

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

Senate Bill 770

**FISCAL
NOTE**

By Senator M. Maynard

[Introduced February 5, 2026; referred
to the Committee on Transportation and
Infrastructure; and then to the Committee on Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article,
2 designated §20-20-1, relating to establishing the Off-Highway Motor Vehicle Recreation
3 Act; establishing a commission; establishing membership of commission; requiring
4 commission to identify and designate suitable public lands as Off-Highway Vehicle
5 Recreation Areas; establishing commission's duties; creating a fund; and establishing
6 reporting requirements.

Be it enacted by the Legislature of West Virginia:

ARTICLE 20. WEST VIRGINIA OFF-HIGHWAY MOTOR VEHICLE RECREATION ACT.

§20-20-1. West Virginia Off-Highway Motor Vehicle Recreation Act.

1 (a) This act shall be known as the "West Virginia Off-Highway Motor Vehicle Recreation
2 Act".

3 (b) The purpose of this Act is to establish a program for off-highway motor vehicle (OHV)
4 recreation that ensures safe, sustainable, and environmentally responsible use of public and
5 private lands while promoting outdoor recreation and economic benefits to the state.

6 (c) There is hereby created the West Virginia Off-Highway Motor Vehicle Recreation
7 Commission (hereafter referred to as "the Commission") within the Division of Natural Resources.

8 (d) The Commission shall be composed of nine members, appointed by the Governor and
9 confirmed by the Senate, representing:

10 (1) Off-highway vehicle users;

11 (2) Environmental conservation groups;

12 (3) Local government officials;

13 (4) Law enforcement agencies;

14 (5) Public land management agencies;

15 (6) Tourism and outdoor recreation industries; and

16 (7) General public interest.

17 (e) The commission shall oversee and provide guidance on the administration of the West

18 Virginia Off-Highway Motor Vehicle Recreation Program, which includes:

19 (1) Allocating funds for the maintenance, improvement, and expansion of OHV recreation

20 areas.

21 (2) Establishing grants for local and private landowners to develop sustainable OHV trails.

22 (3) Reviewing and approving OHV trail projects on public lands.

23 (4) Conducting environmental impact assessments to minimize habitat destruction and

24 erosion.

25 (5) Collaborating with law enforcement to establish safety and compliance regulations.

26 (6) Educating the public on responsible OHV use and conservation efforts.

27 (f) The Off-Highway Motor Vehicle Recreation Program Fund is hereby established to

28 support the program. The fund shall be financed by:

29 (1) OHV registration fees and permits.

30 (2) Fines and penalties from OHV-related violations.

31 (3) State appropriations and federal grants.

32 (4) Private donations and sponsorships.

33 (g) The commission shall identify and designate suitable public lands as Off-Highway

34 Vehicle Recreation Areas (OHVRAs) in coordination with relevant state and federal agencies.

35 (h) OHVRAs shall be managed with consideration for environmental sustainability, public

36 safety, and multi-use recreation access.

37 (i) Private landowners may apply for grants to develop and maintain OHV trails under

38 Commission guidelines.

39 (j) The Commission, in coordination with the Department of Natural Resources and local

40 law enforcement, shall establish regulations for OHV use, including but not limited to:

41 (1) Speed limits and safety requirements.

42 (2) Noise and emission standards.

43 (3) Restrictions on sensitive environmental areas.

44 (4) Permit and licensing requirements.

45 (k) Violations of the established rules may result in fines, license suspensions, or vehicle
46 impoundment.

47 (l) The Commission shall submit an annual report to the Governor and Legislature
48 detailing:

49 (1) Program expenditures and fund allocations.

50 (2) Environmental and recreational impact assessments.

51 (3) Policy recommendations for improving OHV recreation in West Virginia.

52 (m) This Act shall take effect on January 1, 2027.

NOTE: The purpose of this bill is to establish the Off-Highway Motor Vehicle Recreation Act, create the West Virginia Off-Highway Motor Vehicle Recreation Commission, and a new Off-Highway Motor Vehicle Recreation Program Fund.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.