

Commission to Study OHRV Use in New Hampshire

Meeting Minutes

Thursday November 7, 2024, 10:00 AM, Department Natural and Cultural Resources

172 Pembroke Road, Concord, NH, Conference Room 10:00 AM

Present:

Mike Ouellet, Chair, Representative, Coos County
Abby Evankow, Clerk, NH Rail Trails Coalition
George Sykes, Representative, House Transportation Committee
Craig Rennie, BOT
Captain Michael Eastman, NH F&G
Steven Wilkie, NHOHVA
Gary Newfield, NHACC
Claude Pigeon, NCC
Paul Doscher, SPNHF/ AMC/ TNC
Ann Davis, NH TOA / NH FBF (remote)

Excused: Paul Robitaille, NHMA

Absent:

Kevin Avard, Senator
David Rodrique, DOT
Andy Renzullo, Representative, RRD Committee
Eamon Kelley, Representative, RRD Committee
Dan Buteau, NHAPC, Chief of Berlin police,
NH State Police - vacant
Dan Bennett, NHADA

Guests: Terry Lambert NHOHVA secretary; Adam Schmidt, Lobbyist NH Snowmobile Association; Robert Collins RVP Granite Strategies; Jackson Bouley, Lobbyist NHADA; Larry Meserve, manager MOM's

Call to Order

Pledge of Allegiance

Introduction of Guests

Approval of Minutes from September 5, 2024. Approved unanimously with corrections, motioned by Mr. Wilkie, seconded by Mr. Rennie.

Legislative Update:

LSR 2025-0154: to change definition of UTV from dry unladen weight of 2,000 lbs to 3,500 lbs to reflect that manufacturers are building heavier machines. Dry unladen is the weight of the machines as it comes from directly from manufacturer - no fuel, no add-ons. Coos Sheriff Department has a 2400 lb machine.

Electric machines have a lot more power, so Polaris is detuning them to be gentler on trails and last longer on charge.

Concerns: 3500lb is approaching the weight of a jeep. Pressure per square inch is almost doubling - so harder on trails. Potential long term degradation of trails? Off-road tires are designed to take the weight and lessen the impact on the trails. Polaris is changing tread patterns to lower PSI. Jeeps have high pressure tires and beat up trails faster. 65" width restriction limits amount of weight b/c has smaller wheel base than jeep.

Bridges are built to hold heavy equipment - i.e. winter groomers and summer maintenance vehicles so will not be hurt by heavier machines.

NHOHVA voted to remove weight restrictions altogether from RSA definition.

1/3 of OHRV trails are class VI roads where jeeps are allowed. Clay gravel mixture packs hard, like concrete.

To enforce the weight of OHRVs law enforcement officers would need to have scales with them on the trails.

Landowners - can choose to allow or disallow trail bikes, ATVs,UTVs, and/or jeeps.

LSR 2025-0161: extending the closing date of the OHRV trails on the Connecticut River Headwaters. 10.5 miles of trail on Ct. Headwater land connects Pittsburg and Colebrook. DNCR manages the roads which run through the privately owned property. DNCR closes the OHRV trails Sept 30 to accommodate other outdoor recreations - hunting etc.. Rep Ouellet filed this bill on behalf of a business in Pittsburg. There were multiple meetings about this extension this summer. Col Jordan said that F&G does not have the resources for law enforcement with the opening of hunting season. Rep Ouellet argues that F&G can hire Coos Sheriff to patrol for the additional 2 weeks. Sheriff does not do accident report. This LSR would void the existing process for opening and closing OHRV trails. There was concern about going against F&G's recommendation.

LSR 2025-0059: "relative to OHRV operation on certain highways within the town of Windsor." Sponsored by Riché Colcombe. Rep Ouellet will talk w/ Rep Colcombe to learn more.

Rep Sykes: Should we be requiring headlights, brake lights, warning bell on e-bikes? E-bikes are defined in statute. DMV has changed e-bike definition."If has pedal no longer OHRV" Montana Plate is in two separate sections of law. Hiking is most popular outdoor recreation in NH; gravel biking & e-biking are #2.

OHRV Sales:

Larry Meserve, manager of MOM's OHRV Jericho Super Center in Gorham and MOM's Powersports in Groveton. These businesses are OHRV/snowmobile based. Trail system is critical to business. They remodeled empty grocery store in Gorham, opened Memorial Day. Trail closures around Groveton ended connections from Groveton, first to Lancaster - then to Stratford and the closure of Dummer roads closed connection between Groveton and Gorham. MOM's is closing the Groveton store this fall.

Current state of the trails = devastated by wash-outs. State does outstanding job repairing trails. Governor-elect Ayotte asked about future of trail system. Mr. Meserve is concerned about warming winters. Without action, NH will lose snowmobile trails b/c of weather. Snowmobiles need frozen base to ride. UTV w/ tracks can ride in conditions snowmobiles can not.

Noise? a lot of noise comes from tires. Can anything be done? MOM's staff recommend one set of tires for majority on-road riding and another for rocky trails. What about exhausts? The Polaris 1500 is quieter, can talk when riding inside.

The snowmobile fatality rate last year was the worst in Coos County. Most reports blamed inexperience and high speed. Mr. Meserve recommends allowing ATVs on trails w/ snowmobiles. Tracked ATVs would make the trails safer because they are inherently slower than snowmobiles and would reduce speed on the trails.

How help abutters w/ noise to make life better for them? Stay as far away as possible from residential areas - but some trails are just there. Slow speeds recommended past homes. Mr. Meserve praised law enforcement. He wants OHRVs to be a year round industry so would like a single year round registration instead of separate summer and winter registrations.

