



OFF-ROAD BUSINESS ASSOCIATION EXECUTIVE SUMMARY—THIRD QUARTER 2006

IN THIS ISSUE

- ORBA COMPANIES VISIT SACRAMENTO
- TOYOTA DONATES FJ
- SEMA JOINS ORBA
- DESERT TORTOISE UPDATE
- RECENT FEDERAL TIDBITS
- RS 2477
- WILEY GOES TO WASHINGTON DC
- OFF-ROAD MOTORIZED HALL OF FAME
- NEW MEMBERS

ORBA COMPANIES VISIT SACRAMENTO

A representative group of business owners from all phases of the motorized off-highway vehicle (OHV) recreation industry converged on Sacramento for the first annual ORBA open Board meeting and California members' lobby day.

Attendees arrived in Sacramento on the afternoon of Sunday, May 7, and spent four hours Sunday evening listening to a rapid-fire update from ORBA staff members regarding many of the activities in which ORBA is involved. Land use, legislative and legal issues were discussed.



ORBA lobbyist Pete Conaty and Board Member Rocky Trevino as President Roy Denner looks on

Armed with the knowledge about issues of concern that are impacting the OHV industry, company representatives had the opportunity to meet with state legislators on Monday and ask for support on issues important to the industry. Many legislators expressed the importance of industry representatives getting involved with the legislative process. Senator Bill Morrow, who promoted the audit of the State's OHV program, told attendees that "As an off-roader myself, I felt it

was time to stop the misuse of OHV trust funds!" Attendees made sure legislators realize the OHV industry represents an estimated \$9 billion impact on California's economy.



ORBA group assau lts Sacramento

TOYOTA DONATES FJ

Toyota has agreed to sell a new, fully loaded FJ Cruiser to ORBA for a grand total of one buck! ORBA members, including APE Wraps, DeMello Offroad, Donahoe Racing, JBA Performance Headers, KC Hilites, MasterCraft Race Products, Off Road Warehouse Warn Industries and others, will be adding products to the FJ to make it truly unique. The modified FJ will be this year's ORBA fundraiser raffle vehicle.

SEMA JOINS ORBA



The Specialty Equipment Market Association (SEMA) has become the latest Platinum Member of ORBA. SEMA and ORBA have long worked closely on issues that affect members of both organizations. SEMA's membership in ORBA will reinforce that relationship.

DESERT TORTOISE UPDATE

As predicted in our last issue, ORBA Vice President Jim McGarvie has, in fact, been interviewed for a position on the proposed Regional Working Group, a group of stakeholders which will assist the U.S. Fish & Wildlife Service in planning and implementing a recovery program for the Desert Tortoise.

ORBA is hoping that McGarvie—assuming he is selected—will be able to bring to the table a measure of reasonable and practical input to improve the survivability of the species while ensuring that OHV recreation is not treated unfairly.

RECENT FEDERAL TIDBITS

Dirk Kempthorne appointed US Secretary of the Interior to replace Gale Norton

After years of being involved with the political process, just last year, with the help of our Washington lobbyist, OHV leaders managed to meet with the United States Secretary of the Interior, Gale Norton. Ms. Norton asked us for our input on what problems we have relative to motorized off-highway vehicle recreation on public lands. She took notes and agreed that our form of recreation on public lands must be protected. Then she resigned!

Now we need to start all over to develop a relationship with the new Secretary of the Interior—recently appointed—Dirk Kempthorne. Kempthorne, who is leaving the post of Governor of Idaho, has made it clear that one of his first priorities is to revise the Endangered Species Act (ESA). The ESA is widely considered to be the single most devastating piece of federal legislation impacting OHV recreation in history!

Bill to allow trade associations to offer employee health care plans defeated in Senate

The U.S. House of Representatives last July approved legislation that would provide small businesses access to affordable employee health care coverage through a trade association. On May 12, 2006 the U.S. Senate voted down their version of a similar bill. The Senate needed 60 votes to pass the bill and got a total of 55. When the bill was debated on the floor of the Senate it seemed obvious that the majority of the Senators supported the bill but that's not how it turned out.

