

HB 1188, Commission to Study the Use of OHRVs in New Hampshire

Thursday, September 5, 2024, 10am

North Country Resource Center
629, Main St., Lancaster, NH, Conference Room
Remote Access – Microsoft Teams

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
Dan Buteau, NHAPC
Steven Wilkie, NHOHVA
Paul Robitaille, NHMA
Gary Newfield, NHACC
Claude Pigeon, NCC
Paul Doscher, SPNHF/ AMC/ TNC (remote)
Dan Bennett, NHADA (remote)

Absent:

Kevin Avard, Senator
David Rodrique, DOT
Andy Renzullo, Representative, RRD Committee
Eamon Kelley, Representative, RRD Committee
NH State Police - vacant
Ann Davis, NH TOA / NH FBF

Guests: Ted Burns, North Country ATV Club; Darrin Jock, Great North Woods Riders ATV Club; Dianne Matott, Great North Woods Riders ATV Club; Terry Lambert NHOHVA secretary; Jackson Bouley, NHADA (remote) Richard Parsons (remote) NHOHVA lobbyist

Call to Order 10:05 a.m.

Pledge of Allegiance,

Introduction of Guests and Committee Members

Approval of Minutes from July 12, 2024 meeting. Corrections: Rep Sykes: Transportation Committee; Mr. Wilkie: 80,000 miles of off road trail. Mr. Pigeon motioned to accept as amended; Mr. Wilkie seconded. Unanimous approval.

Legislative Update.

Potential LSRs: Bills must be in by September. One LSR will change definition of UTV to allow for heavier machines. (RSA 215-A:1, Definitions, XXIV) Manufacturers are building heavier machines. 65" width limit will remain. More horse power? No. Electric vehicles are much heavier. 64" already 2100 - 2200 lbs. Loudest vehicles are dirt bikes. Capt. Eastman is not seeing modified exhausts on UTVs. Mr. Wilkie sees modified exhausts on race quads. Modified exhausts look different.

Will trails need to be built differently to accommodate heavier vehicles? No. Trails are not currently built to weight specifications. Current specs for trail surface is mixture of clay and gravel which packs down - leading to reduced erosion. Can bridges hold additional weight? Yes - bridges are built to hold maintenance equipment. Industry does not yet know weight of electric vehicles- probably up to 3500 lbs. Change in definition will not allow jeeps.

State owns 200 miles - the rest of the OHRV trails are on private and municipal land. Maybe 1/3 is municipal property.

Rep Sykes attended conference on connecting federal money with local and state disaster mitigation. If municipality has disaster mitigation plan & includes trails as transportation corridor - then there is federal money to fix them. The Executive Council approved \$288,000, and \$135,000 in ARPA funds to repair trails in Stratford and Pittsburg from the July 2023 storms.

Local Clubs: The Pittsburg and Stratford clubs (Great North Woods Riders ATV Club, North Country ATV Club) each maintain over 100 miles of trails. Ms. Matott was appreciative that the GIA process has gotten easier but is hoping for faster reimbursement process. The long wait for reimbursement is difficult. It can take 3-4 weeks for the club to get reimbursed. BOT has one staff person in charge of GIA. It is a slow process - months - between when the money comes in and before it goes out to the clubs; there are many steps. Clubs start their grant applications in April, but don't get approval until July. Clubs need 501.C.3 status and landowner written permission to do work. Advisory committee meets to discuss projects and make recommendations. Requests to change a grant can be made to the Executive Council after approval.

Clubs don't own anything to borrow against; an open line of credit is too risky. NHOHVA created club relief fund of \$72,000 - a club can borrow against that money for GIA or RTP approved grant - but just a drop in the bucket compared to all the grants. The clubs are handling \$100,000s each year.

Rebuilding same trails? Some. This year's damage identical to last year - b/c they were only able to patch, not repair.

Rep Sykes suggests mitigation money to repair before the trails degrade. Mr. Rennie agreed there is lot of money out there - ARPA, FEMA, but significant staff time is required to manage all of the different grants. Grant administration is a full time job.

FEMA covers 75% of project, requires too much administration time and only pays for replacements not upgrades. Federal dollars come w/ multiple extra steps. For example,

the federal bridge standard is 3' above 100 year flood level. BOT spent \$80,000 to rebuild 2 snowmobile bridges in Chatham.

Mr. Burns explained that clubs do not have professional grant writers. It is much more complicated than 1998. The trail systems between communities is held together by volunteer work.

The Northern Rail Trail is also struggling for maintenance dollars. The City of Lebanon hired full time grant writer. Does UNH have fellows who can help write grants?

Mr Pigeon: The City of Berlin has a community development department w/ grant writers. There are also contractors for hire to write grants.

Mr. Robitaille: grants are a challenge; it is hard for municipalities to find grant writers also - it is a small niche.

Municipal Relations

Clubs work directly w/ Select Boards who understand the benefits, and also with law enforcement. They have a good working relationship w/ Police Department.

Landowner Relations

Mr. Burns explained that the North Country ATV Club maintains very few municipal trails. They built their trail system w/ private landowners - 140 miles with 90% on private land. It only takes one landowner to end a connection. Riders do not understand. Mr. Burns works with 154 private landowners, each has an individual agreements. He asks for open agreement so does not have to renew each year. Manufacturers are his biggest enemy - people take machine and do stupid things. Manufacturers bear responsibility. They built original trails for small machines - not the almost-jeeps dealers are now selling.

