

House Conservation and Environment Committee

Amendment No. 1 to HB3100

**Garrett
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Date _____
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Comm. Amdt. _____

AMEND Senate Bill No. 2976*

House Bill No. 3100

by deleting everything following the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 70, is amended by adding a new, appropriately designated chapter as follows:

SECTION 2. This chapter shall be known and may be cited as the "Tennessee Off-Highway Motor Vehicle Study Committee Act."

SECTION 3.

(a) The number of off-highway motor vehicle users in the state is increasing and is growing as a recognized recreational activity while the number of recreational sites is rapidly declining. In the absence of a program to manage off-highway vehicle (OHV) use, a number of consequences are accruing to the state, including environmental damage and loss of economic prospects.

(b) For these reasons, there is hereby created the study committee on off-highway motor vehicles, hereinafter referred to as "the committee".

(c) The committee shall be composed of seven (7) members of the House Conservation and Environment committee. The committee shall elect from its membership a chair, a vice-chair and such other officers as it considers necessary.

(d) The committee may also:

- (1) Create subcommittees related to its purposes;
- (2) Request that other agencies study certain aspects of the off-highway vehicle use and report to the committee;
- (3) Conduct hearings; and
- (4) Perform such other duties as are required.

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(e) The committee is authorized to study all aspects of off-highway vehicle use including the need for a permanent program, the environmental and economic effects of off-highway vehicle use, and the funding of an off-highway vehicle program.

(f) The committee shall study data derived from information collected at Royal Blue Wildlife Management Area located in Scoot and Campbell Counties, TN, making its recommendation.

(g) The committee shall report its written findings to the House Conservation and Environment Committee of the One Hundred Third General Assembly.

SECTION 4. "Off-highway motor vehicle or OHV" means any motorized vehicle capable of traveling off highways within the state. This term includes all-terrain vehicles, off-road motorcycles, dune buggies, and other four-wheeled vehicles used primarily for off-road activities. The terms do not include motor vehicles designed and used primarily for on-roadway activities

SECTION 5. Tennessee Code Annotated, Section 70-7-104(2), is amended deleting the subdivision in its entirety and substituting instead the following:

(2) Injuries suffered in any case where permission to hunt, fish, trap, camp, hike, sightsee, cave, or any other legal purpose was granted for a consideration other than the consideration, if any, paid to the landowner by the state, the federal government, or any other governmental agency. This subsection shall not apply to off-road vehicle riding.

SECTION 6. All costs relative to the implementation of this act shall be accomplished out of existing funds.

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SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.