

Off-Highway Vehicle Recreation

Background & Briefing

a joint presentation by



department of
conservation & recreation

Massachusetts
environmental police

Massachusetts Trail Conference

November 8th 2014

Introductions & Presenters

Stephanie Cooper

Assistant Secretary for Land and Forest Conservation

Captain Merri Walker

Massachusetts Environmental Police

Scott Morrill

MassParks OHV Trails Coordinator

Off-Highway Vehicle Recreation

Background & Briefing



Stephanie Cooper

*Massachusetts Executive Office of
Energy and Environmental Affairs*

Overview & Objectives

- Provide an overview of Off-Highway Vehicle (OHV) Recreational Activities on DCR property.
- Provide overview of DCR OHV management activities over the past decade.
- Review the 2010 statutory changes and reforms.
- Discuss DCR, EPO, & EEA initiatives to carry out the provisions of Chapter 202 of the Acts of 2010 and enhance OHV management .



Types of OHV Uses Allowed



All-Terrain Vehicles (ATV)

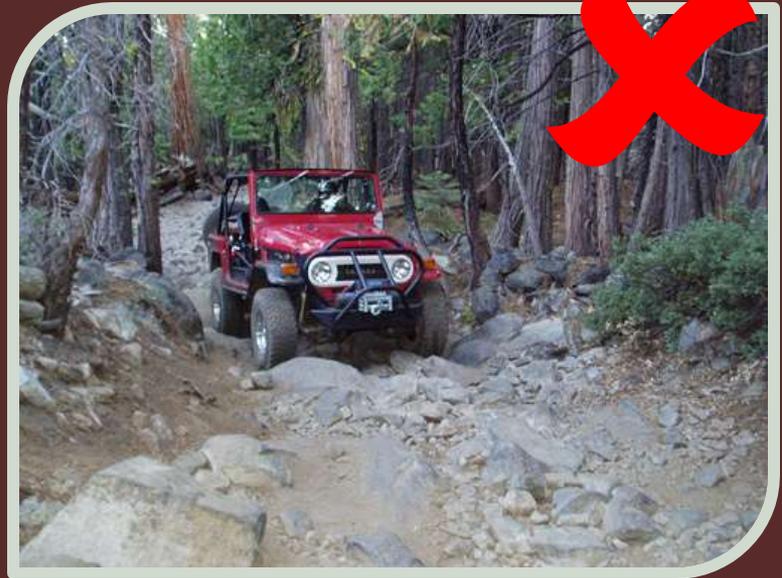


Off-Highway Motorcycles

Other Types of OHV



Snowmobiles



4-Wheel Drive Trucks/Jeeps

DCR Areas Where OHV Allowed

ATV & Dirt Bike:

Pittsfield S.F.

October Mountain S.F.

Beartown S.F.

Dirt Bike Only:

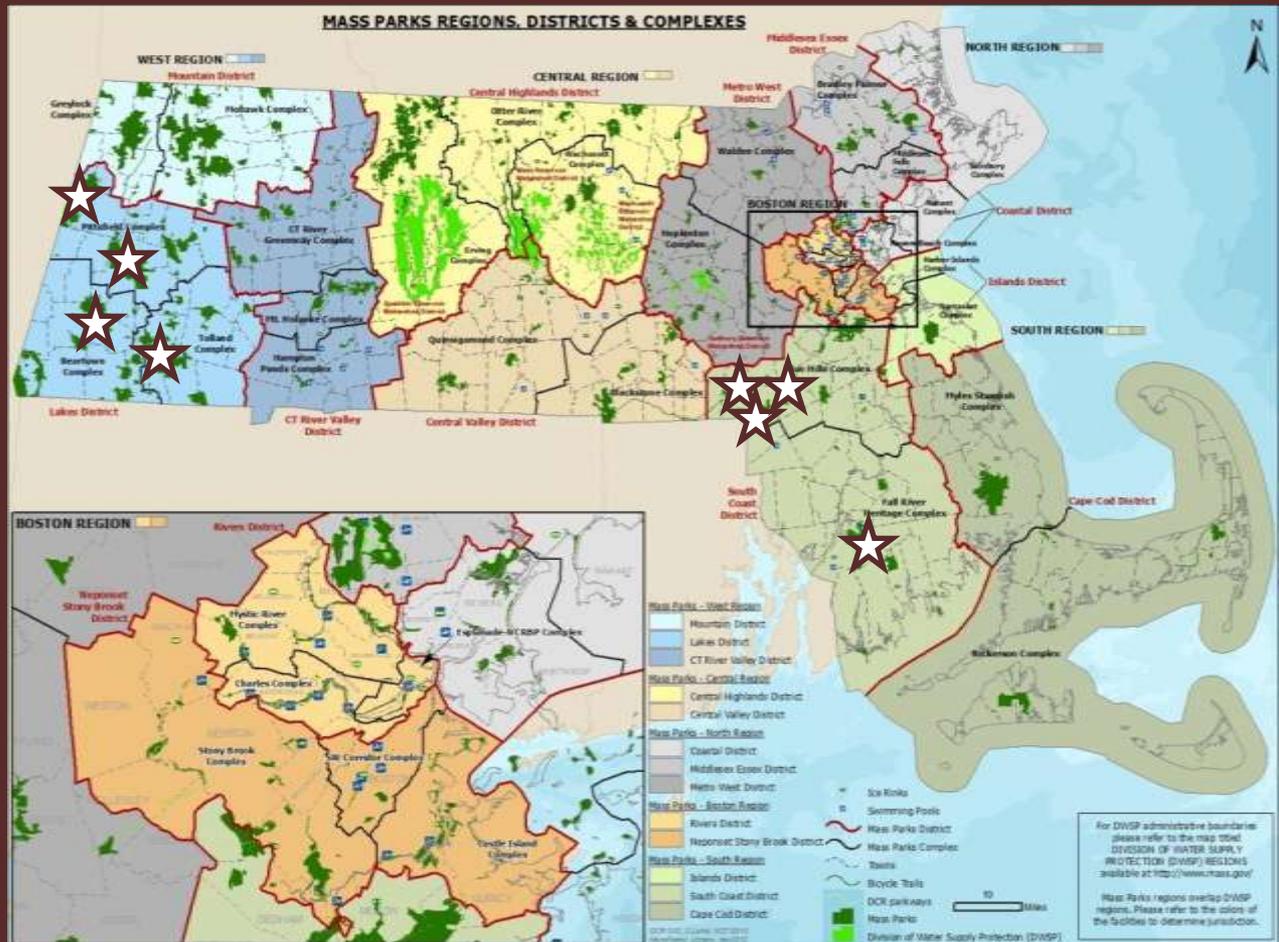
Franklin S.F.

F. Gilbert Hills S.F.

Freetown/Fall River S.F.

Tolland S.F.

Wrentham S.F.



OHV Trail Mileage

- DCR Total Statewide Trail Mileage ~3,142 mi.
- DCR Total Statewide OHV Trail Mileage ~ 125 mi.

<i>Facility</i>	<i>Total Trail Mileage</i>	<i>Total OHV Trail Mileage</i>
<i>Pittsfield State Forest</i>	93	17
<i>October Mountain State Forest</i>	86	28
<i>Beartown State Forest</i>	59	16
<i>Tolland State Forest</i>	25	15
<i>Franklin State Forest</i>	16	8
<i>Wrentham State Forest</i>	34	11
<i>F. Gilbert Hills State Forest</i>	31	7
<i>Freetown/Fall River State Forest</i>	90	23

Keys to Effective OHV Management

- Safe, legal and sustainable opportunities to ride
- Effective enforcement against illegal riding
- Consistent communication and education
 - *from manufacturers, dealers, clubs, DCR, EPOs, local police*



DCR OHV Management Initiatives

- 2005-2006: Development of Criteria for Evaluating DCR Facilities for OHV Use
 - *February 2007: DCR Stewardship Council adopts Motorized Trail Recreation Facility Assessment Policy*
- 2007: OHV Enforcement & Education Working Group convened
 - *March 2008: Working Group issues final recommendations*
- July 2010: Chapter 202 of the Acts of 2010 enacted

2005-06 OHV Siting Assessment

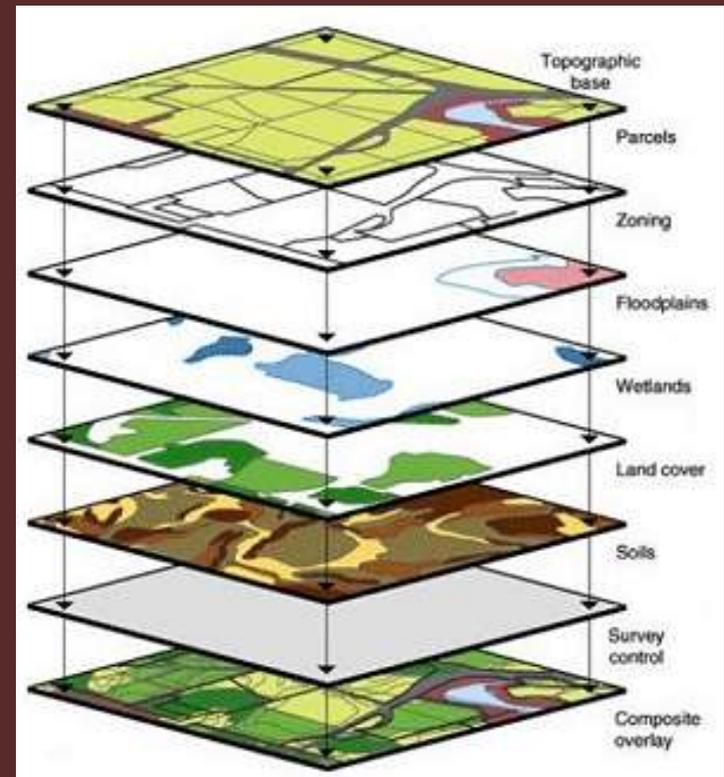
Working Group Composition

AMC	Connecticut State Parks	ELM	UMass Dept. of Natural Resource Conservation
Environmental Police	MA NHESP	National OHV Conservation Council	Vermont State Forests, Parks, & Recreation
NEMBA	NETRA	New Hampshire State Parks	Western MA ATV Association
New Jersey State Parks & Forests	New York Dept. of Environmental Conservation	Pennsylvania State Parks	DCR
Snowmobile Association of MA	TNC	US Forest Service	

