

# Senate Transportation Committee

*Vivian Hall 271-3091*

**HB 1095**, relative to the maximum weight of utility terrain vehicles.

**Hearing Date:** April 7, 2026

**Time Opened:** 1:32 p.m.

**Time Closed:** 2:13 p.m.

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

**Members of the Committee Absent :** None

**Bill Analysis:** This bill increases the maximum weight of certain utility terrain vehicles.

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**Sponsors:**

Rep. Ouellet

Rep. Bridle

Rep. A. Davis

Rep. Michael Murphy

Sen. Rochefort

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**Who supports the bill:** 24 individuals signed in support of HB 1095. Please contact Vivian Hall at [vivian.hall@gc.nh.gov](mailto:vivian.hall@gc.nh.gov) for more details.

**Who opposes the bill:** 6 people signed in as opposed to HB 1095. Please contact Vivian Hall at [vivian.hall@gc.nh.gov](mailto:vivian.hall@gc.nh.gov) for more details.

**Who is neutral on the bill:** None.

**Summary of testimony presented in support:**

**Representative Mike Ouellet, Coos, District 3**

- Rep. Ouellet stated that the legislation updates ATV and OHRV weight standards to reflect modern machines.
- Due to technological advancements, the average weight of these vehicles has increased, making current limits outdated and difficult to enforce.
- He emphasized the need to accommodate future electric ATVs and OHRVs.
- The Commission to Study OHRV Use recommended removing the weight limit, but the Committee on Resources, Recreation and Development instead proposed a 3,499 lb. limit.

- He noted that most trail damage is caused by a small number of irresponsible riders, particularly those operating high-speed, sport-style ATVs.
- Registration fees fund trail maintenance, and all damage has been repaired by clubs or the State; his club alone has contributed over \$1,000,000.
- He added that logging roads used by OHRVs are built for vehicles over 100,000 lbs., so increasing the weight limit to 3,499 lbs. would have minimal impact.

**Senator Ricciardi** asked which type of OHRVs cause the most trail damage.

**Rep. Ouellet** stated that most trail damage is caused by riders operating high-powered sport models irresponsibly. He emphasized that damage is more closely related to a vehicle's power and use than its weight alone.

**Senator Ricciardi** asked if the existing infrastructure was built to withstand the weight of the heavier machines.

**Rep. Ouellet** confirmed this, noting that trails and bridges are designed to support trucks and snowmobiles. He added that trail groomers can weigh up to 20,000 pounds and stated that bridges should be built to accommodate heavier equipment.

**Senator Ricciardi** asked if there were emergency funds available for trail maintenance.

**Rep. Ouellet** confirmed that there are.

**Senator Ward** asked what kinds of trails are used for ATVs or OHRVs.

**Rep. Ouellet** said that clubs develop trail systems with the assistance of property owners.

**Senator Ward** asked how wide the trails were.

**Rep. Ouellet** responded that they are 12 feet on average.

### **Steve Wilkie, New Hampshire Off Highway Vehicle Association**

- Mr. Wilkie stated that the 2,000-pound weight limit is outdated and does not reflect modern OHRVs.
- He noted that since 2019, larger enclosed, four-seat models have increased average vehicle weight by up to 2,000 pounds but have not significantly impacted trail conditions over the past six years.
- He added that enclosed OHRVs are typically not driven at high speeds and cited the 25-mph trail speed limit.
- He stated that the weight limit is rarely enforced and applies only to a limited number of state-owned trails, not to private or municipal trails, where landowners set their own restrictions.

- Landowners can close trails if damage occurs, and NHOHVA can assist with closures and provide emergency funds for repairs.
- He was not aware of any landowners closing trails due to larger machines and noted that access can be restricted using width-limiting gates.
- He referenced an incident where a bridge he installed failed under the weight of logging equipment.

**Senator Ricciardi** asked how many months of the year the trails were open.

**Steve Wilkie** said that most of the recreation occurs from May 23<sup>rd</sup> to November 1<sup>st</sup>. This is the period when state roads are open to connect the trails. He stated that some club trails are open a little longer than that and they have 3 rail trails that are open 365 days a year.