Mr. Newfield said that the registration plates are too small to read and culprit can't be found. A larger plate might help. F&G can follow up and investigate on calls, but if offense is in Pittsburg and the rider lives in Massachusetts it is harder. The law requires sticker on front and back of machine. The bigger the plate the more money. There is a 3"x5" area for sticker. Because of cost the stickers have gotten smaller. Registration number changes each year. Mr. Burns answered that riders don't want to have a big plate and that plates will covered w/ mud just like stickers.

The City of Lebanon spent \$100,000 trying to keep 3 snowmobile trails open on class VI roads. The farmer wanted to run sap lines across the road. 2 trails closed, but one snowmobile trail remains open.

NHOHVA is launching education campaign on social media, focusing on landowners and rider etiquette and fragility of trails. People think the trails wild and they are free to do as they wish. Conservation Officer Krauss has written 150 tickets on the Rockingham Rail Trail in Fremont this season for speeding, reckless riding, loud exhausts.

Mr. Burn sees lack of law enforcement undermining the future of the trails. Mr. Robitaille said police issue most tickets for ignorance.

600 miles of trail is too much to patrol. There was an accident in Cambridge. Captain Eastman was 45 minute away from accident; he asked for a State Trooper, but no Trooper was available.

Challenges.

Mr. Jock said the biggest challenge was riding hours. He wants them to be consistent. Sunrise / sunset is confusing. He would like hours extended to 9-10pm or 24 hours. How make life livable for abutters? 8pm won't work - going back to lodges and to meals. Mr. Burns closes trails at 9. Mr. Jock wants 10pm. There is a small percentage of riders out enjoying sunset after dinner. Between state land, municipal, and private there are mixed hours. Class VI roads are open 24/7 except mud season. OHRVs are allowed on the Colebrook and Ammonusuc Rail Trails all year long. Snowmobile riding does not a curfew, but that is starting to change in some places. Mr. Wilkie knows one landowner who has limited night time riding. Colebrook has 10pm curfew for snowmobiles. One of the differences between OHRV riding and snowmobile riding is that windows closed in winter. Mr. Robitaille wants municipalities to maintain control of their roads. Captain Eastman pointed out the inconsistency in hours between Gorham and Berlin. In Stratford the OHRV trails are open year round, except for Nash Stream.

Ms. Evankow spoke against extending riding hours. Trail abutters look forward to peace and quiet. She has friends who call in after hours riders, as instructed by Police Chief for documentation, but Dispatch is annoyed, no officer is sent and nothing changes. Why can't gates be closed? Captain Eastman answered that locked gates would hinder emergency vehicles. A lock box or passcode for gates was suggested.

Future

Mr. Burns: trail damage from riders and weather is getting worse not better and the money is not keeping up. How much will it take to repair Corrigan Hill? One club had a bridge safety issue on connecting bridge and was told there was no money to fix. Riders come here w/ feeling of entitlement. They don't think anyone owns the land - this offends landowners. F&G is underfunded.

Rep Ouellet: The Hatfield McCoy Trails system charges \$50 per person to ride the trails, not by vehicle.

Mr Darrin: the state is reactive rather than proactive. The biggest landowner wants to add jeeps.

Maine was the first New England state to allow 65" rule, then retracted. Cree Notch Trail was built into side of mountain for small, 300cc Hondas, not for larger UTVs. Slim chance for 2 bigger machines to pass - someone has to reverse.

Rep Sykes advises that electric bikes are coming. E-bikes should pay if on Stratford trails.

Colebrook - multi-use trails also allow for horses, bikes, e-bikes

NH Horse Council is launching an etiquette campaign: Slow and Say Hello - Ms. Evankow will forward the info to the Commission.

Success is built on Education, Enforcement, Engineering. Fines are too low - not enough of a deterrent.

Subcommittee Update - passed over to next meeting, more work to do.

Law Enforcement

Update on complaints . Weird year, inconsistent. Captain Eastman will look at registrations #s the next few weeks. Rockingham Rail Trail is a hotbed of complaints and attracts a different rider than up north - 2 wheel drive w/ soda can exhaust or trail bike. For the Jericho Jamboree he sat on the closed portion of Rte 16 in Gorham, issued 19 tickets. Riders using road app instead of map given by rental agency. Mr. Pigeon noted that increased presence of law enforcement improved the tone of the weekend. Attendance was down - but most peaceful weekend he had experienced. Usually Mr. Pigeon can hear riders until 12:30 or 1am - but this festival weekend he appreciated the quiet; no fireworks. concert downtown ended on time. He also appreciated the prompt, thorough response from F&G officer about gunshots he heard on Success Rd.

Rep Ouellet reports that complaints to Colebrook police are down.

Review of HB1188 – Where do we want to go?

Ms. Evankow suggests looking at RSA 215:A, RSA 236:56; A 43. the RSAs that differentiate Coos and Grafton from the rest of NH

Safety training

Look into jeep trails - OHRV registration/ conventional motor vehicles.

Next meeting- invite dealers, and landowners

Next Meeting

Thursday, November 7 Concord 10:00 DNCR

Friday, January 10, Concord 10:00 *East Conference Room of the Fish and Game Department (11 Hazen Drive, Concord).*

Adjourn 11:56 Motioned by Mr. Robitaille; Seconded by Mr. Pigeon. Unanimous.

Respectfully submitted, Abby Evankow, Clerk