2005-06 OHV Siting Assessment

OHV Siting Policy Overview

- DCR properties assessed from two perspectives:
 - *Step 1 – Coarse Filter*
 - *Step 2 – Fine Filter*
- Purpose of assessment is to aid in determining the sustainability of motorized trails relative to objective environmental criteria



2005-06 OHV Siting Assessment

OHV Siting Policy Overview

- Key elements of the Coarse & Fine Filters:
 - *Protection of important natural/cultural resources*
 - *Protection of wetlands and water supply resources*
 - *Protection of priority habitat and rare species*
 - *Compliance with MESA*
 - *Compliance with WPA*
 - *Avoidance of steep slopes*
 - *Trail and facility design*
 - *Trail and facility operations and management*

Completion of OHV Siting Assessment

Fine Filter Assessment

- Fine Filter includes
 - 20 “Environment and Natural Resource Protection Criteria”
 - 10 “Trail and Facility Design Criteria”
 - 3 “Trail and Facility Operation and Management Criteria”



2005-06 OHV Siting Assessment

Coarse Filter Implementation & Results

- Using Coarse Filter criteria, 9 properties with existing OHV use were assessed
- 1 property – Georgetown Rowley State Forest – was closed to motorized trail recreation in 2007
 - *Due to extensive wetland resources and habitat for MESA-protected animals likely to be harmed by motorized trail recreation*



2007 Enforcement Working Group

Working Group Composition

DCR	MA Executive Office of Energy & Environmental Affairs	MA Association of Conservation Commissions
NorthEast ATVers	MassDEP	MA Environmental Police
Friends Network	TTOR	Mass Audubon
MA ATV Association	Mass. Land Trust Coalition	NETRA
Berkshire Trails Council	MA Department of Fish & Game	Snowmobile Association of MA

2007 Enforcement Working Group

Working Group Charge

- Assess existing laws and regulations governing use and operation of recreational vehicles and identify opportunities and strategies to enhance their effectiveness.
- Review the current capacity of agencies charged with enforcing OHV laws and regulations and identify opportunities and financing strategies to increase the capacity of the enforcement system.

2007 Enforcement Working Group

Working Group Charge

- Identify short-term opportunities and strategies to reduce unsafe and inappropriate use of OHV's.
- Identify opportunities to improve communication among stakeholders.

2007 Enforcement Working Group

- The Working Group developed and found broad agreement on over 40 recommendations that fell into one of the following categories:
 - *Law enforcement capacity*
 - *Funding*
 - *Education and training*
 - *Operator age/size or use limitations*
 - *Penalties*
 - *Public Ways*
 - *Registration, Licensing, Permitting, and Insurance*
 - *Trespass*
 - *Noise/Sound*
 - *Ongoing communications/oversight and short-term steps while awaiting implementation*

2007 Enforcement Working Group

Overview of Key Recommendations

- Strengthen fines and penalties for OHV offenses including trespass
- Require safety and responsibility training for OHV operators 18 and younger
- Require registration of OHVs with revenues directed to increasing enforcement capabilities and development/maintenance of OHV trails
- Reduce allowable OHV noise levels to 96dbA at 20 inches
- Strengthen requirements for adult supervision of young operators
- Strengthen communication among enthusiasts, land managers, enforcement agencies, and other stakeholders by establishing an OHV Advisory Group

Chapter 202 of the Acts of 2010

Legislature & Governor Enact Legislation that:

- ✓ • Strengthens fines and penalties for OHV offenses including trespass
- ✓ • Requires safety and responsibility training for OHV operators 18 and younger
- ✓ • Requires registration of OHVs with revenues directed to increasing enforcement capabilities and development/maintenance of OHV trails
- ✓ • Reduces allowable OHV noise levels to 96dbA at 20 inches
- ✓ • Strengthens requirements for adult supervision of young operators
- ✓ • Strengthens communication among enthusiasts, land managers, enforcement agencies, and other stakeholders by establishing an OHV Advisory Group

Chapter 202 of the Acts of 2010

Safety and Responsibility Training for Young Riders:

- Require safety and responsibility training for OHV operators 18 and younger
- 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



Chapter 202 of the Acts of 2010

Vehicle Registration & Dedicated Funding:

- Requires registration of OHVs with revenues directed toward:
 - *increasing enforcement capabilities*
 - *development/maintenance of OHV trails*
- Registration and Citation fees deposited into an OHV Program Fund administered through EOEEA



Chapter 202 of the Acts of 2010

OHV Program Fund Overview:

- \$2.8 million in funds deposited since established in 2011
- Average Annual Registration Revenue: \$700,000
- At least 25% of the OHV Program Fund dedicated to acquisition, development, and maintenance of OHV trails
- Supports MEP vehicle registration and education programs
- Supports MEP targeted enforcement and fleet/equipment upgrades (OHV-program dedicated)
- Supports DCR OHV staffing, equipment and trail projects

Chapter 202 of the Acts of 2010

OHV Advisory Committee:

- Committee's membership balances the interests of OHV rider, public health, child safety, environmental and landowner stakeholder groups.
- Focus on promoting outreach & education, effective enforcement and improving/expanding legal OHV riding areas.



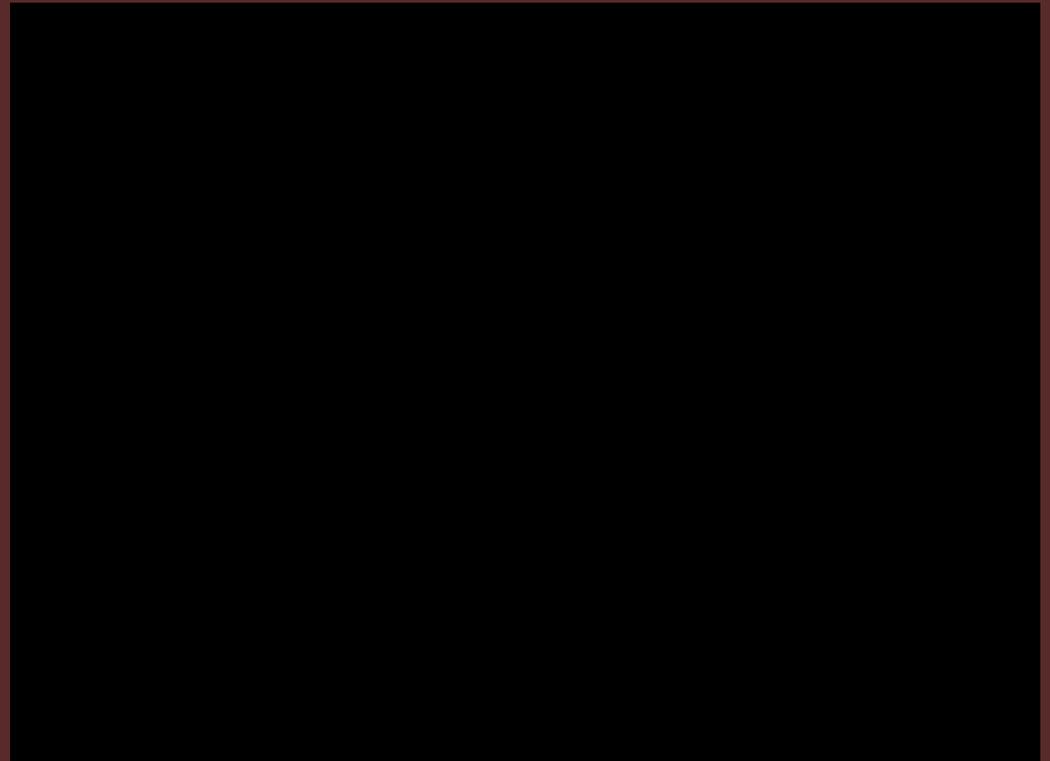
Chapter 202 of the Acts of 2010

OHV Advisory Committee Update:

- **Specific Accomplishments:**
 - *Legislative Advocacy for adjustments to the law*
 - *Outreach and Coalition-building to Stakeholders with common interest (e.g. educational and medical organizations)*
 - *Advising EEA/MEP on a Media Outreach campaign*
 - *Recommending OHV fund allocations supporting various DCR properties and management initiatives*
 - *Advised MEP on specific elements of OHV regulations*

Outreach

- Over the course of a 4 week period in September, this ad was shown in 14 theaters across Massachusetts, 1,248 times a day for a total of 34,944 showings.
- The *Youtube* video of this has been viewed over 40,000 times.
- Theaters that were chosen were done so due to high OHV use in that area.