ORBA teamed up with SEMA (both non-profit trade associations) and campaigned nationwide to get business owners and managers to write to their Sena-

tors on this issue. We have no way of knowing how many actually took the time to support this issue and can only wonder if we had campaigned a little harder could we have picked up that extra 5 votes.

U.S. Fish & Wildlife Service decides not to list the Spotted Owl under the Endangered Species Act

On Tuesday, May 23, 2006 the U.S. Fish & Wildlife Service rejected a petition to list the California Spotted Owl as an Endangered Species. USFWS stated that the population is stable and that new programs being implemented to prevent forest wildfires will allow the species to thrive.

Independent tests have indicated that the owl has no fear of vehicles or people on dirt bikes or ATV's. They ignore the traffic and the noise. What they do fear are people walking close by. Some contend that a person on foot is identified as a hunter while vehicles are simply traffic passing by. In any case, the owl—at least for now—will not be used to close vehicle trails (where they still exist) in forest areas.

Of course, environmental activists are upset with the decision and promise to continue their fight to get the Spotted Owl listed.

RS 2477

It is nice—and very rare these days—to win one! Just before Gale Norton, U.S. Secretary of the Interior, resigned recently she signed a secretarial order that may allow the reopening of thousands of miles of roads and trails across federal lands in the West. A law passed in 1866 called RS2477 allows states to claim rights-of-way for roads that existed before the property became designated a federal land.

During the 90's President Clinton's Secretary of the Interior, Bruce Babbitt, implemented a department policy stating that rights-of-way claims on federal lands would be considered only under an emergency. Many dirt roads and logging trails were closed to vehicle access. The inability to remove dead trees and brush contributed significantly to the intensity of the forest fires so prevalent over the last decade. Of course, many of our favorite 4-wheel drive back country roads and single-

track trails were also closed to vehicle use.

Norton's order stems from a decision in September by the 10th Circuit Court of Appeals ruling that counties and states have the final say on how pre-RS2477 roads and trails should be used.

Environmental groups disagree. They believe the order is her attempt to underhandedly establish her legacy on her way out the door. They are convinced that counties and states will use this order to conduct widespread road maintenance and construction projects through national parks, national monuments, and wilderness areas. They don't address the fact that huge numbers of citizens—some handicapped—will be able to enjoy back country vistas that are otherwise inaccessible by simply driving on already established dirt roads.



ORBA President Roy Denner addresses issues of concern to off-roaders at the California Off Road Vehicle Association convention

WILEY GOES TO WASHINGTON DC

ORBA Executive Director Fred Wiley attended the Specialty Equipment Market Association's (SEMA) recent annual Washington DC Rally. This event brings together the nation's leaders in the automotive world. The three days were filled with business meetings, training seminars, walking the halls of congress, and receptions that included political leaders and automotive racing celebrities.

This trip presented Wiley with an opportunity to meet the leadership of SEMA and learn about the automotive movement in our capitol. He has walked the halls in DC for several years and has always been able to learn from these endeavors. On this particular trip he

was able to visit with Tony Blakely, former chief of staff for Newt Gingrich, and shake the hand of three-time Indianapolis 500 winner Johnny Rutherford. When working in DC it is always a challenge to find a better way to be more effective. Having the opportunity to learn from others at events like this is the most effective way to know what is going to work best for us.

OFF-ROAD MOTORIZED HALL OF FAME

ORBA's President has been invited to sit on the Off-Road Motorized Hall of Fame candidate selection committee. ORMHOF is located in Reno, Nevada and recognizes people from the motorized off-road recreation community who have made a major contribution to the sport. Rod Hall and Bob Bower are working very hard to make this a successful venture.

WELCOME NEW MEMBERS!

- Pro Armor
- Rekluse Motor Sports Inc
- The Truck Shop
- Champion Wheel Co., Inc.
- Mickey Thompson Performance Tires
- Tubeworks Raceline Products
- 74 Motorsports
- Visual Arts by GBS
- TrailReady
- Streamline Brakes
- Hap Jones Distributing Co., Inc.
- Washington State Motorsports Dealers Assoc.
- Yoshimura R&D of America
- The Brothers Powersports
- International Racing Consultants
- California Dual Sport
- American Small Business League
- Honda of Las Vegas
- Baldwin Motor Sports
- DeMello Offroad
- SPY Optic