Future: there is lots of state land and would like access to more of it for OHRVs. Also wants a unified season. OHRVs are singled out - disallowed some times of year, but jeeps have no such restriction.

More customers are buying higher end units w/ heat, electric windows etc. The machines are becoming heavier and wider, and can cost around \$40,000. The heaviest Polaris machine is 3,334lb. Gates are set to 65."

Ms. Lambert: Polaris recognizes the noise from engines and road tires and is working to reduce road noise. For a rental agency in Sedona, Polaris re-tuned machines to be quieter to reduce noise impacts on residents. NH Law changed - OHRV registration does cover year round use if owner puts tracks on for winter. Tracks make machines wider. Unlike snowmobiles, UTVs can travel on frozen ground that is not snow covered. Such riding could hurt agricultural land. The Cross NH Adventure Trail just spend \$50,000+ to upgrade the Presidential Rail Trail surface; tracks could destroy surface for bike/ped. The only place you can use tracked UTV is on private property or lakes - currently not allowed on trails. Tracks are almost as expensive as ATV itself, and makes the machine slower. Tracks can help pack down snow and groom trail for others. ATV on track 54" & 1200lbs or less - are allowed on snowmobile trails, other tracked ATVS are allowed in Jericho.

Groomers are 8-9' wide. Some groomers are 59" wide, southern clubs are starting to groom w/ UTVs & drag.

Pawtuckaway State Park allows ATVs on wheels up to 50" wide if there is snow. Self-policing is required to keep riders off trails when temperatures are above freezing. Not all riders follow these rules.

Many manufacturers are switching from 2 cycle to 4 cycle and reducing noise but making machines heavier.

Segway is entering the UTV market.

Customers are slow to accept electric ATV - starting with farm market first before recreational use.

Business Model Challenges Future

Subcommittee Update: Subcommittee agrees to convert legislation to goals and guidelines away from specifics, i.e. distance from raptor nest should be based on noise, not distance. Siting new trail on state land has coarse and fine filter. BOT has to close trails regularly b/c of conditions - safety, logging, etc. Look at discontinuation of trail. Better information now about critical habitat - wildlife plan needs to be incorporated into trail plans. Rules more adaptable than statute. Current process too cumbersome. Culvert size used now is now over statute. Productive conversation so far, subcommittee is going for consensus.

Law Enforcement

News reported that the NH Attorney General's Northern Border Task Force made 685 OHRV contacts. Breakdown of citations, warnings etc is unknown.

Complaints: 2 officers patrol Pisgah State Park regularly. Officer Rich Crouse patrols Rockingham Rec Trail regularly, has issued 130 tickets so far.

Ask Clubs for trouble spots and concentrate patrols there? Officers attend 1 snowmobile meeting per winter and try to do the same for OHRV club meetings. Captain Eastman encourages officers to go to OHRV club meetings to hear about problems.

General consensus was that there was good behavior at the August Jericho event. Mr Pigeon sees obvious correlation between law enforcement presence and behavior. Two months later, Riverfire did not have the law enforcement officers and it was much louder for residents. Mr. Pigeon reported riding until 2am, like the wild west. Officer Lucas retired and the loss of officer Frye is hurting Coos. One trainee is finishing up. Captain Eastman has 2 potential new officers for Coos.

Is there a pipeline for filling vacancies? NH is in line with the national trend of difficulty filling open spots. F&G started with 60 applicants, which dropped to 40 after the agility test. Only 20 showed up for written test, of the 10 who passed - they now have one new officer.

Discuss potential legislation to benefit landowners to keep land open. Seeing more land posted and trails closed. Presentation from F&G about current landowner relations? Other states seeing similar trend - how are they addressing this? Ask someone from Department Revenue to speak re: current use?

Ms. Davis and her husband have owned their woodland for 22 years and manages it under current use for timber, wildlife habitat, public recreation and landowner education. They have 10 miles of trails and allows hunting. They put out trail maps ~ about 20 maps a week

are used, but they never see most of these visitors and only 1 F&G officer - for a wounded moose. They encourage others to open their property to quiet public use. Is there a way to connect w/ new land owners? Has questions about insurance - if the public to allowed to use property - what is the level of liability? A side benefit to landowner is that some visitors have turned into volunteers for day of trail maintenance. She is happy to speak with other land owners.

North Stratford has 150 land owners with OHRV trails on their land, many don't fit current use criteria. One snowmobile club had to built a new mile of trail because a new land owner did not trust the state liability insurance- so closed the 100' of trail on his land.

e-bikes are covered by RSA 215-A 1 VI "OHRVs shall include any pedaled vehicle equipped with a motor that is not included in the definition of electric bicycle and utility terrain vehicles, but shall not include snowmobiles as defined in RSA 215-C or electric bicycles as defined in RSA 259:27-A."

RSA 259-27-A " 'Electric bicycle' shall mean a pedaled vehicle equipped with an electric motor of less than 750 watts....."

Some bikes have 2 batteries for distance. F&G kicks electric golf cart off Northern Rail Trail. Electric wheel chairs are allowed as mobility devices, but not golf carts. Low speed vehicle plate is available in NH.

Review of HB1188 – Where do we want to go?

Next Meetings:

Friday, January, 10, at F&G - invite DRA, to discuss current use and OHRV trails.

Friday March 21

Vote to Adjourn Mr. Doscher. Seconded by Mr. Pigeon 11:56 A.M.

respectfully submitted, Abby Evankow, Clerk