Off-Highway Vehicle Recreation

Background & Briefing

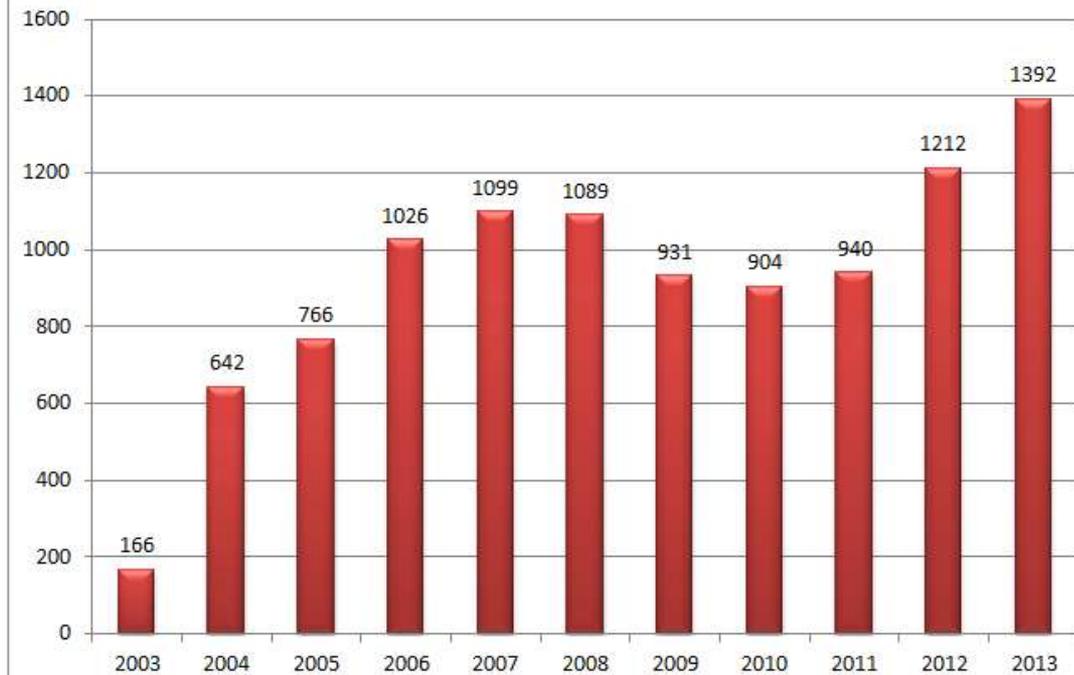


Captain Merri Walker

Massachusetts Environmental Police

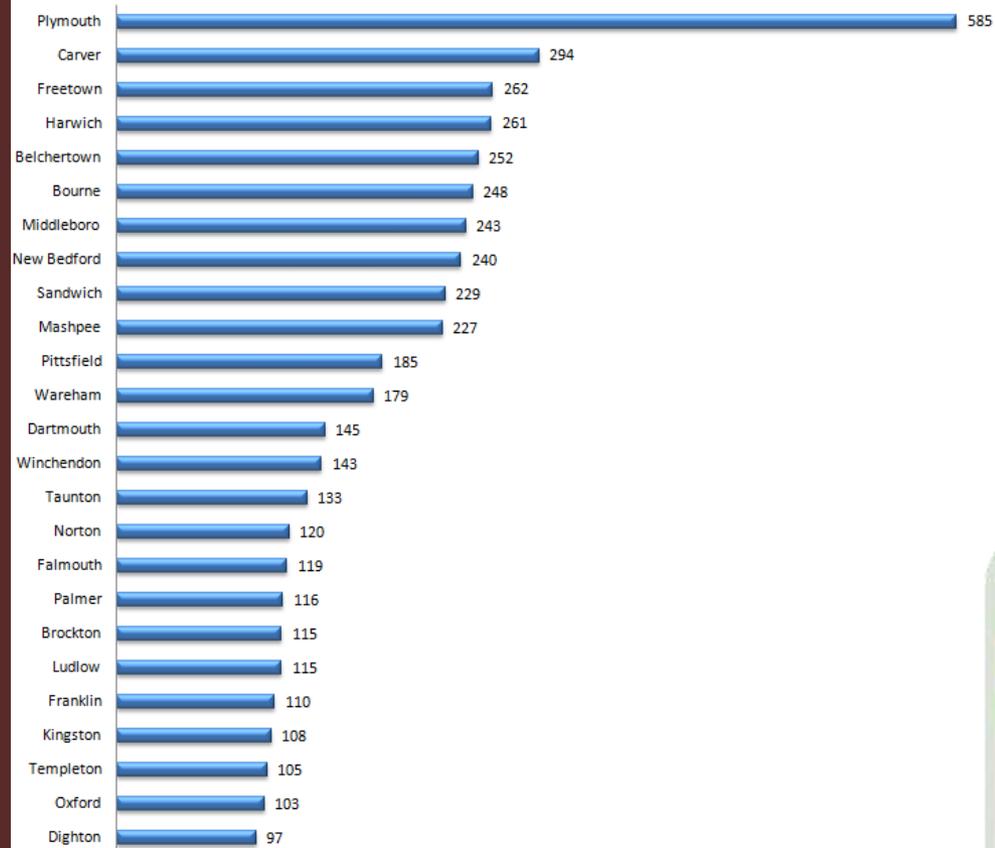
Law Enforcement Operations

Total OHV Calls by Year



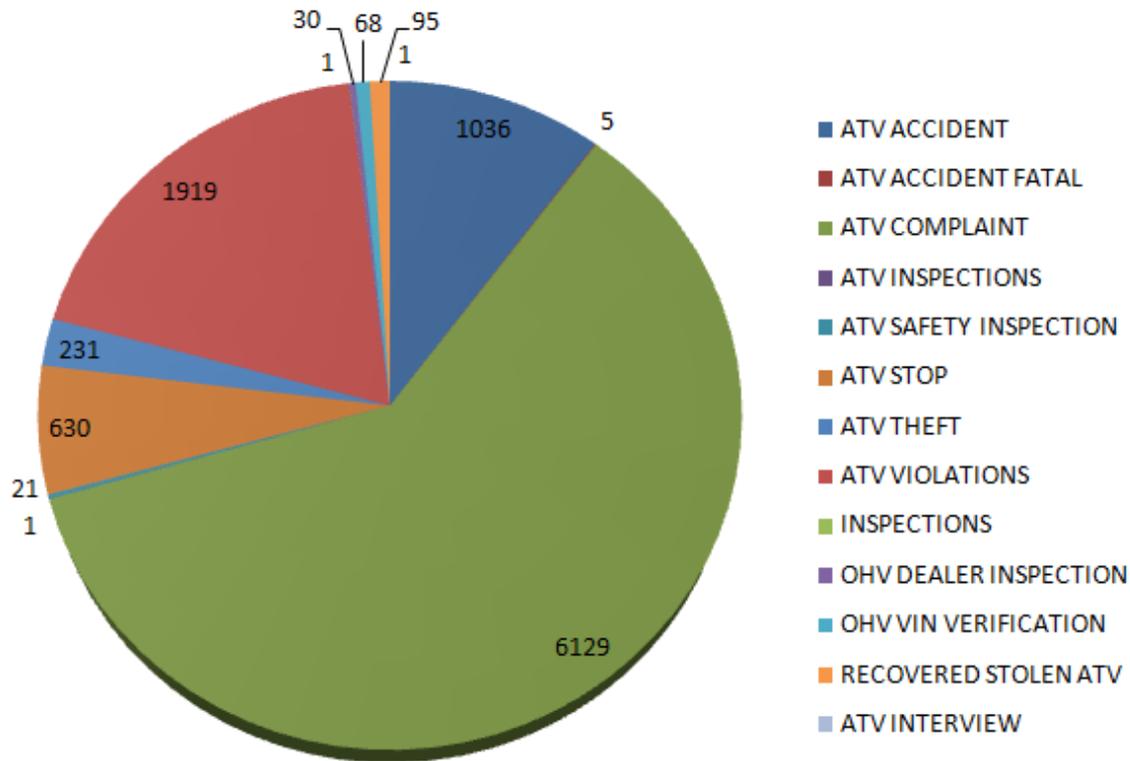
Law Enforcement Operations

Call Location



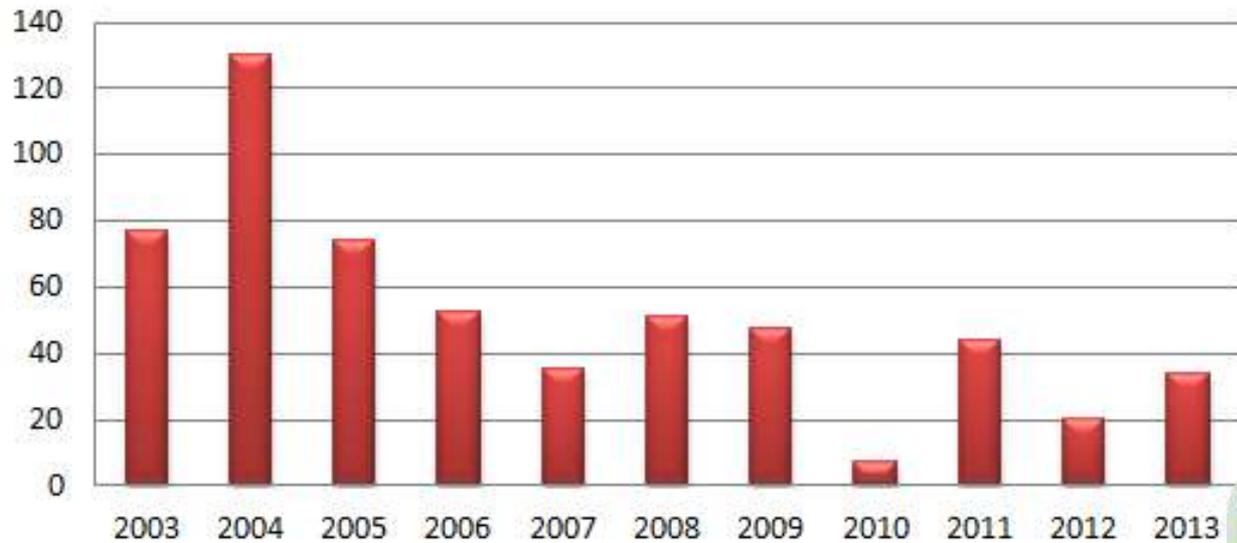
Law Enforcement Operations

Breakdown of OHV Call Reasons



