be issued an OHV identification card only.  
  • A new direct import motorcycle, as defined above, cannot be registered.  
  • Direct import OHV registrations must be branded “Non-USA” and cannot be converted to street registration.
15.110 Original OHV Registration Applications, continued

The procedures below must be followed:
- Copy the documents and give the originals back to the applicant.
- **Not** collect any fees.
- **Not** issue indicia.
- Attach the DMV file copy to the document copies and forward the application to the TCS MS E276 in DMV headquarters.
- Advise the applicant that DMV headquarters will review the documents and notify them of any additional requirements.
- Refer customers with questions or concerns regarding emission labels or emission standards to the California Air Resources Board (ARB) at 1-800-242-4450 or [www.arb.ca.gov](http://www.arb.ca.gov).

Abbreviations for Chinese Motorcycles and ATVs

The Department of Motor Vehicles Automation (DMVA) system does not currently generate any data for certain motorcycles and all-terrain vehicles (ATVs) because the vehicle identification numbers (VINs) are not supported by the system’s VIN decoder—VINtelligence.

When keying an original transaction and the VIN does not generate any data, key the information as shown on the Report of Sale.

Use the **Make Abbreviations** associated with the manufacturers listed below:

<table>
<thead>
<tr>
<th>Manufacturer</th>
<th>Make Abbreviation</th>
<th>Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jiangsu Baodiao Locomotive Co., Ltd</td>
<td>BAODIAO</td>
<td>Motorcycle</td>
</tr>
<tr>
<td>Taizhou Zhongneng Motorcycle Co., Ltd</td>
<td>ZNEN</td>
<td>Motorcycle</td>
</tr>
<tr>
<td>Zhejiang Kayo Motor Company</td>
<td>KAYO</td>
<td>ATV</td>
</tr>
<tr>
<td>Reytech Power Science &amp; Technology</td>
<td>CRT</td>
<td>ATV</td>
</tr>
</tbody>
</table>

15.115 Planned Non-Operation Certification (REG 102) (CVC §38121)

The owner of an OHV who **does not** wish to renew the registration must file a Planned Non-Operation Certification (REG 102) form and pay the required planned non-operation (PNO) fee prior to the registration expiration date.

PNO is **not** required to be filed biennially.
15.120 Registration of Noncomplying OHV (CVC §§4000, 38010, 38012, and 38040)

California Air Resources Board (ARB) regulations limit the use of OHV that do not meet emissions standards applicable for California OHV riding areas (non-complying OHV).

2003 and newer year model OHVs with a “3” or “C” in the eighth position of the vehicle identification number (VIN) are noncomplying OHVs and are issued a red OHV sticker that permits limited operation of the OHV during designated months. (This includes Kazuma and Zebra brand OHVs.)

• Noncomplying OHVs cannot be registered for on-highway use and do not qualify for dual registration (on-highway and off-highway).
• Ownership of a noncomplying OHV is transferable and the OHV registration is renewable every two years.

Exclusions—Always issue a green OHV sticker to:
• 2002 and older year model OHVs.
• Snowmobiles (SM).
• Amphibians (AP).
• Dune buggies (DB).
• Golf carts (GC).

NOTE: The Motorcycle Transportation Permit (REG 712) is available for competition (racing) motorcycles. Refer to the Motorcycle Transportation Permit.

The procedures below must be followed:
• Review the application for an off-highway motorcycle or all-terrain vehicle (ATV) for completeness and determine if it can be registered as follows.

<table>
<thead>
<tr>
<th>If the OHV Is a/an</th>
<th>Then</th>
</tr>
</thead>
</table>
| • 2002 or older year model OHV  
• Snowmobile  
• Amphibian  
• Dune buggy  
• Golf cart | • It can be registered and issued a green OHV sticker. Refer to the Original OHV Registration Applications section in this chapter for procedures.  
• Collect the OHV fee. Refer to Appendix 1F. |
| 2003 or newer year model OHV with a “3” or “C” in the eighth position of the VIN  
NOTE: Street-legal motorcycles with a “3” or “C” in the eighth position may be registered if assigned the correct on-highway type license code. | • It is a noncomplying OHV.  
• Continue processing as shown in this section.  
• Collect the OHV fee. Refer to Appendix 1F.  
• Issue a red OHV sticker. |

NOTE: The title/registration for noncomplying OHV motorcycles and ATVs are branded “NC M/C” or “NC ATV.”
15.125 Reregistration of Junk or Salvage Vehicle as an OHV (CVC §38185)
The requirements for OHV registration of a junked or salvaged vehicle are the same as for regular on-highway registration except:

- Brake and light certificates are not required.
- A smog certification is not required.

15.130 Specially Constructed OHVs
The requirements for a specially constructed (SPCNS) OHV are the same as shown in Chapter 7 for other SPCNS vehicles, except:

- A Statement of Construction (REG 5036) form is required.

**Note:** A motor vehicle bond is required for the total value of the vehicle if the value of the parts not covered by bill(s) of sale is more than $5000.

- Brake and light certificates are not required.
- A smog certification is not required.
- Use tax is not due on a vehicle constructed/built by the applicant. Use tax is due if the vehicle was built by someone else and purchased as a complete vehicle by the applicant.

**Note:** SPCNS OHVs must be referred to the California Highway Patrol (CHP) for assignment of a vehicle identification number (VIN).

15.135 Special Manufacturer, Dealer, or Distributor Permit for OHV (CVC §§38021, 38087, and 38231)
A special series OHV plate is issued for the purpose of display, delivery, or demonstration of an OHV owned or lawfully possessed by a manufacturer, dealer, or distributor of OHVs. The plate expires on June 30 of the second calendar year following the year of issuance.

