



# OFF-ROAD BUSINESS ASSOCIATION NEWSLETTER—FALL 2005

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### MOTORIZED OHV SUMMIT IN WASHINGTON DC

During July, ORBA's President was joined by the President of the BlueRibbon Coalition to co-chair a national event held in Washington, DC. Off-highway vehicle organization leaders from across the country attended the country's first National OHV Summit. They spent four busy days attending meetings with federal agencies and calling on congressional representatives. In addition to promoting motorized off-road recreation in general, participants were asking Congress to support reform of the 30-year-old ineffective Endangered Species Act. This Federal legislation has led to the closure of many millions of acres of public land to vehicle access.

While in DC, the co-chairmen of the OHV Summit testified at a Congressional Oversight Hearing on Motorized Recreation on Public Lands. On behalf of ORBA, its President emphasized the importance of the motorized OHV recreation industry on the nation's economy. He submitted studies done by several western states reporting economic impacts in each state of several billion dollars. Current estimates of economic impact in California alone are in the neighborhood of \$9 billion. It is clear that ORBA represents a major industry in the U.S.

A highlight of the DC OHV Summit occurred when several OHV leaders called on Secretary of the Interior Gale Norton. Ms. Norton asked for input regarding concerns that the motorized recreation community has relative to the federal management of motorized recreation on public lands. She received plenty of input. The meet-

ing ended with an award presented to Norton by ORBA's President on behalf of the motorized OHV community.



Denner presenting plaque to Secretary of the Interior Norton

But the Summit was not all work. An evening reception was attended by off-roaders, congressional representatives, and congressional staff. Participants had an opportunity to chat directly with congressmen and high-level staffers about specific OHV issues. The reception was sponsored by ORBA, BlueRibbon Coalition, and SEMA.

### CA OHMVR PROGRAM AUDIT

About a year ago, the American Sand Association, San Diego Off-Road Coalition and ORBA signed a letter to California State Senator Bill Morrow asking him to request an audit of the State's Off-Highway Motorized Vehicle Recreation (OHMVR) Program (AKA: The Green Sticker Program). The State's Joint Legislative Audit Committee released a 155-page report in August that sites many examples of misuse of funds from California's OHV trust fund. The report, "Bureau of State Audits Report 2004-126: Off-Highway Motor Vehicle Recreation Program" can be found online at [www.bsa.ca.gov/reports/summary.php?id=484](http://www.bsa.ca.gov/reports/summary.php?id=484)

According to the audit, OHV trust funds were used to fund State Parks that do not allow any OHV use. Trust fund money has also been used to purchase "buffer" land that is four miles away from the closest State OHV area. Thirty-eight million dollars has been allocated to a new State OHV area that requires the purchase of five acres of conservation land for every potential acre

available for OHV use. Unreasonable amounts of the OHV trust fund have been used for efforts that have little or no benefit to OHV recreation in California. Large contracts have been broken into multiple smaller contracts so that they could be awarded to a single vendor without due legislative process. And it goes on and on.

Fifteen motorized OHV organizations that are active in California signed on to a letter to Senator Morrow listing concerns and recommending actions that need to take place. That letter asks Senator Morrow to spearhead an effort to create new legislation to fix the badly broken California OHV program. It recommends that the OHMVR Division be given the authority that goes along with the responsibility to run the entire OHMVR program—without the undue influence that the current OHMVR Commission has. It encourages authorities to prosecute to the full extent of the law those state officials and private contractors who have broken the law. The OHV community in California is united as never before and will continue to bring pressure on state legislators to fix California's OHV program so that it once again focuses on OHV recreation opportunities.

### KTM AWARD TO ORBA

At KTM's annual Dealer Meeting in Columbus, Ohio this year an award was presented to ORBA's President by KTM Vice President, Scot Harden. Scot, a member of ORBA's Board of Directors, told an audience of around 800 how proud he is to be associated with ORBA. ORBA's President, Roy Denner, made a sincere appeal to the KTM dealers present to join ORBA's team.

### CALIF. ASSEMBLY BILL 715

In the final hours of the state legislative session for this year, AB 715 by Assemblyman Lloyd Levine (D-Los Angeles) was defeated in the Assembly by a vote of 35 ayes to 39 nays with 5 abstentions after heavy lobbying against the bill by off-road recreation and off-road business lobbyists Pete Conaty, Dana Nichol and Terry McHale.

