

SENATE BILL 711

M1, R4
SB 857/24 – JPR

5lr2006

By: **Senator McKay**

Introduced and read first time: January 27, 2025

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Off-Highway Recreational Vehicle Recreation Oversight Board – Establishment**

3 FOR the purpose of establishing the Off-Highway Recreational Vehicle Recreation
4 Oversight Board to advise the Secretary of Natural Resources on certain matters and
5 review certain expenditures; and generally relating to the Off-Highway Recreational
6 Vehicle Recreation Oversight Board.

7 BY adding to

8 Article – Natural Resources

9 Section 5–1011.1

10 Annotated Code of Maryland

11 (2023 Replacement Volume and 2024 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
13 That the Laws of Maryland read as follows:

14 **Article – Natural Resources**

15 **5–1011.1.**

16 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
17 INDICATED.

18 (2) “BOARD” MEANS THE OFF-HIGHWAY RECREATIONAL VEHICLE
19 RECREATION OVERSIGHT BOARD.

20 (3) “FUND” MEANS THE OFF-HIGHWAY RECREATIONAL VEHICLE
21 TRAIL FUND ESTABLISHED UNDER § 5–1011 OF THIS SUBTITLE.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(B) THERE IS AN OFF-HIGHWAY RECREATIONAL VEHICLE RECREATION OVERSIGHT BOARD.

(C) (1) THE BOARD CONSISTS OF THE FOLLOWING MEMBERS, APPOINTED BY THE GOVERNOR:

(I) ONE REPRESENTATIVE OF THE MARYLAND OFF-HIGHWAY VEHICLE ALLIANCE;

(II) ONE REPRESENTATIVE OF THE MARYLAND MOTORCYCLE DEALERS ASSOCIATION;

(III) ONE REPRESENTATIVE OF THE AMERICAN MOTORCYCLIST ASSOCIATION DISTRICT 7;

(IV) ONE INDIVIDUAL REPRESENTING ALL-TERRAIN VEHICLE, UTILITY TERRAIN VEHICLE, OR SIDE-BY-SIDE VEHICLE DRIVERS; AND

(V) ONE INDIVIDUAL REPRESENTING ON- AND OFF-ROAD MOTOR VEHICLE DRIVERS.

(2) EACH MEMBER SHALL BE A RESIDENT OF THE STATE.

(D) FROM AMONG ITS MEMBERS, THE BOARD SHALL ELECT A CHAIR EACH YEAR.

(E) (1) THE TERM OF A MEMBER IS 4 YEARS.

(2) THE TERMS OF MEMBERS ARE STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR MEMBERS OF THE BOARD ON OCTOBER 1, 2025.

(3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(5) IF A VACANCY OCCURS AMONG THE MEMBERS, THE GOVERNOR SHALL PROMPTLY APPOINT A SUCCESSOR WHO SHALL SERVE UNTIL THE TERM EXPIRES.

(F) (1) THE DEPARTMENT SHALL PROVIDE STAFF FOR THE BOARD.

(2) ADDITIONAL SUPPORT FOR THE BOARD SHALL BE PROVIDED BY:

(I) THE SECRETARY, OR THE SECRETARY'S DESIGNEE;

(II) THE MARYLAND PARK SERVICE;

(III) THE FOREST SERVICE;

(IV) THE WILDLIFE AND HERITAGE SERVICE; AND

(V) ONE REPRESENTATIVE OF EACH COUNTY IN WHICH AN OFF-HIGHWAY RECREATIONAL VEHICLE TRAIL MAINTAINED BY THE DEPARTMENT IS LOCATED, DESIGNATED BY THE DEPARTMENT.

(G) THE BOARD SHALL MEET AT LEAST QUARTERLY.

(H) THE BOARD SHALL:

(1) ADVISE THE SECRETARY ON THE OPERATION, ACQUISITION, REGULATION, AND GENERAL OVERSIGHT OF OFF-HIGHWAY RECREATIONAL VEHICLE TRAILS AND RECREATION IN THE STATE; AND

(2) REVIEW EXPENDITURES FROM THE FUND IN ACCORDANCE WITH SUBSECTION (I) OF THIS SECTION.

(I) AN EXPENDITURE FROM THE FUND SHALL BE REVIEWED BY THE BOARD IN ACCORDANCE WITH THE FOLLOWING RECOMMENDATIONS:

(1) AT LEAST 25% OF THE ANNUAL FUND BALANCE SHALL BE USED FOR TRAIL DEVELOPMENT;

(2) AT LEAST 10% OF THE ANNUAL FUND BALANCE SHALL BE USED FOR OFF-HIGHWAY RECREATIONAL VEHICLE TRAIL MAINTENANCE;

(3) AT LEAST 10% OF THE ANNUAL FUND BALANCE SHALL BE USED FOR THE DEVELOPMENT OR MAINTENANCE OF CAMPING SITES, PARKING, OR OTHER INFRASTRUCTURE NECESSARY TO SUPPORT OFF-HIGHWAY RECREATIONAL VEHICLE RIDERS AND RECREATIONAL ACTIVITIES ON LANDS MANAGED PRIMARILY FOR OFF-HIGHWAY RECREATIONAL VEHICLE USE;

(4) AT LEAST 5% OF THE ANNUAL FUND BALANCE SHALL BE USED TO LEASE LANDS FOR PUBLIC OFF-HIGHWAY RECREATIONAL VEHICLE USE;

1 **(5) AT LEAST 10% OF THE ANNUAL FUND BALANCE SHALL BE**
2 **AUTHORIZED TO ADVERTISE, PROMOTE, AND MARKET OFF-HIGHWAY**
3 **RECREATIONAL VEHICLE USE AND EDUCATION IN THE STATE; AND**

4 **(6) FUNDS FROM THE FUND SHALL BE USED TO COVER THE**
5 **ADMINISTRATIVE AND OPERATING COSTS OF THE BOARD.**

6 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the initial
7 appointed members of the Off-Highway Recreational Vehicle Recreation Oversight Board
8 established under Section 1 of this Act shall expire as follows:

9 (1) one member in 2026;

10 (2) two members in 2027; and

11 (3) two members in 2028.

12 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2025.