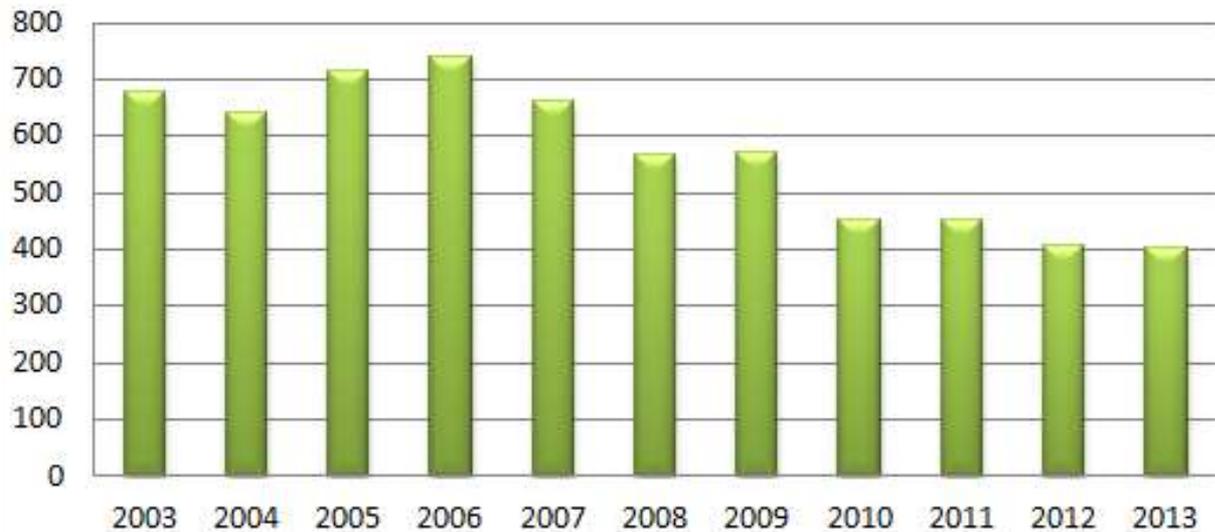
Law Enforcement Operations

Criminal Violations



Law Enforcement Operations

Civil Violations



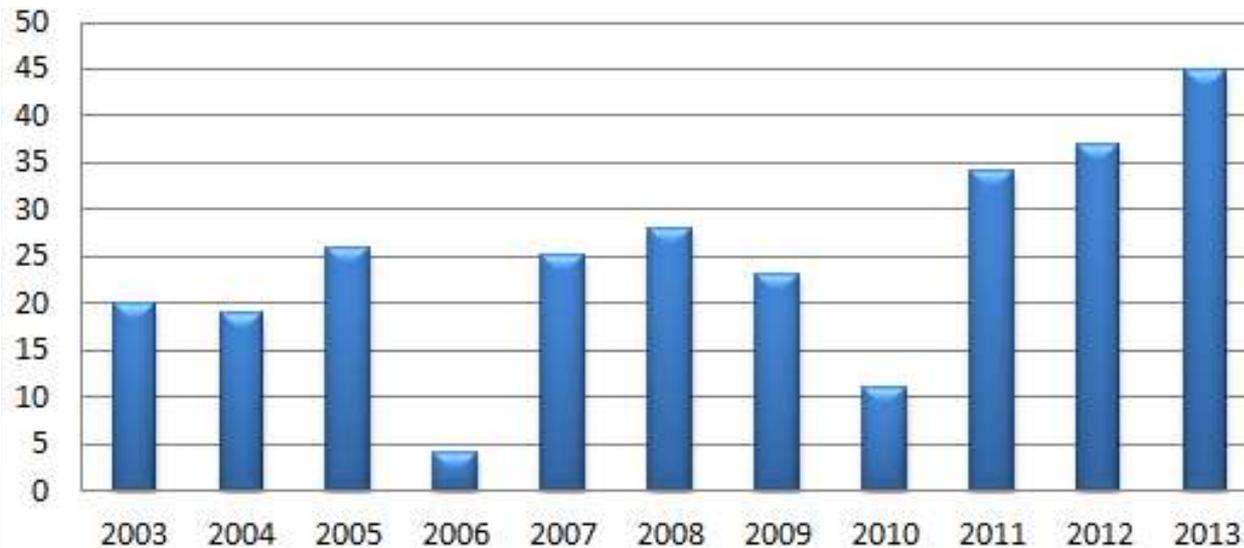
Chapter 202 of the Acts of 2010

Increased Fines & Penalties – Some Examples:

Offense	Pre-2010 Penalty	Post-2010 Penalty
Unregistered	\$20 to \$100	\$250 to \$1000
Reckless/Negligent 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 (Ch. 266)	\$250	\$500

