

SUMMARY OF OHV LAWS & RULES

Within Timberlake

Off-road vehicles must stay on the roads. They are not allowed on power line easements, equestrian easements leading into Common Land, all Common Lands or private property (unless you have permission from the landowner). Riders under 18 years of age must wear helmets per NM rules. Fines for not wearing a helmet or speeding can result in a court date as well as a fine up to \$350.

Safety is a primary concern whether driving a regular vehicle or an OHV. Thus, speed limit signs are posted throughout Timberlake.

Please ask a Board Member if you have any questions about Common Land, Forest land or private property boundaries.

For specific New Mexico rules, go to www.B4uRide.com or www.wildlife.state.nm.us.

New Mexico Rules

The State of New Mexico requires all OHV users to register their OHVs if used on public land. Residents must purchase OHV registration decals from the Motor Vehicle Division (MVD). Non-residents can purchase OHV registration decals from the Department of Game and Fish Online Sales website (<https://onlinesales.wildlife.state.nm.us/>). The new paved Road decals allowing operation of ATVs and ROVs on authorized roads are obtained the same, via MVD for residents and the NMDGF website for non-residents.

If you intend to operate an ATV or ROV on a paved road, it is your responsibility to inquire with the local authority to which you wish to ride to see if such use is allowed in that specific area. NM Senate Bill 270 was passed in 2016 and allows local authorities and the state transportation commission to pass resolutions or ordinances to designate certain paved roads as open to specific ATV or ROV travel within their respective communities. Any adult ATV or ROV operator driving on a paved road where a local ordinance allows such use shall wear eye protection and have a drivers' license and proof of financial responsibility (liability insurance). If under 18 years of age, a helmet and eye protection must be used and have a safety permit as proof of safety training when operating any OHV. An operator must also have an OHV registration and special OHV paved road use plate or decal (MVD sells for \$7), have working brakes, mufflers, mirrors, a functioning headlight or tail light. Non-residents must display a valid paved road use registration decal or plate from their home state.

The Cibola County Ordinance No. 16-01 is attached.

It is your responsibility to know the law. So, you can refer to the New Mexico Statutes 66-3-1001 to 50-3-1020 or Title 18 of the New Mexico Administration Code.

OHV Designation

- . All-terrain vehicles (ATVs)
- . Dirt bikes
- . Off-road vehicles (ORVs, UTVs or Mule type vehicles)
- . Snowmobiles

Vehicles not required to be registered for off-highway motor vehicle use

- . Motorcycles registered for use on public streets
- . Vehicles used strictly for agricultural use
- . Vehicles used strictly on private land

Safety Requirements

- . Riders under 6
 - . May not operate an ATV on public land
- . Riders under 18 **MUST**
 - . Wear an approved, securely fastened helmet.
 - . Wear approved, protective eye wear.
 - . Never carry a passenger, even on OHVs designed for two persons.
 - . Be visually supervised when operating an OHV, unless
 - . Age 13 and above with a valid motorcycle license.
 - . Complete a certified OHV course and obtain a safety permit.

Prohibited Uses

It is **illegal** for any person to use an OHV to:

- . Destroy signs, windmills or other property.
- . Operate any OHV in a way that damages environment, plants, animals or creates excessive noise.

- . Harass, pursue or hunt wildlife or domestic animals.
- . Operate any OHV where prohibited or on private land without permission.
- . Operate an OHV on paved roads or highways except as allowed by local authority or the state transportation commission.
- . Negatively affect livestock and or agricultural practices.
- . No one, regardless of age, may drive under the influence of drugs or alcohol.

CONTACT INFORMATION

Matthew Seidel OHV Staff Manager Coordinator Office: 505-222-4728 Mobile: 505-690-6337 DGF-OHVMGR@state.nm.us	Desi Ortiz Law Enforcement Coordinator Office: 505-222-4718 Mobile: 505-321-0858 DGF-OHVLEO@state.nm.us	Chris Johnson OHV Education Office: 505-222-4712 Mobile: 505-239-1092 DGF-OHVEDU@state.nm.us
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New Mexico Department of Game & Fish
(MVD)
1 Wildlife Way, Santa Fe, NM 87507
505-476-8000 or 1-888-248-6866

New Mexico Motor Vehicle Division
505-827-4636 or 1-888-683-4636

FINES

If a rider under the age of 18 is stopped by a law enforcement officer for not wearing a helmet or speeding, the fine could result in a court date and a fine up to \$350. So, please make sure your children are wearing helmets. Safety should also be your first concern for all OHV riders. For a complete list of fines, go to www.wildlife.state.nm.us.

FEES

A resident Initial registration is \$53 and \$50 thereafter. OHVs must be renewed every two years – if used on public lands.

A non-resident registration can only be purchased online with a Visa or Mastercard. \$48 for two-year permit or \$18 for a 90-day permit. Two-year permit must be renewed every two years from the data of initial registration. Non-residents who have proof of a valid OHV registration, user fee or similar fee, may not need to purchase the New Mexico Permit.

Contact: New Mexico Department of Game and Fish at 1-505-476-8000. Web site is www.B4uRide.com or www.wildlife.state.nm.us.

Non-Resident Fee Exceptions

With the passage of SB 379, the OHV law changed the requirements of non-residents who need to purchase a non-resident permit. Now, a non-resident operating an OHV is in compliance with New Mexico if that person: is currently in compliance with another state's off-highway vehicle registration, user fee or similar law or rule demonstrated by certificate of registration, permit or similar evidence (66-3-1004.C NMSA 1978). It is a misdemeanor for any person (including a juvenile) to fail to possess the proper permit or registration for an off-highway vehicle and display the required decal on their OHV. Fine of \$60 or more can be assessed and the person may not ride on public lands.

Military

A member of the U.S. Armed Forces who is assigned permanently to a military installation located in New Mexico has 30 days to obtain a Resident OHV permit from the MVD. If temporarily assigned and New Mexico residency will not be established, a two-year or 90-day nonresidential permit can be purchased if no other valid registration permit is in place from another state.