

**TITLE XX
TRANSPORTATION**

**CHAPTER 236
HIGHWAY REGULATION, PROTECTION AND CONTROL REGULATIONS**

Operation of Certain Vehicles

Section 236:56

236:56 Prohibition of Certain Vehicles Within Highway Rights-of-Way. –

I. No person shall operate a motorbike, motorcycle, trail bike, snowmobile, all terrain vehicle including 4-wheel drive vehicles or other motorized 2 or 3 wheel trail type vehicle and track type vehicles within or upon the rights-of-way adjacent to the traveled way of the interstate highway system, toll roads, or limited access highways of this state, except as authorized pursuant to [RSA 215-A:9](#) and [RSA 215-C:9](#).

II. It shall be unlawful for any person to operate a motorbike, motorcycle, trail bike, snowmobile, all terrain vehicle, including 4-wheel drive vehicles or other motorized 2 or 3 wheeled trail type vehicles and track type vehicles within or upon highway easements or rights-of-way adjacent to the traveled way of any class I, class III, or class III-a highway or state maintained portion of any class II highway with the following exceptions:

(a) Emergency. In the event of an emergency, a person may operate one of the above motor vehicles in the right-of-way portion of such public highways; provided, however, that a vehicle not registered for highway use shall not be operated on the main traveled portion and paved shoulders of said highway.

(b) Adjacent to Public Highways. Solely by approvals granted pursuant to [RSA 215-A:3](#), VI and [RSA 215-C:2](#), VII may OHRVs and snowmobiles be operated within the right-of-way adjacent and parallel to class I, II, and III public highways. This provision shall also apply to the operation of such vehicles to the point where the same are unloaded, from motorized conveyance to the area where the vehicle is to be operated, or from the area where operated to a motorized conveyance when such loading and unloading can not be effected in the immediate vicinity of the area of operation without causing a hazard to vehicular traffic approaching from either direction on said highway. Such loading or unloading must be accomplished with due regard to safety at the nearest possible point to the area of operation.

(c) Crossing Highways. In crossing public highways, properly registered motorbikes, motorcycles, trail bikes, snowmobiles, all terrain vehicles, including 4-wheel drive vehicles or other motorized 2 or 3 wheeled trail type vehicles and track type vehicles may cross the rights-of-way adjacent to the public highway as directly as possible, preferably at right angles provided that such crossing can be made in safety and does not interfere with the free movement of vehicular traffic approaching from either direction on such public highways. It shall be the responsibility of the operator of such vehicles to yield the right-of-way to all vehicular traffic upon any such way before crossing same.

(d) Trail Connectors.

(1) All OHRVs and snowmobiles may be operated within specified trail connectors and pursuant to the provisions of [RSA 215-A:9](#) or [RSA 215-C:9](#). The commissioner of the

department of transportation may limit the operation of specified types of OHRVs and snowmobiles when the commissioner feels this is necessary in matters of safety and maintenance of trail corridors or at the suggestion of the chief supervisor of the bureau of trails. Trail connectors, as defined in [RSA 215-A:1](#), in Coos county and in Grafton county shall be exempt from the provisions of [RSA 215-A:42](#) and [RSA 215-A:43](#).

(2) Notwithstanding the provisions of subparagraph (1), the requirement in [RSA 215-A:43](#), I(a) shall apply to trail connectors for the use of state highway rights-of-way, outside of the travel lane.

(e) Sidewalks. The operation of OHRVs and snowmobiles may be allowed on sidewalks adjacent to class I, II, III, and III-a highways upon the request of a town or city after consultation with the bureau of trails and with the approval of the department of transportation.

Source. [RSA 249:52](#). 1971, 157:1. 1981, 87:1. 1983, 449:23. 1989, 179:6, 7. 1992, 265:17. 1993, 53:12. 1996, 78:3. 2005, 210:37, eff. July 1, 2006. 2010, 253:1, eff. Sept. 4, 2010. 2012, 84:2, eff. May 23, 2012. 2016, 318:2, eff. June 24, 2016. 2017, 98:2, eff. Aug. 7, 2017.