

# FINAL BILL REPORT

## 2SHB 1698

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Synopsis as Enacted

**Brief Description:** Creating the nonhighway and off-road vehicle advisory committee.

**Sponsors:** By House Committee on Capital Budget (originally sponsored by Representatives Cooper, Anderson, Wood, Jarrett, O'Brien, Murray, Upthegrove, Pflug and Dunshee).

**House Committee on Fisheries, Ecology & Parks**

**House Committee on Capital Budget**

**Senate Committee on Parks, Fish & Wildlife**

### **Background:**

The motor vehicle fuel tax provides revenues for the state transportation system including the construction and maintenance of state roads and highways. However, fuel tax paid on gasoline consumed for recreational purposes on nonhighway roads supports nonhighway and off-road vehicle recreational facilities. Examples of nonhighway purposes include driving a vehicle on a forest road or operating an all-terrain vehicle on a trail. The State Treasurer deposits 1 percent of the fuel tax revenue, based on a fuel tax rate of 18 cents per gallon, into the Nonhighway and Off-Road Vehicle Activities (NOVA) Account. Funds from the NOVA Account are distributed by statutory formula as follows:

- 40 percent is deposited into the Off-Road Vehicle (ORV) Account for the Department of Natural Resources (DNR) to maintain and manage ORV and nonhighway road recreational facilities on DNR land;
- 3.5 percent is deposited in the ORV Account and administered by the Department of Fish and Wildlife for acquisition, planning, development, maintenance and management of nonhighway roads and recreation facilities;
- 2 percent is deposited in the ORV Account and administered by the State Parks and Recreation Commission for the maintenance and management of ORV facilities; and
- 54.5 percent is deposited in the NOVA Account for the NOVA grant program administered by the Interagency for Outdoor Recreation (IAC) for the planning, maintenance and management of ORV and nonhighway road recreational facilities, as well as ORV education and law enforcement programs.

The NOVA Advisory Committee is appointed by the IAC and provides advice regarding

the administration of the NOVA program, including the evaluation of NOVA projects submitted for funding. Funds distributed to the IAC for the NOVA grant program are subject to the following spending restrictions:

- up to 20 percent is for ORV education, information, and law enforcement;
- up to 60 percent is for ORV recreation facilities; and
- up to 20 percent is for nonhighway road recreation facilities.

The 2001 Capital Budget appropriated \$175,000 to the IAC to contract with an independent entity to study the source and use of funds provided to off-road vehicle and nonhighway road recreational activities. The fuel use survey determined that 25.7 million gallons of motor vehicle fuel is estimated to have been consumed on nonhighway roads in the following categories:

- 20 percent for motorized recreation activities (riding motorbikes, ATVs, snowmobiles);
- 31 percent for nonmotorized related activities (hiking, mountain biking, horseback riding); and
- 49 percent for "other" (camping, sightseeing, hunting, fishing).

**Summary:**

The NOVA Advisory Committee members must proportionally represent persons with recreational experience in areas identified in the most recent fuel use study. The NOVA Advisory Committee must review the existing funding distribution and provide recommendations to the Legislature by January 1, 2004. For this reason, the NOVA Advisory Committee must also include representation of county sheriffs, recreational land managers, the State Parks and Recreation Commission, the Department of Fish and Wildlife, the Department of Natural Resources, two members from each major caucus of the Senate appointed by the President of the Senate, and two members from each major caucus of the House of Representatives appointed by the Speaker of the House of Representatives. Senate members must be selected from the Parks, Fish & Wildlife Committee and the Ways and Means Committee, and members from the House of Representatives must be selected from the Fisheries, Ecology & Parks Committee and either the Appropriations Committee or the Capital Budget Committee.

**Votes on Final Passage:**

House 57 38  
Senate 49 0 (Senate amended)  
House 82 15 (House concurred)

**Effective:** July 27, 2003