**The applicant must submit:**

- An Application for Title or Registration (REG 343) form completed as follows:
  - Enter “dealer,” “distributor,” or “manufacturer” in the VIN field.
  - Enter the name, address, and signature of the manufacturer, dealer, or distributor

**Note:** One REG 343 may be used for several permits.

**The procedures below must be followed:**

- Collect an OHV fee for each permit. Refer to Appendix 1F for OHV fees.

**Note:** If the special plate is lost, a substitute may be obtained by the applicant by submitting a request to DMV headquarters in writing with the substitute plate fee.
15.140 Stolen or Embezzled OHVs (CVC §38125)
Within 20 days after the date of recovery, the owner of a stolen or embezzled OHV vehicle may secure the identification or renewal of identification without penalty if the vehicle was not in their possession when penalties accrued.
A Stolen or Embezzled Vehicle Certification (REG 256A) form completed by the owner must be submitted with the application.

15.145 Transfers (CVC §38195)
The requirements for transfer of the registered and/or legal owner of an OHV are the same as for transfers of on-highway vehicles except:
• The transfer fee must be paid within 30 days of the date of transfer to avoid penalty.
• A smog certification is not required.
• Odometer disclosure is not required for vehicles originally manufactured for off-highway use without an odometer and being converted to on-highway operation.
When renewal penalties have not accrued, the transferee has 20 days from the transfer date to pay the fees due without penalty (CVC §§38246 and 38250). Refer to the OHV Fees and Waiver of OHV Fees and/or Penalties sections in this chapter for penalty and waiver information.

15.150 Use Tax (CVC §38211)
Collection of use tax for OHVs is the same as for on-highway vehicles. Refer to Chapter 4 for use tax instructions.

15.155 Utility-Terrain Vehicle (UTV) CVC §531
A motor vehicle:
• Designed for operation off of the highway.
• Suspended on four tires.
• Has a steering wheel for steering control.
• Has one seat to accommodate a driver and one passenger sitting side by side.
The vehicle identification number analysis (VINA) program may erroneously generate an all-terrain vehicle (ATV) body type model (BTM) as defined in California Vehicle Code §111 for a UTV, because the definition of a UTV varies from state to state.
If BTM ATV generates for a UTV, the procedures below must be followed:
• Follow the procedures found in the Original OHV Registration Application section in this chapter.
• Change the BTM to 4W.
For a UTV used exclusively in agricultural operations (implements of husbandry), refer to the Special Equipment (SE) Identification Plates section in Chapter 16.
A new body type model (BTM) “RO” was created for recreational off-highway vehicles (ROVs).
15.155 Utility-Terrain Vehicle, continued

An ROV has:
- A steering wheel for steering control.
- Nonstraddle (bucket or bench) seats for the operator and all passengers.
- A maximum speed capability of greater than 30 miles per hour.
- An engine displacement equal to or less than 1000cc.

The procedures below must be followed:
When registering an original off-highway vehicle (OHV), continue to follow current procedures in this chapter. If the application is for an ROV:
- Use BTM “RO” and body type code (BTC) “Y.”
- Fees are due for the appropriate indicia issued.
If the ROV is amphibious and requires dual registration (OHV and vessel):
- Follow current procedures in Vehicle Industry Registration Procedures Manual (VIRP), Chapter 27 when a completed Application for Registration Number Certificate of Ownership and Certificate of Undocumented Vessel (BOAT 101) form is submitted.
- Process the OHV application first.
- Use BTM “AP” (amphibian) for the OHV application and vessel type “A” (amphibious) for the vessel application.

Note: A California Certificate of Title is issued only to OHVs for dual registration.

15.160 Waiver of OHV Fees and/or Penalties (CVC §38247)
Under specific circumstances DMV is authorized to waive the unpaid OHV fees and/or penalties due. The unpaid OHV fees and penalties are the personal debt of the transferor who did not pay the fees and penalties when they became due. DMV may collect waived fees and penalties in an appropriate civil action.

DMV Policy—A penalty may be waived by the manager or designee when an employee of DMV or any other state agency gives an applicant erroneous information which causes a penalty to become due.

Transfer Applications—Fees and Penalties may be waived for any year upon payment of the OHV fees due for the current year when a transferee applies for transfer and it is determined that the OHV fees for any year are unpaid and due, that the fees became due prior to the transferee’s purchase of the vehicle, and that the transferee was not aware of the fact that the fees were unpaid and due. A current OHV plate must be on the OHV for the year which fees are believed to be paid to waive fees and penalties.

Other Applications—Penalties may be waived on any application upon payment of the fees then due for OHV identification when the manager or designee determines that circumstances caused the penalties to accrue through no fault or intent of the owner. Only penalties may be waived when the customer states there is not a current OHV plate on the vehicle.
15.160 Waiver of OHV Fees and/or Penalties, continued

Determining Fee and/or Penalty Waivers—The conditions under which fees and/or penalties may be waived are specific. Therefore, when a customer indicates they are not aware of outstanding fees and/or penalties due on a vehicle, you must verbally discuss the circumstances with the customer to determine if it is appropriate to waive the fees and/or penalties in question.

The following must be submitted:
- A Statement of Facts (REG 256) form with the OHV plate number which states they were not aware of any unpaid fees and penalties.

The procedures below must be followed:
- Confirm that the customer was not aware that the fees had not been paid.
- Ask why the customer believes the fees and/or penalties were paid and not due.
- Verify that the fees and/or penalties in question became due or prior to the customer’s purchase date.
- Attach the REG 256 to the application, if the fee waiver is approved.
- Collect the transfer fee and any other fees due.
  - Waive the OHV fee and penalty due for the year in question if a current OHV plate is on the OHV.
  - Waive only the penalties if a current OHV plate is not on the vehicle.
- Issue an OHV plate if the application is complete.