

CHAPTER 139**(HB 323)**

AN ACT relating to the establishment of the Off-Road Motorcycle and ATV Commission.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

SECTION 1. A NEW SECTION OF KRS CHAPTER 176 IS CREATED TO READ AS FOLLOWS:

- (1) The Off-road Motorcycle and ATV Commission is established as an advisory body to assist the Transportation and Tourism Development Cabinets and the Department of Fish and Wildlife Resources in studying the policies and issues surrounding the use of private and public lands by all-terrain vehicles and off-road motorcycles.*
- (2) The commission shall examine state policies regarding the use of all-terrain vehicles and off-road motorcycles and the effect they have on highway safety and tourism.*

SECTION 2. A NEW SECTION OF KRS CHAPTER 176 IS CREATED TO READ AS FOLLOWS:

- (1) The Off-road Motorcycle and ATV Commission shall be composed of eleven (11) members, appointed as follows:*
 - (a) The secretary of the Transportation Cabinet, or the secretary's designee;*
 - (b) The secretary of the Tourism Development Cabinet, or the secretary's designee;*
 - (c) The commissioner of the Department of Fish and Wildlife Resources, or the commissioner's designee;*
 - (d) The commissioner of the Kentucky State Police, or the commissioner's designee;*
 - (e) The secretary of the Natural Resources and Environmental Protection Cabinet, or the secretary's designee;*
 - (f) Two (2) representatives of the Kentucky Motorcycle Association, to be appointed by the Governor from a list of five (5) nominees selected by the association;*
 - (g) One (1) member of the Kentucky League of Sportsmen, appointed by the Governor;*
 - (h) One (1) member of the Kentucky Council of Area Development Districts, appointed by the Governor;*
 - (i) One (1) member of an ATV association based in a county within the boundaries of the East Kentucky Corporation as defined by KRS 154.33-510(1), appointed by the Governor; and*
 - (j) One (1) member of an ATV association based in a county within the boundaries of the West Kentucky Corporation as defined by KRS 154.85-010(1), appointed by the Governor.*
- (2) Members of the Off-road Motorcycle and ATV Commission shall serve a term of four (4) years. Sitting members shall be eligible to succeed themselves.*
- (3) Commission members shall receive no compensation for their services, and shall not be compensated for expenses incurred from travel or in connection with the performance of their duties as commission members.*
- (4) The commission shall elect its chair and vice chair from its membership.*

- (5) *The commission shall meet quarterly or upon the call of the chair or the request of the secretary of the Transportation Cabinet.*
- (6) *A majority of the members of the commission constitutes a quorum and the commission may make recommendations only at meetings where a quorum is present.*
- (7) *The commission shall keep a record of its meetings and recommendations.*
- (8) *For administrative purposes, the commission shall be attached to the Transportation Cabinet's Office of the Secretary.*

Approved March 18, 2005.