

Senate Transportation Committee

Vivian Hall 271-3091

HB 113, relative to OHRV operation on certain highways within the town of Windsor.

Hearing Date: April 21, 2026

Time Opened: 1:06 p.m.

Time Closed: 1:41 p.m.

Members of the Committee Present: Senators Fenton, Ricciardi, McConkey and Ward

Members of the Committee Absent : Senator Prentiss

Bill Analysis: This bill designates a portion of certain highways within the town of Windsor for OHRV operation.

Sponsors:

Rep. Colcombe

Rep. Creighton

Who supports the bill: Representatives Riché Colcombe, Hillsborough 30, Mike Oullet, Coos District 3, Mike Murphy, Coos District 6, and Arnold Davis, Coos, District 2.

Who opposes the bill: Ellen Blake and Claire Pouliot.

Who is neutral on the bill: None.

Summary of testimony presented:

Representative Riché Colcombe, Hillsborough 30

- Rep. Colcombe stated that the legislation was at the request of the residents of the town of Windsor.
- In the town of Windsor, OHRVs are allowed to travel on town owned roads.
- Windsor is bisected north to south by an unnamed and unnumbered state road.
- OHRVs are not allowed to drive on state roads. This makes it difficult for the residents to get from one side of town to the other legally with an OHRV.
- She explained that Windsor was a small town of 280 residents.
- She explained that 12 years ago the town voted to allow OHRVs on town owned roads. Since there is a stretch of road that is state owned, the legislature would

need to give the select board the ability to decide what would happen with the road.

- She stated the area has about 12 miles of roads total, most of which are dead ends, including 7.5 miles of private roads, 1.5 miles of town roads, and 2.7 miles of state roads.
- She said that there are fewer than 20 homes along the road and no major commerce in Windsor would be affected.
- She stated that to make any changes to OHRV use on the road a public hearing would need to be held. It would also need to be approved by the department of transportation and proper signage would be created by the bureau of trails.
- She counted any arguments about noise or road damage by saying that the town has allowed OHRVs on town roads for 12 years without any major issues. She also stated that the trail clubs did not ask for this bill and it was a request by the residents of the town themselves.

Senator Ricciardi asked why this issue needed to be legislated if the select board could already hold a public hearing.

Rep. Colcombe responded that the select board currently cannot make that decision for themselves because the road is owned by the state.

Senator Ricciardi asked for clarification if the issue was that the select board could not decide about the road because it was maintained by the state.

Rep. Colcombe responded yes. The town did not want to take on the responsibility of road maintenance.

Senator Ward asked if the road they were talking about was a section of Route 31.

Rep. Colcombe said no, the road in question is Windsor Road. They are not looking to have OHRV traffic on Route 31.

Senator McConkey asked if who maintains the road in winter and who maintains the road in the summer.

Rep. Colcombe stated that the town maintains the road in the winter and the state maintains the road in the summer.

Claire Pouliot

- Ms. Pouliot raised concern over the dangers posed by having OHRVs on paved roads.
- She stated that manufactures of OHRVs warn against using OHRVs on paved roads as they do not meet the safety standards of a regular car. She stated

that if there is a collision involving a OHRV the person driving that vehicle would be a risk of serious injury or death. She cited a study that said 67% of OHRV deaths have been on paved roads.

- She stated that two manufactures and distributors of OHRVs have said that OHRV use on paved roads should be opposed at all costs.
- She quoted the Fish and Game OHRV digest which states “OHRVs are mechanically propelled vehicles designed and adapted for travel over surfaces other the maintained roads.”
- She said that since Windsor does not have a police department and the road is state owned it is the responsibility of the state troopers to enforce the laws on that road. She said that the state troopers responsible are located 48 miles away from Windsor.
- She said that since the legal limit for OHRV travel is 20 mph and the road speed limit is 35 mph it will create traffic jams. She said they would also be placing an additional burden on state police and fish and game who would be expected to enforce the OHRV speed limit of 20 mph.
- She stated that OHRV use on the road will cause a nuisance and would decrease the property values of the area. She stated when her daughter was visiting, she was almost hit by an ATV that was riding on the road at night without lights. She stated she was concerned for the safety of the OHRV drivers.