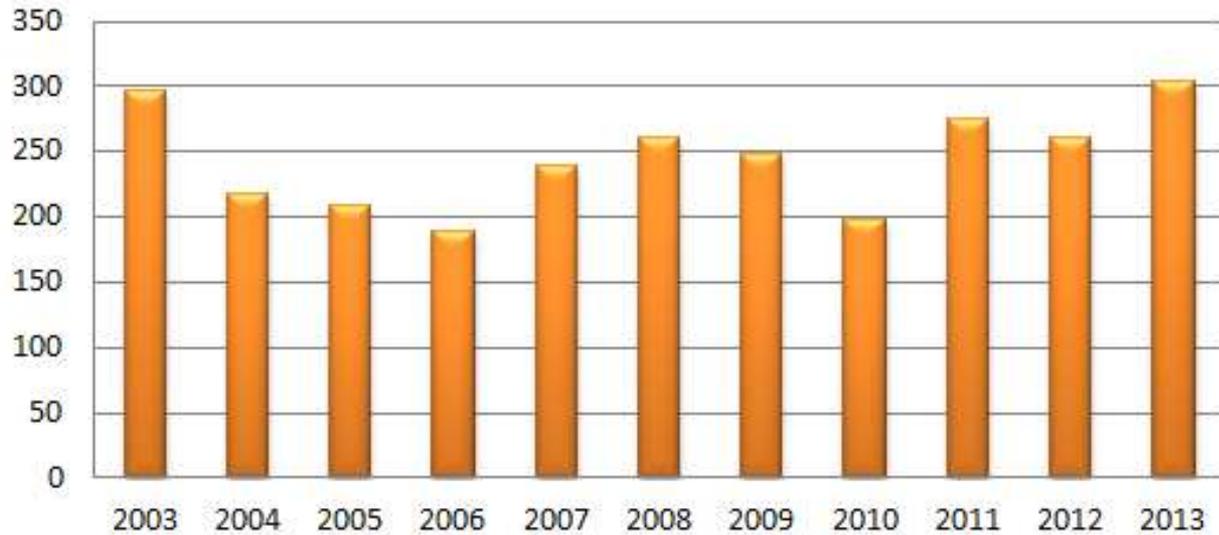
Law Enforcement Operations

Verbal Warning



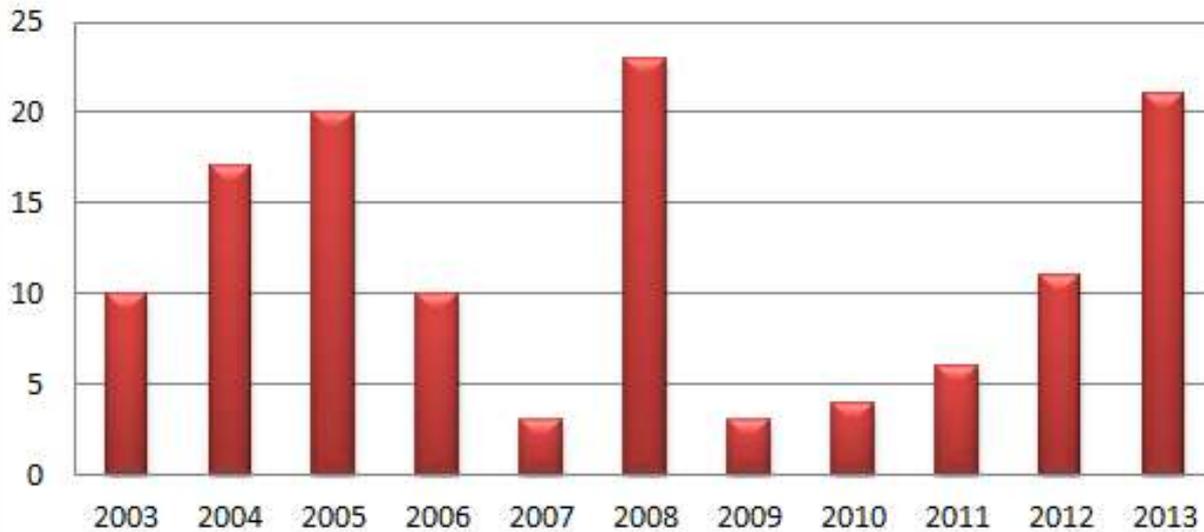
Law Enforcement Operations

Written Warning

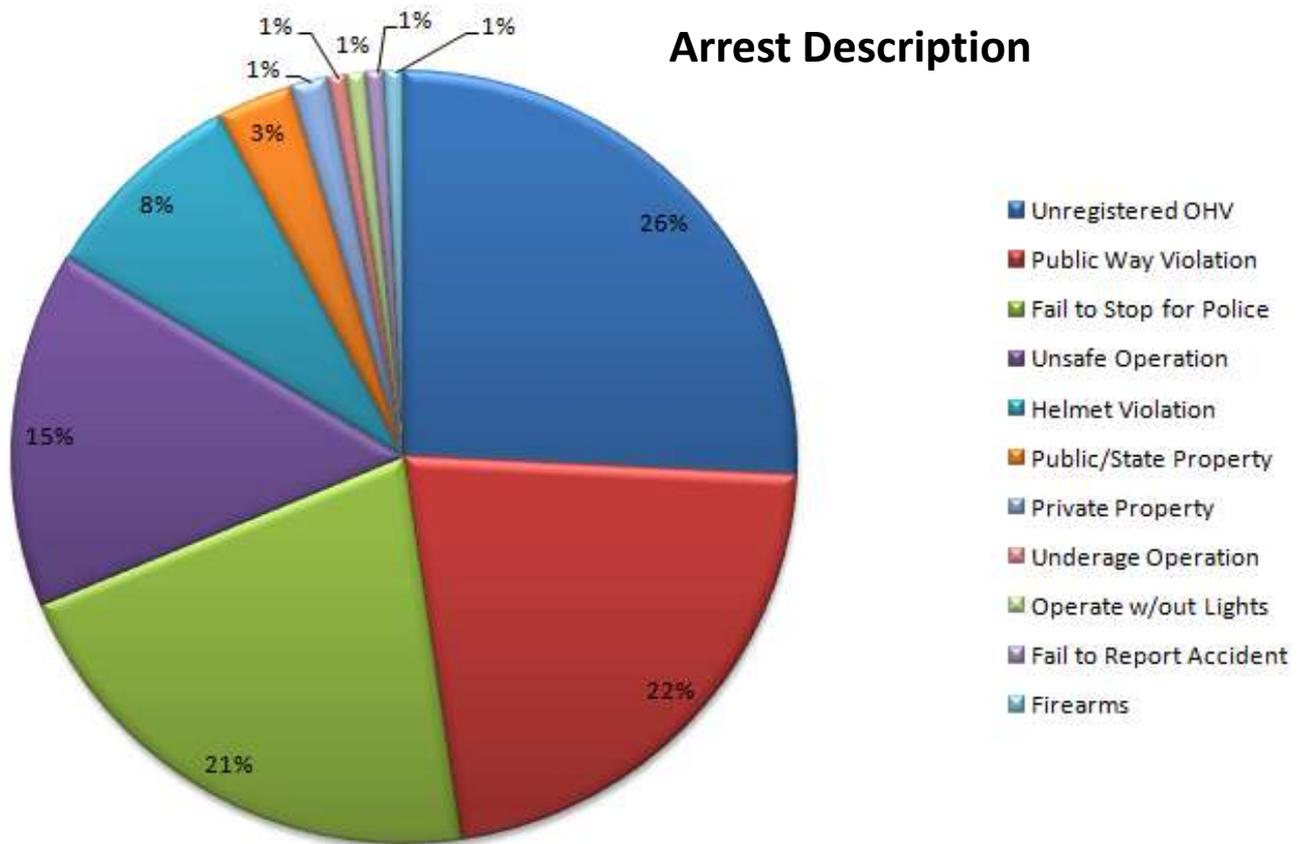


Law Enforcement Operations

Arrests



Law Enforcement Operations



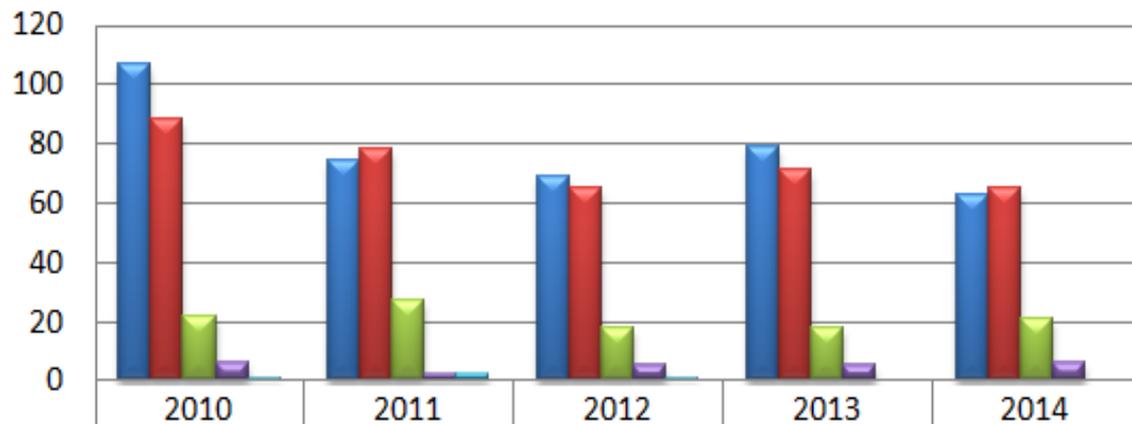
Law Enforcement Operations

OHV citations issued from January 1 – September 30, 2014.

VIOLATION	VIOLATION DESCRIPTION	CIVIL	WARNING	VERBAL	CRIMINAL	ARREST	TOTAL
<i>CH 90B 21</i>	Education Requirements	7	13	0	0	0	20
<i>CH 90B 22</i>	Registration	179	145	19	15	5	363
<i>CH 90B 23</i>	Transfer of Ownership	2	2	0	0	0	4
<i>CH 90B 24</i>	Equipment/Noise/Fumes	6	1	1	2	0	10
<i>CH 90B 25</i>	Public Way Operation	20	16	5	7	2	50
<i>CH 90B 26</i>	Operator Violations	190	123	14	24	7	358
<i>CH 90B 27</i>	Accident Reports	0	2	0	0	0	2
<i>323CMR</i>	Various 323 enforcement	9	8	1	0	0	18
		413	310	40	48	14	825

Law Enforcement Operations

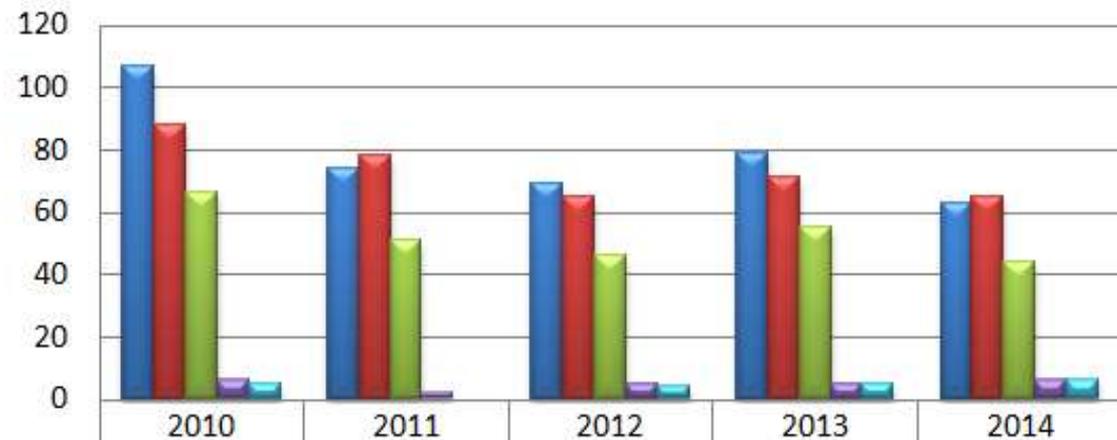
Youth Accident Data
January 2010 - 15 September 2014



	2010	2011	2012	2013	2014
Total Accidents	107	74	69	79	63
Total Injuries	88	78	65	71	65
Youth Injuries	22	27	18	18	21
Total Fatalities	6	2	5	5	6
Youth Fatalities	1	2	1	0	0

