

**Commission to Study OHRV Use in New Hampshire
Meeting Minutes
Friday, January 10, 2025, 10:00 AM, Fish and Game
Hazen Road, Concord, NH, Conference Room 10:00 AM**

Present:

Mike Ouellet, Chair, Representative, Coos County District 3
Abby Evankow, Clerk, NH Rail Trails Coalition
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
Dan Bennett, NHADA
Paul Robitaille, NHMA

Excused:

Dan Buteau, NHAPC, Chief of Berlin police

Absent:

Senator Rochefort
George Sykes, Representative, House Transportation Committee
David Rodrique, DOT
Representative, RRD Committee
Representative, RRD Committee
NH State Police - vacant

Guests: Rep Jack Flanagan, sponsor of SB 250 Ride the Wilds; Rep Riche Colcombe, Hillsborough District 30, treasurer for Contoocook Valley Trail Riders; Rich Parsons NHOHVA; Terry Lambert NHOHVA secretary; Rick Evans DRA

Call to Order 10:09 am

Pledge of Allegiance

Introduction of Guests

Approval of Minutes, November 10, 2024. Mr. Newfield motions to accept minutes w/ spelling correction. Ms. Davis 2nds. Approved unanimously.

New Members: Speaker of the House reappointed Rep Ouellette and Rep Sykes. Rep Arnold Davis appointed for RRD majority party member, still waiting for minority party appointee.

Current Use and trails: Rick Evans, of DRA, gave brief overview of current use. Law passed in 1973 to encourage preservation of open space - farm, forest, wetlands etc. Without current use provision, property is taxed on potential development use. Requirement for enrollment is 10 continuous acres with no improvements. Additional 20% reduction given to property owners who allow 12 month recreational use with no entrance fee. Fishing, hunting, hiking, skiing, snowshoeing, nature observation are mandatory “unless these activities would be detrimental to a specific agricultural or forest crop or activity.”

Landowner liability law RSA 212:34 has been upheld in NH Supreme Court. BOT buys \$2 million liability for landowners for ATV trails. No recent cases known.

Each municipality has current use status on tax cards for each property.

Is 20% enough incentive? DRA does not collect that information In the last few years, new landowners have been removing recreational adjustments, but there is no data for new land enrollments. DRA website has some information.

Owners of large tracts of land are more inclined to take advantage of the recreational discount. 20% is not enough incentive for smaller landowners to open land.

There are current bills to change current use tax rate. Ms. Davis will check with TOA and get back to Commission. Gorham tax tayer group would like to address current use because of drastic rise in property taxes this year.

There has been very little change in current use law over past 50 years.

Subcommittee Update: The subcommittee, tasked w/ looking at RSA governing OHRV siting on state lands, is suspending activities for now. The current statute is very specific, written before F&G Statewide Wildlife Action Plan was published. WAP has comprehensive guidelines for siting all trail systems. Any new statute should follow WAP. Subcommittee recommends criteria in rules rather than statute. It was good exercise to see that there are improved criteria in place.

Law Enforcement

Captain Eastman: 2024 season -19,000 OHRVs checked sitting trail side (officers count registrations going by) 388 warnings and 593 summons issued.

F&G Officers patrolled 7100 miles ATV, 3154 miles dedicated trail bike patrol and 501 side by side patrol.

What is line to cross from warning to summons? It is officer discretion, but unregistered vehicle is automatic summons; some violators are simultaneously given a summons for one offense and a warning for another.

F&G OHRV enforcement grants for municipal police 2025 riding season opens Feb 1 - April 1

Mr. Newfield met rider with a camp up north who wants more law enforcement for speed and noise. Captain Eastman recommends people to call in their complaints to dispatch or file via operation game thief if they want to remain anonymous.

Typical day for Conservation Officer? 8 hours. Most accidents are Saturday/Sunday, so that is when most officers are out in the field.

How get more officers out on trails? There is a nationwide hiring challenge for all law enforcement agencies and F&G officers get pulled off patrols for accidents and search and rescue.

Where get \$\$ for needed law enforcement? Increase in snowmobile registrations realized more funds for F&G. There was concern that increase would send riders away from NH into Maine and Vermont, so spread increase out over 2-3 years to soften. Some dip in registrations is seen after an increase but then numbers return.

How do other states fund OHRVs activities? NH is unique in self-funding both BOT & F&G. NH has very limited general funds. Rooms and Meals tax was recently reduced and already split several other ways. Other states use general funds for OHRV activities, allowing for lower registration fees, but they still have higher non-resident registration fees. NH just has nominal difference between resident and non-resident registrations. NH has more notable difference between resident and non-resident fees for hunting and fishing- \$23-\$30 more per license. 25% of registration fee goes to F&G for law enforcement; 75% to BOT for trails. Virginia - charges by rider not machine. Trend in NH is now for a family to ride one UTV, instead of separate machines.

