

Requirements for OHVs

New Mexico has new requirements for off-highway motor vehicles (OHVs), designed to protect the safety of all OHV users and ensure responsible and sensitive OHV use. The law, implemented January 2006, requires all OHV users to register or acquire a permit for their OHV if it is used on public land. Additionally, juveniles who drive OHVs are required to meet approved safety standards.



What are OHVs

OHVs include all-terrain vehicles (ATVs), off-highway motorcycles (dirt bikes) and snowmobiles. OHVs used exclusively for agricultural purposes or on private closed courses are exempt from the law. Hunting is not considered an agricultural use.

Per the Off-Highway Motor Vehicle Act - "off-highway vehicle" means a motor vehicle designed by the manufacturer for operation exclusively off the highway or road and includes: "all-terrain vehicle"..."off-highway motorcycle"..."snowmobile"..."

Other vehicles i.e. mules or off-highway vehicles with steering wheels, currently do not fall under the requirements of this act, the off-highway vehicle as defined in the act, refers to those vehicles which are designed to be straddled and have handle bar-type steering control.



Off-Highway Motor Vehicle Safety Board (OHMVSb)

The OHMVSb consists of 26 board members from various agencies and industry professionals that cooperate with public and private organizations to establish and certify safety training, age-appropriate OHV sizes for juveniles, specify eye and helmet protection and review public input on trail locations. Contact the OHMVSb through the New Mexico Department of Tourism, 491 Old Santa Fe Trail, Santa Fe, NM 87501, 505.827.7400, 800.545.2070 or ohv@newmexico.org.

YOUR RESPONSIBILITY

This document is not to be used as a substitution for New Mexico Statutes 66-3-1001 to 66-3-1020 or Title 18 of the New Mexico Administrative Codes. It is intended to provide basic information regarding the new requirements for OHVs and users. It is your responsibility to know the law.

A copy of the statutes may be obtained online,

www.state.nm.us/tax/trd_pubs.htm

OHV rules may be found online,

[www.nmcpr.state.nm.us/nmac/ title18/T18C015.htm](http://www.nmcpr.state.nm.us/nmac/title18/T18C015.htm). For

more information, visit www.B4uRide.com



NM Resident Registration

Contact the New Mexico Motor Vehicle Division

Phone: 505.827.4636

Toll free: 888.683.4636

Web site: www.state.nm.us/tax/mvd

or any New Mexico Motor Vehicle Division office

Non-Resident Registration

Contact the New Mexico Tourism Department

Phone: 505.827.7400

Toll free: 800.545.2070

Web site: www.B4uRide.com

Or contact the NM Department of Game and Fish

Phone: 505.476.8000

Web site: www.wildlife.state.nm.us

or any NM Department of Game and Fish Office

For information visit www.B4uRide.com



SAFETY FIRST

Know the Rules
Before you ride.

www.B4uRide.com



NEW MEXICO Off-Highway Vehicle Program

Be Safe • Stay On The Trail • Have Fun

OHV Use

- No one, regardless of age, may drive under the influence of drugs or alcohol.
- There is a 10-mph speed limit within 200 feet of any business, animal shelter, occupied dwelling, pedestrian, bicyclist or horseback rider.
- OHVs may not be operated on any paved street or highway, except to cross a street or highway after coming to a complete stop and yielding to traffic. OHVs may be driven on a highway right-of-way only when traveling the shortest distance between a staging area and areas designed for OHV use.
- OHVs are required to have a U.S. Forest Service approved spark arrestor (except snowmobiles).
- The legal noise limit is 96 decibels.
- OHVs must have a headlight and taillights if ridden at night.



NM Resident Registration & Use Fees

OHVs used on public lands must be registered and user fees paid. Fees are deposited into the Trail Safety Fund to be spent as specified in the OHV Act.

NM Resident Registration Fees (Must be renewed every 2 years from the date of initial registration):

- **\$53 for initial registration and \$50 thereafter**

Non-Resident Permit & Use Fees

Non-Resident permits may be purchased during regular business hours at NM Department of Game and Fish offices in Santa Fe, Albuquerque, Raton, Roswell and Las Cruces, or at the New Mexico Tourism Department.

NON-RESIDENT PERMITS AND FEES- 2 YR (Must be renewed every 2 years from the date of initial registration):

- Available at NM Department of Game and Fish and New Mexico Tourism Department Offices.
- includes user, administrative & program fees.
- **\$48.00 total**

NON-RESIDENT 90-DAY PERMITS AND FEES:

- Non-Residents have the option to purchase a 90-Day Permit
- includes user, administrative & program fees.
- **\$18.00 total**



Photos provided courtesy of R&S Powersports, Albuquerque, NM (505) 292-8011. Copyright 1996-2006 Yamaha Motor Corporation, U.S.A. All rights reserved. ATVs are recommended only for use by those age 16 years and older. YAMAHA recommends an approved training course. See your dealer or call 1-800-887-2887. ATVs can be hazardous to operate.

Youth OHV Users

NO PERSON UNDER THE AGE OF 6YRS OLD MAY OPERATE AN ATV ON PUBLIC LAND.

SAFETY PERMITS/CERTIFICATES:

- All OHV operators under the age of 18 must have successfully completed an approved OHV safety course & possess the safety permit/ certificate while driving.
- Safety course certificates issued prior to January 1, 2007 by ASI, MSF, 4-H or equivalent certificates will satisfy the requirement for completion of an OHV safety training course.
- Safety permits issued by another state or an ASI, MSF or equivalent certificate will satisfy the requirement for completion of an OHV safety training course.

ALL RIDERS UNDER THE AGE OF 18 MUST:

- When operating or riding upon an OHV, wear an approved, securely fastened helmet.
- When operating or riding upon an OHV, wear approved, protective eyewear, unless the OHV has a protective windscreen.
- Never carry a passenger, even on OHVs specifically designed for two persons.

VISUAL SUPERVISION OF MINORS:

Minors must have visual adult supervision at all times, unless they:

1. Have completed an approved safety course, received their OHV safety permit and/or have a valid motorcycle or motor vehicle driver's license.
2. Age 13 or older and have a valid motorcycle license and an OHV safety permit.
3. Are 15 or older and have a valid driver's license, instructional permit or provisional license, and an OHV safety permit.
4. Are under the age of 10 in which case the minor must have visual supervision by a **parent, guardian or instructor** at all times.

All riders under the age of 10:

- Shall not operate an ATV with an engine size greater than 100 cc.

All riders ages 10 through 15:

- Shall not operate an ATV with an engine size greater than 250 cc.

All riders ages 14 or 15 who possess a valid driver's license:

- Shall not operate an ATV with an engine size greater than 450 cc.

All riders ages 16 or older:

- May operate an ATV with an engine size greater than 250 cc.

PHYSICAL FIT STANDARDS: Regardless of the age & engine size restrictions above, an ATV operator must also meet the Physical Fit Standards listed below. Unless the relationship between the operator and the ATV complies with these standards, there is a violation of the age appropriate size-fit standard regardless of the engine size.

- Minimum of 3-6" clearance between ATV seat and inseam, while standing on the foot pegs.
- Upper leg should be nearly horizontal when seated on the ATV.
- Foot length must allow for proper use of foot brake and gear shift when foot is in a proper position.
- From normal seated position without leaning forward, be able to properly grip the handlebars and operate throttle & hand brake without having to straighten arms. If they cannot, they are too small for the ATV.
- If the rider's elbows are at less than a 90 degree angle, they are too large for the ATV.

All riders under the age of 10 must:

- Have visual supervision by a parent, guardian or instructor at all times and ride OHVs that are age and size appropriate.