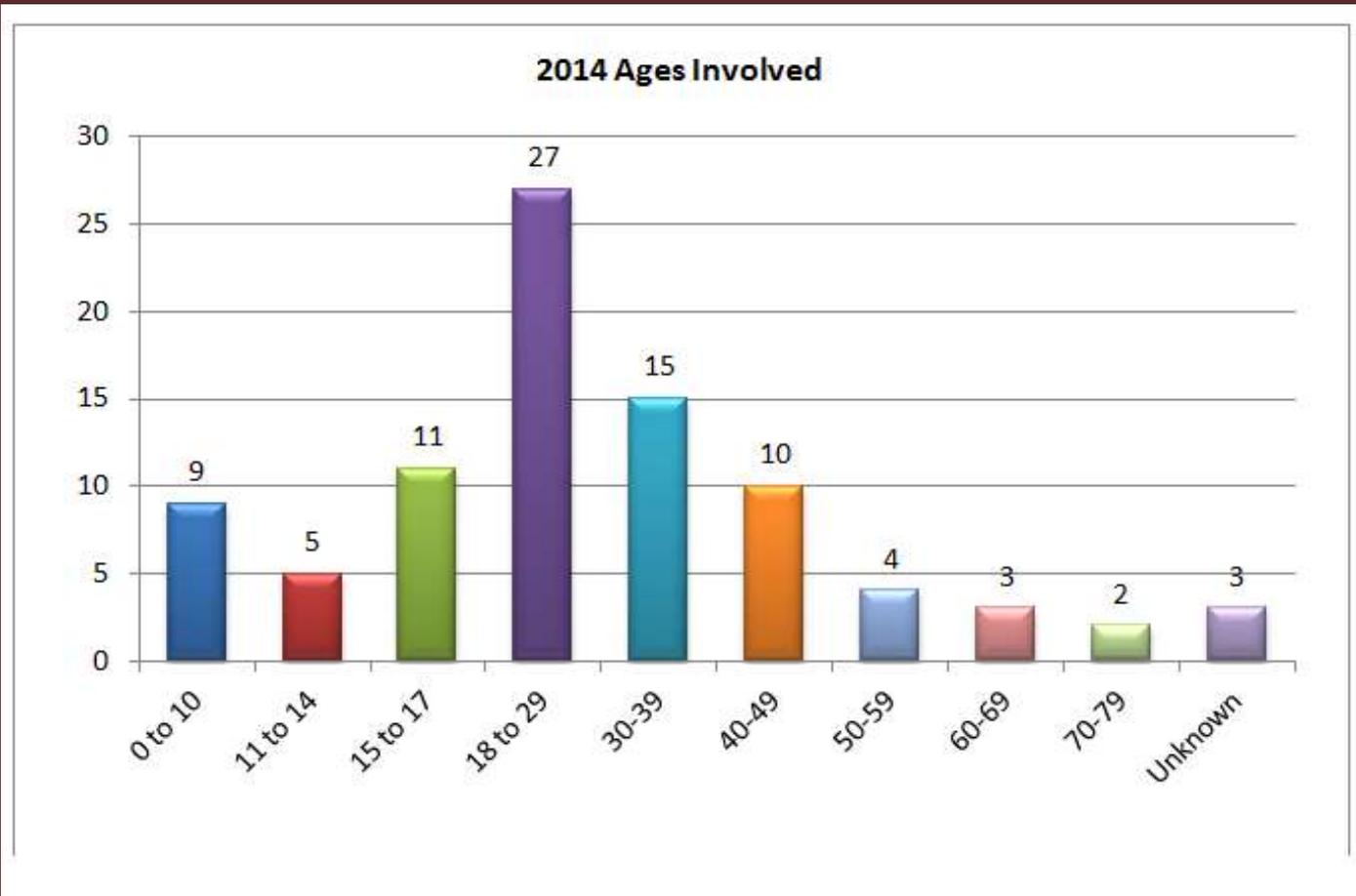
Law Enforcement Operations

Adult Accident Data
January 2010 - 15 September 2014

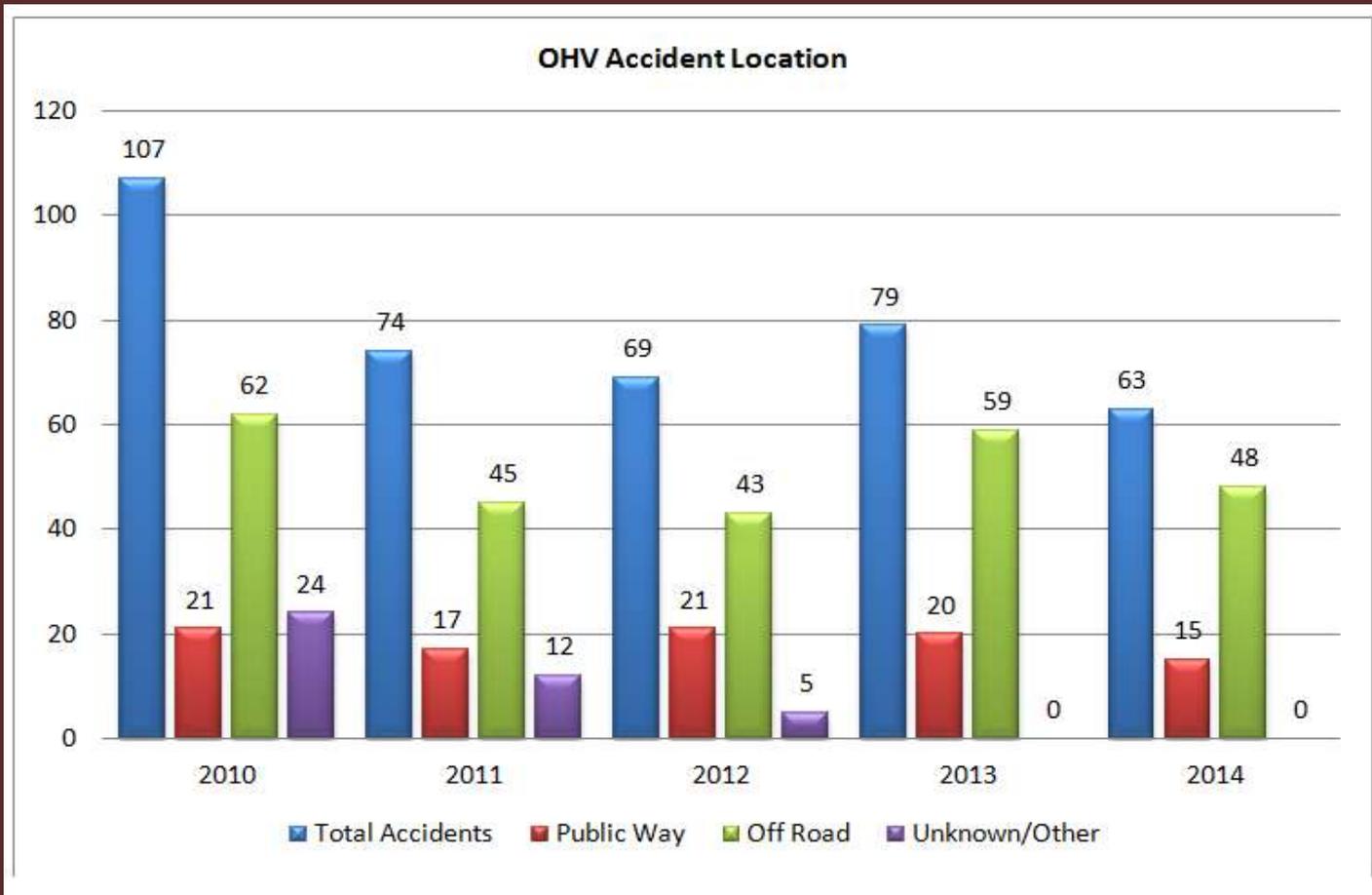


Total Accidents	107	74	69	79	63
Total Injuries	88	78	65	71	65
Adult Injuries	66	51	46	55	44
Total Fatalities	6	2	5	5	6
Adult Fatalities	5	0	4	5	6