Massachusetts registers OHRV through DMV and Vermont, ??????

Mr. Wilkie: wants in & out of state registrations to be equal, but suggests that \$59 is not enough for a UTV that holds 4-6 passengers and recommends UTVs pay more than ATV. There is just a \$9 difference between ATVs and trail bike registration.

Does any state base registrations on MSRP? No. Someone riding a ~\$40,000 machine would not be put off by a higher registration fee.

The rules governing temporary OHRV registration are changing so rider can only buy 1 temporary registration per year. Riders have bought 5 temporary registrations to get around buying a full registration.

Rep Ouellette will send out information on House committee that is looking into funding for F&G.

Update on DOS report of 685 OHRV contacts at northern border. Rep Ouellet clarified this was in Pittsburg - the Hall Stream area, road to Indian Stream. No known citations.

Legislative Update:

Mr. Rennie is watching the following bills and LSRs:

HB 113: OHRV operation on highways in the Town of Windsor. Sponsor: Rep Colcombe. Rep Colcombe explained that there is a small trail system on Campbells Gore Rd and opening these roads will allow access to riders on opposite sides of town. It will also allow riders from Washington and Hillsborough to connect through Windsor. Selectman have allowed OHRVs to ride on town roads. Speeds are already posted 20, 25 mph on these roads.

Windsor does not have police department, has agreement w/ Hillsborough and State Police. Hillsborough responds. Unsure of who would respond to accidents.

Windsor is not interested in taking over ownership of the roads.

Have abutters been notified? DOT has process for opening OHRV trail connectors in Grafton and Coos, but not in Hillsborough. Hillsborough has given permission for UTVs to ride on roads, but they can not cross Rte 31. ATVs not allowed on Hillsborough roads. Windsor abutters will be notified by certified mail.

HB 174: Increasing the maximum weight of UTV from 2,000 to 3,500 lbs. Sponsor: Rep Ouellet.

HB 127: Extending the OHRV season on the Connecticut Lakes Headwaters property from Sept. 30 to Columbus Day. Sponsor: Rep Ouellet.

HB 375: Allowing municipalities to designate sections of state and local highways for ATV's. Sponsor: Rep. McGuire. Rep Ouelette not support. BOT depends on DOT for safety - does not want safety standards exempted. Rep McGuire has filed similar bills in the past.

LSR 569: Adding 5 counties to OHRV highway use, and modifications to verified mail costs. Sponsor: Rep Ouellet. Grafton and Coos are the only 2 counties which have process for DOT and BOT to open on-road OHRV connectors. OHRV clubs want to add Carrol, Cheshire, Hillsboro, Merrimack and Sullivan counties to existing DOT process. Riders want to ride the Croydon turnpike, a state road, to connect riding areas. They are already illegally riding in the area.

LSR 606: Relative to snowmobile highway trail connectors. Sponsor: Rep Schamberg.

LSR 859: Establish a state disbursement trail fund. Sponsor: Rep Durkin. For catastrophic storm damage. Last year \$1 million of ARPA funds were split between snowmobile and OHRV trail to repair from extreme storm damage.

LSR 905: 4 year pilot funding project for rail trails. Sponsor :Senator Fenton.

HB 1468 (last year) - Study Conway branch for rail trail. Outcome: DOT will transfer inactive rail corridor to DNCR with hopes of creating 10 miles of rail trail.

Rep Ouellet suggests extending OHRV season to reduce impact on abutters by spreading out riding season. Currently he can only ride 17-18 weeks year. If snowmobile trails are opened to OHRVs it might reduce some of summer riding - move to winter when there is no dust. Year round riding could garner higher registration fee.

Mr. Wilkie: Sullivan County had 9 mud seasons last year. They close trails Dec 1 and roads Nov 1 to OHRVs. Winter riding only works on frozen ground - otherwise destroys the trails. There is no law enforcement for temperature.

In Jericho State Park wheeled ATVs ride on groomed snowmobile trails creating conflict. There is concern of conflict between OHRV & snowmobile clubs for trail repair.

Next meeting: Friday March 21 DNCR
Friday May 16, DNCR
July meeting potentially w/ abutters trailside

Vote to Adjourn 11:58 Mr. Pigeon, Seconded by Mr. Bennett

Respectfully submitted, Abby Evankow, Clerk