

## Developments in DCR OHV Management/ Spring 2010

DCR Stewardship Council

July 1, 2010



## Two Major Developments



House passes act to regulate off highway and recreation vehicles

DCR introduces planning and design process at Pittsfield State Forest and OHV permit system



## House Passes H 4747

- June 9, 2010: House Passes An Act to Regulate the use of Off-Highway and Recreation Vehicles



## OHV Enforcement Working Group

In 2007, the Executive Office of Energy and Environmental Affairs and the Department of Conservation and Recreation invited more than 20 organizations representing land management, OHV users, environmental interests, law enforcement agencies and others to examine the state of OHV activity and enforcement. The diverse group identified over 40 actions to help improve OHV enforcement in Massachusetts and drafted legislation in the spring of 2008 to provide the most sweeping changes in Massachusetts recreational vehicle laws in decades.



## Key Working Group Recommendations

- Strengthen fines and penalties for OHV offenses.
- Require safety and responsibility training for all OHV operators eighteen (18) years of age and younger.
- Require registration for all OHV's with revenues directed to increasing enforcement capabilities and the development, maintenance and restoration of OHV trails.
- Reduce allowable OHV noise levels to 96dba at 20 inches.
- Reinforce efforts to protect children by strengthening requirements for adult supervision of young operators.
- Strengthen communication among enthusiasts, land managers, enforcement agencies and other stakeholders by establishing an OHV Advisory Group.



## House and Senate Pass Legislation that:

- Strengthens fines and penalties for OHV offenses.
- Requires safety and responsibility training for all OHV operators eighteen (18) years of age and younger.
- Requires registration for all OHV's with revenues directed to increasing enforcement capabilities and the development, maintenance and restoration of OHV trails.
- Reduces allowable OHV noise levels to 96dba at 20 inches.
- Reinforces efforts to protect children by strengthening requirements for adult supervision of young operators.
- Strengthens communication among enthusiasts, land managers, enforcement agencies and other stakeholders by establishing an OHV Advisory Group.



## Fines and Penalties

- Strengthen fines and penalties for OHV offenses including trespass.



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## Higher Penalties: Some Examples

Offense	Current Penalty	New Penalty
Unregistered	\$20 to \$100	\$250 to \$1000
Dangerous Operation	\$20 to \$100	\$250 to \$1000 first offense \$500 to \$2500 second offense + forfeiture
Driving Under the Influence	\$20 to \$100	\$500 to \$5000 and loss of license
Trespass (Chpt 266)	\$250	\$500

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## Safety and Responsibility Training



- Requires safety and responsibility training for all OHV operators eighteen (18) years of age and younger.

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## Training for Young Riders



4H Community ATV Safety Program

- For operators under the age of 16, a parent or guardian must participate in one day of the training.
- Certificate must be carried with the operator.



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## Required Registration – Dedicated Funding

- Require registration for all OHV's with revenues directed to OHV Program Fund to increase enforcement capabilities and develop, maintain and restore OHV trails.



Current registration revenue - \$830,000.

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## Funding for Trail Management



- At least 25% of the OHV Program Fund is dedicated to the acquisition, development and maintenance of OHV trails.
- DCR may provide grants to communities and other entities for this purpose.

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## Reduce Sound Levels



Reduce allowable OHV noise levels to the national standard 96dba at 20 inches.



## Reinforce Efforts to Protect Children



- Adopts Working Group recommended standards for direct supervision of young riders.
- Introduces new age 14 limit for operators of ATV's or Recreation Utility Vehicles
- Introduces 90cc engine size limit for children under the age of 16



## Massachusetts OHV Advisory Committee



Thirteen member committee advises Secretary, DCR, ELE, DFG and DEP on OHV regulation and enforcement, safety and training and the distribution of OHV Program Funds.



## Special Thanks



January 28, 2009

Legislative  
State House  
Boston, MA

Re: Co-sponsorship Request - An Act Relative to the Regulation of Trail and Recreational Vehicles

Dear Legislators:

Mass Audubon and the New England Trail Rider Association recognize that Off Highway Vehicle (OHV) enforcement resources exist throughout the Commonwealth. As such, our respective organizations, participating in the Department of Conservation and Recreation's current OHV Enforcement Working



## Pittsfield State Forest



## MNHESP 2009 Assessment



Mass Natural Heritage and Endangered Species Program (MNHESP) assessed Pittsfield and two other DCR properties in the spring of 2009 to identify priority habitats, vernal pools and other important resource areas.

They identified eight certifiable vernal pools in Pittsfield SF in proximity to the trail system.



## OHV use impacts



To protect these resource areas, DCR has closed approximately 20 miles of OHV trails creating a OHV trail system of approximately 14 miles.



## Pittsfield State Forest OHV Permit System

In the interest of public safety and minimizing impacts to the reduced trail system, DCR has instituted a trail permit system for 2010.

50 permits are issued each day. Rider must have the permit with them while using the trail system.



## Statistics to Date



- Over 375 riders have received a permit
- 61% mass resident
- 39% out of state
- 45% reserve permit in advance
- 88% ride ATV
- 12% ride motorcycle



## Planning Process



Engage the public in a planning process to perform OHV fine filter assessment, develop plans for a range of trail activities at Pittsfield and identify funding sources for significant trail rehabilitation within the forest.