Law Enforcement Operations

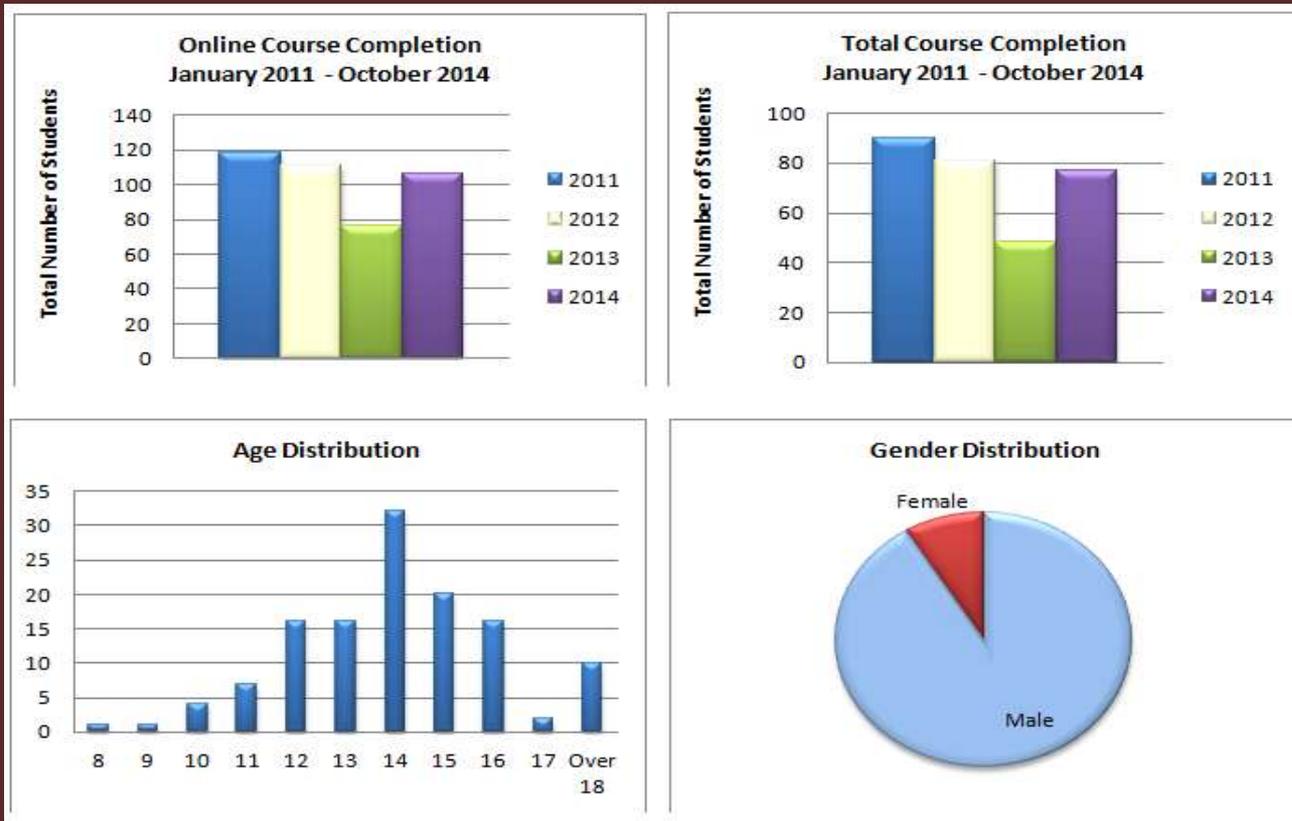


Law Enforcement Operations



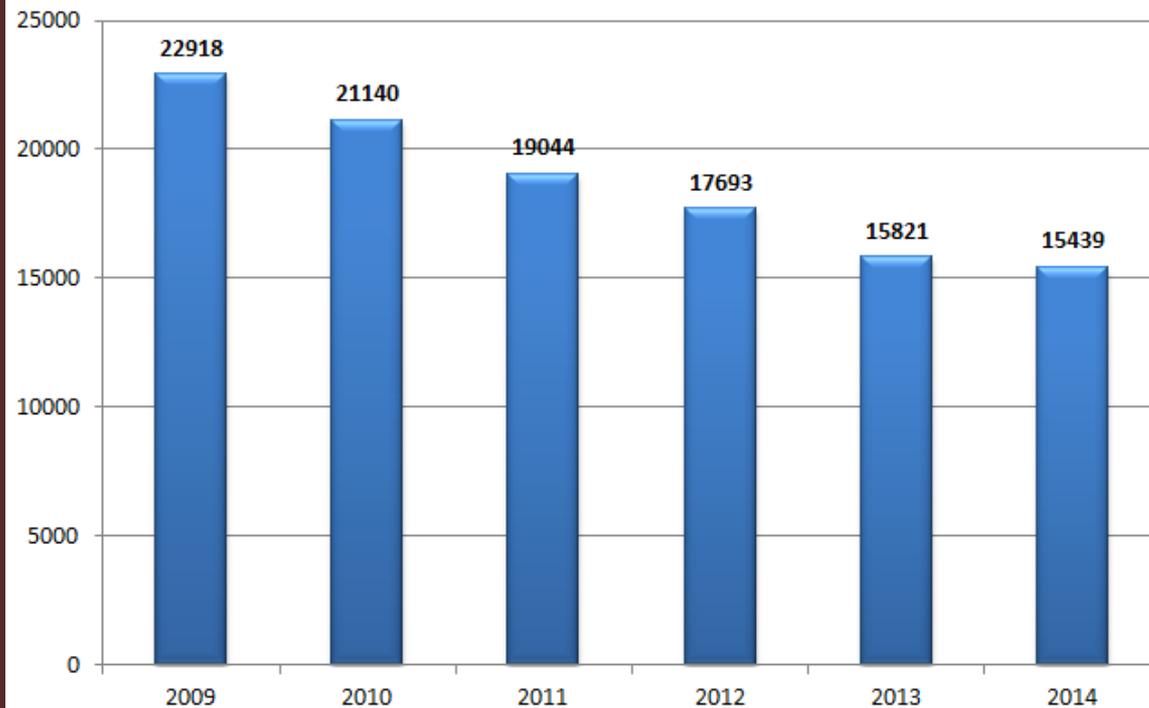
Law Enforcement Operations

OHV Safety Course Attendance



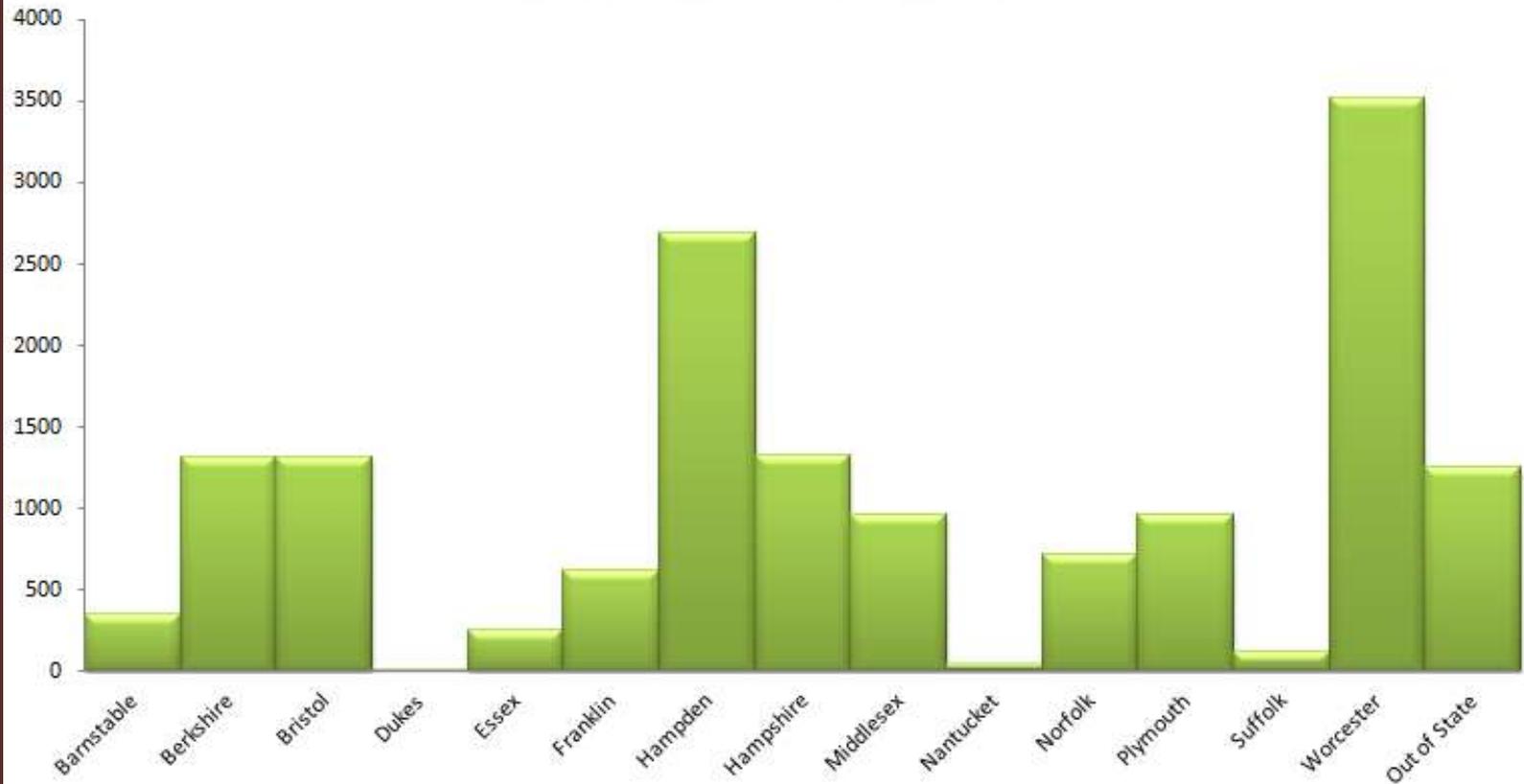
Vehicle Registration Data

Active OHV Registrations



Vehicle Registration Data

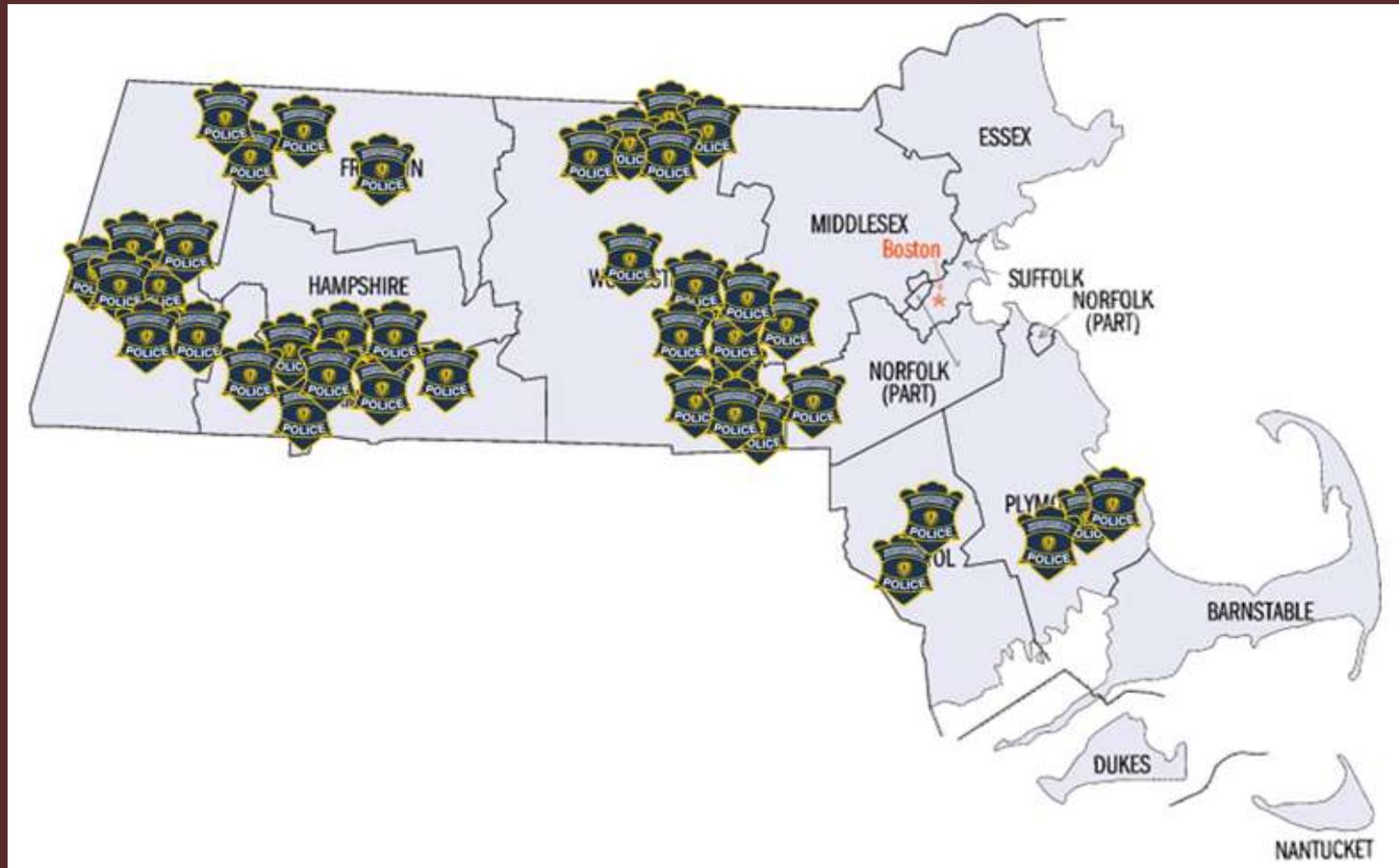
Registered OHVs by County



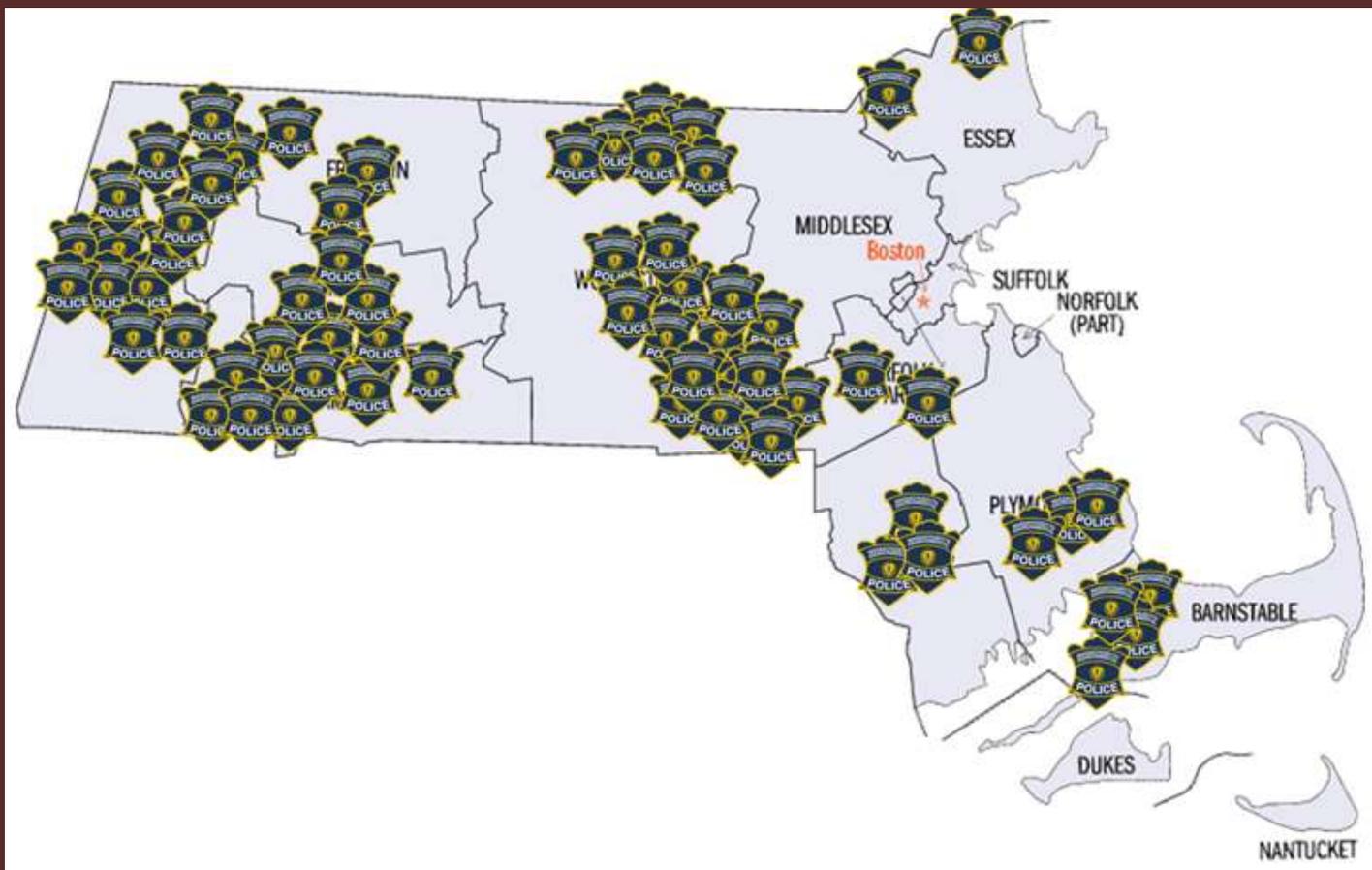
Law Enforcement Staffing Levels



OHV Patrols at DCR Facilities



OHV Patrols Across the Commonwealth



Off-Highway Vehicle Recreation

Background & Briefing

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Scott Morrill

OHV Trail Coordinator

DCR OHV Investments

DCR Recreational Trails Grant Program (RTP)

(Funded through Federal Highway Annual Grant Awards)

Staffing-

Description	RTP Award	DCR or Partner Match	Total
West Region OHV Trail Maintenance Crew	\$157,431 (2008-12)	\$112,371 (2008-12)	\$269,802 (2008-12)
DCR OHV Permit Program Staffing (2011)	\$36,000	\$9,000	\$45,000

DCR OHV Investments

DCR Recreational Trails Grant Program (RTP)

(Funded through Federal Highway Annual Grant Awards)

Trail Maintenance, Improvement, & Rehabilitation Projects

Description	RTP Award	DCR or Partner Match	Total