Senator Ricciardi asked what her opposition was to the process of allowing the town to decide for themselves through a public hearing.

Mr. Pouliot stated that even if the majority of the town was in favor, which they were, it was still a dangerous activity. She was concerned that there would not be enforcement of safe practices.

Ellen Blake

- Ms. Blake raised concerns about limited enforcement of safety practices and traffic regulations. She noted the absence of local OHRV club trails.
- She argued that riders would use OHRVs like cars, despite lacking proper safety standards for road use.
- She warned that irresponsible use could damage roads, leaving the town responsible for repairs, and emphasized that OHRVs are not designed for paved surfaces.
- She disputed claims that OHRVs had been approved for town road use, stating no such ordinance had been passed or publicly communicated.
- She provided photos to the committee showing road damage and examples of improper OHRV use.

Senator Ward asked for a map of the roads and trails where OHRVs are currently allowed.

Ellen Blake said that there is no ordinance that allows OHRVs to be used on town roads. She has lived in Windsor for 20 years and has served as the treasurer.

Senator Ward asked about the layout of the roads and where the OHRVs are used now.

Ellen Blake went over the layout of the roads and stated that there is no ordinance that allows OHRVs to travel on town roads.

Representative Mike Ouellet, Coos District 3

- Rep. Ouellet clarified the previous testimony and noted that he serves as Chair of the Commission of Studies for OHRV use in New Hampshire.
- He explained that roads throughout the state are used as trail connectors rather than trails themselves, and that using the road is often a last resort.
- He added that roads have historically been safe for this purpose.
- He stated that he and others use DOT-approved tires and that there are additional ways to make an OHRV legal for street use.
- He countered the claim that OHRV use would lower property values, citing a prior court case that found trails can actually increase property values.
- He emphasized that while some individuals use OHRVs unsafely, this does not represent all riders, and noted that OHRVs serve important functions on state roads when used to connect trail systems.

Senator Fenton said that the testimony and pictures showed that people were not using the roads as trail connectors, and were using them as they would a car.

Rep. Ouellet stated that if there is non-compliant use of OHRVs, it can be reported to the Department of Fish and Game.

Senator McConkey asked about the map that was provided. He asked if there were any trails at the ends of the roads suggested to be opened to OHRV use.

Rep. Ouellet said that he would have to refer back to the sponsor of the bill.

Rep. Colcombe clarified that there are no club-maintained trails, but there are class 5 and 6 roads.

Senator McConkey asked if the road access was mostly for getting from place to place with an OHRV.

Rep. Colcombe said yes.

Senator Ricciardi asked if OHRVs were being used in lieu of a car.

Rep. Colcombe answered yes, it is possible that they are being used in lieu of a car. If an OHRV has a plate and follows other safety standards, it can be used over the paved roads.

Senator Ricciardi noted that the picture that they were provided did not have a plate. She asked if she was aware that there was not an ordinance allowing OHRVs to drive on the town roads.

Rep. Colcombe stated that she was not aware that no ordinance existed. She explained that when she spoke with the town's governing body, she was told by the selectmen that they had approved OHRV use on town roads. She accepted that information at face value and did not independently verify it, noting that the town did not have its meeting minutes available online. She explained that Windsor relies on the police department of Hillsborough, which would provide enforcement, even if limited. She also noted that Hillsborough does not permit OHRVs to cross Route 31 and does not allow them on the Hillsborough portion of Windsor Road. As a result, she said there would not be an influx of OHRV traffic from Hillsborough into Windsor, contrary to some concerns that have been raised.

V.H

Date Hearing Report completed: April 23, 2026