

The state's All Terrain Vehicle (ATV) account is a user-generated fund that is generated by fuel taxes collected by the state, held in trust by the Oregon Parks and Recreation Department (OPRD), with the intent of using those funds to support Off Highway Vehicle (OHV) recreation.

The local news is filled with stories about how the legislature needs more money. Some legislators believe any fund sweep with the slightest nexus to the subject is a good way to solve budget weakness in any program, but Oregonians see these sweeps as a violation of trust and a broken promise. (Indeed, this occurred in 2010 when \$2.2 million was taken out of the ATV fund and put towards the general fund. This money has never been paid back.) Citizens expect that when they pay their taxes and contribute to a municipal levy, that their money will be spent towards those civil services, promised by the legislation that authorized the levy. OHV users in Oregon expect the ATV fund to be used for the promotion and sustainability of OHV recreation.

The current ATV grant system honors the basic foundation of our governmental system, checks and balances, and representation. When funds are required for the support and promotion of OHV recreation, an individual or agency can apply for a grant to pay for that need. That grant is vetted by the advisory committee prior to being approved, and is evaluated for its effectiveness in achieving the grant's stated goal. If the goals of the grant are not achieved, the applicant is held accountable. This system promotes good stewardship of the ATV fund, allows for transparency of the fund, allows for predictable management of the fund, and ensures the trust of the OHV community.

HB 3455 circumvents this grant system, will introduce lethal liability to the fund, and will erode the trust of the OHV community. This year, there is not enough money in the fund to allow all the current grant proposals to be funded. HB 3455 will allow the "siphoning off of funds," without using the grant process. Currently, if EMS requires OHV-related funds, they can apply for a grant.

The ATV advisory committee is already off-balance, weighted heavily against Oregon's OHV users that pay for the ATV fund. The grant committee is currently made up of 5 OHV users, 7 public employees, one vehicle dealer, and a representative from an American with disabilities. Members of the committee are selected by OPRD. Having 2 more additional public employees will offset this balance even further. As the committee grows in membership, more time and money will be required for administering the ATV fund and holding meetings.

Is targeting the ATV fund discrimination against OHV recreation? What other users are being taxed, in advance, directly from their funds held in trust? Is the EMS community asking for direct access to money in PERS accounts, worker's compensation accounts, or the marine board account? Is EMS asking for representation within OPRD's other recreation advisory boards?

OHV recreation in Oregon should be supported by the legislature, as one of Oregon's best opportunities for our rural economies and fund raids like this threaten responsible OHV recreation management. Please oppose HB 3455.

Thank you for your attention.

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