**Senator Ricciardi** asked for clarification that any property owner can deny recreational access to their property.

**Steve Wilkie** confirmed that it is up to the landowner what they allow on their property.

#### **Summary of testimony presented in opposition:**

##### **Ann Davis, National Association of Telecommunications Officers and Advisors**

- Ms. Davis cited concerns about trail damage from ATVs and OHRVs.
- As a tree farm owner, she chose not to open her trails to ATVs/OHRVs after being advised against it by a local snowmobile club president. .
- She noted that electric OHRVs are quieter but heavier and argued the bill should not accommodate them given limited adoption and lack of charging infrastructure in northern New Hampshire.
- She referenced similar legislation in Maine, where proposed weight increases prompted landowners to threaten closing their land to motorized recreation, and cautioned against a similar outcome in New Hampshire.

**Senator Ricciardi** asked if she was concerned about the EV OHRVs because of the weight.

**Ms. Davis** stated that she is concerned about the weight of ATVs and OHRVs in general.

**Senator Ricciardi** asked if she allows people to recreate on her private property

**Ms. Davis** said yes, if it was not motorized recreation.

##### **Jasen Stock, New Hampshire Timberland Owners Association**

- Mr. Stock raised concern about the lack of compensation for property owners whose land is damaged by OHRV use.
- He also highlighted concerns about state trails that cross private land and double as truck roads.
- He emphasized the importance of keeping land open for recreation but warned it is a key part of the state's economy.
- He expressed concern that trail maintenance and repair costs may be beginning to outweigh the economic benefits of recreation.
- Mr. Stock provided photos showing trail damage, noting that repeated use creates banked trails that must be flattened for safer truck access, and that heavier machines increase this impact.
- He argued that any increase in the weight limit should be paired with additional funding for grants and emergency trail repair, stating it would be unacceptable to raise limits without supporting landowners financially.

**Senator McConkey** asked if he had a number for the cost of damage that has not been received by landowners.

**Mr. Stock** stated he had not aggregated such a cost. He said that from what he understands, a 5,000\$ grant will not fully cover the cost of repairs.

**Senator McConkey** stated that gravel costs hundreds of dollars not thousands. He stated that as he understands it property owners have the right to say no to recreation on their property.

**Senator Ward** asked how speed or tire pressure affect the impact on the road.

**Mr. Stock** stated that all those things, weight included, impact the road. He stated that it seemed silly to modify a law that's in the books just because they don't enforce it.

**Senator Ward** asked who uses these vehicles.

**Mr. Stock** stated he was not an OHRV enthusiast but there is a wide spectrum of people who use OHRVs. He mentioned that they can be used for work. He stated that recreational use of OHRVs has grown significantly in recent years.

**Senator Ricciardi** asked what his organization has done to compromise with the other side of the argument.

**Mr. Stock** stated that he had productive discussions with NHOHVA regarding a potential compromise.

### **Matt Leahy, Forest Society**

- Mr. Leahy stated that while ATVs are popular, there is concern about private landowners closing trails as well as the noise produced by ATVs.

- He mentioned that the OHRV Commission has done good work in striking a balance between mitigating the negative impacts and keeping people riding.
- He said that he did not feel that every stakeholder group's concerns were being properly addressed. He mentioned that he was open to compromise or being involved in the process.

**Senator Ricciardi** stated that it would have been a good idea to have the compromise conversation before the hearing. She added that you need to be a part of the conversation before you can compromise.

**Mr. Leahy** said he understood.

**Senator McConkey** asked Mr. Leahy to educate him about his organization and asked if they would oversee lands.

**Mr. Leahy** stated it is a private land trust. The organization owns around 70,000 acres across the state. They also have members. He explained that they manage the forests they own through timber harvesting.

**Senator McConkey** asked, in the land that he owns or manages, what percentage does he allow ATVs or OHRVs on the land for recreation.

**Mr. Leahy** responded that they don't allow ATVs or OHRVs on the land they own.

**Senator McConkey** stated that since they don't allow ATVs on their property, he would see limited use in involving them in the discussion.