If passed into law, AB 715 would have prohibited any state agency from spending any funds on federal-state roadless cooperation in California's U.S. Forest Service lands. The Clinton 2001 Roadless Rule locked up over 4,400,000 acres of California's forest land permanently by designating them as roadless areas. Clinton's Roadless Rule has been overturned by numerous Federal courts in the western United States, including a permanent injunction against them in Wyoming. The Bush Administration reversed the 2001 Rule and gave the final decisions on roadless status to the individual states. AB 715 would have removed California from the decision process thereby ensuring that California would be stuck with the rule.

Environmental extremists, led by the Natural Resources Defense Council and Environment California, pushed AB 715 through the legislature until the final day. However, in the end common sense prevailed in the State Assembly and OHV lobbyists were able to educate open-minded legislators to reject this bill.

Because this defeat of AB 715 occurred on the last day of the first year of a two-year legislative session, the author will be able to bring AB 715 up for one last vote on the bill anytime between January and the end of the two-year legislative session in August. We will no doubt have to fight this bill again sometime next year.

### **ORBA RAFFLE CAR STATUS**

As this newsletter is being finalized, just over 500 raffle tickets on ORBA's \$100,000 Alumi Craft pre-runner car have been sold. This is good news for ticket buyers but bad news for ORBA. It appears unlikely that all 2,500 tickets available will be sold by the Off-Road Impact Show in January, where the winning ticket will be drawn. Odds are great for the ticket holder but the funds available to ORBA to support important programs may be considerably less than anticipated.

### **ORBA MEMBER BENEFITS**

ORBA continues to evaluate new benefit programs for its members. We are looking into payroll services, workers' compensation insurance and health insur-

ance programs which would combine cost savings with superior service.

The first phase of this evaluation involved the companies of the ORBA Board members. Encouraged by the positive response, we are expanding the evaluation to include several other ORBA member businesses in the local area. If the proposals are received as well as we expect them to be, we will then offer these benefits to all ORBA members. Our goal is to be able to provide benefits exceeding the cost of your membership!

And don't forget the great deal already offered to ORBA members by Office Depot: 3% below the already low "Business Catalog" price, and free shipping. If you need details, contact the ORBA office.

### **ESA REFORM BILL**



Congressman Radanovich, OHV lobbyist Pete Conaty and ORBA President Roy Denner

On September 19 at Governor Schwarzenegger's press conference room in Sacramento, House Resources Chairman Richard Pombo officially announced the introduction of H.R. 3824, "Threatened and Endangered Species Recovery Act of 2005 (TESRA)." ORBA's President Denner was on hand to congratulate Congressman Pombo on his outstanding bipartisan effort to bring about change to the worst piece of federal legislation in existence, as far as public use of public land goes. Denner and other off-road leaders visited Congress in July during the OHV Summit to ask for support of this badly-needed reform.

### **DESERT TORTOISE NEWS**

A species that has caused the closure of millions of acres of public land to vehicle access in four western states is the Mojave Desert Tortoise. The new Desert Tortoise Recovery Office (DTRO) has been established in Reno under

U.S. Fish & Wildlife. A "Recovery Planning and Implementation Work Group" has been established to provide input to the DTRO to develop a new recovery plan for the tortoise. ORBA's Executive Vice President Jim McGarvie has been selected as the OHV community's representative on that group. According to the new DTRO Director, "We do not know any more about the Desert Tortoise today than we did when the original Desert Tortoise Recovery Plan was drafted ten years ago." Hopefully McGarvie will be able to provide valuable input from the recreation community that has been dealing with Desert Tortoise issues for years.

### **UPCOMING EVENTS**

As we head into the off-road show season, ORBA will be participating in the following events:

- The CORR race series in Southern California
- Operation Desert Fun at the Ocotillo Wells SVRA in the Southern California desert
- The Pomona Off-Road Expo
- The Las Vegas SEMA Show
- The Phoenix Sand Show
- Advanstar's Off-Road Impact Show
- SCORE race events
- Best-In-The-Desert race events

### **WELCOME NEW MEMBERS!**

- San Diego 4 Wheelers
- Suspension Control Systems
- Xtreme Motorsports
- Motorcycle Racing Association of Nevada
- Toys For Trucks, Inc.
- Motorex USA
- Desert Vipers Club
- Jolly Jeepers
- Crowley Off Road
- Cage Off Road
- Extreme Outback Products
- Bellflower Motorsports
- S.M.M.A. Insurance Agencies
- Del Amo Motorsports
- Rough Country Suspensions
- All German Auto
- Red Baron Racing
- Hunter Offroad
- Herman Motorsports