Projects Coordinated by DCR <ul style="list-style-type: none">• Beartown S.F.• Pittsfield S.F.	\$301,0010 (2008-13)	\$55,062 (2008-13)	\$356,0712 (2008-12)

DCR OHV Investments

DCR Recreational Trails Grant Program (RTP)

(Funded through Federal Highway Annual Grant Awards)



DCR OHV-Related Investments

DCR Recreational Trails Grant Program (RTP)

(Funded through Federal Highway Annual Grant Awards)

Trail Maintenance, Improvement, & Rehabilitation Projects

Description	RTP Award	DCR or Partner Match	Total
Projects Coordinated by Partner/Rider Organizations on DCR Property <ul style="list-style-type: none">• Freetown-Fall River SF• Pittsfield S.F.• Franklin S.F.• Tolland S.F.• F. Gilbert Hills SF	\$110,772 (2008-13)	\$30,909 (2008-13)	\$141,681 (2008-13)
Snowmobile Trail Maintenance/ Improvement projects & Equipment	\$897,289 (2008-13)	\$319,703 (2008-13)	\$1,216,992 (2008-13)

DCR OHV Staffing-Related Efforts

Funded through OHV Program Fund:

- 1 Seasonal OHV Trails Coordinator in the West Region
- 1 Seasonal Forest & Parks Supervisor in the South Region
- 5 Seasonal Park Rangers (3 in the West Region, 2 in the South Region)
 - *Patrol OHV trails, providing visitor safety, education, DCR presence*
 - *Respond to complaints regarding illegal trail construction and OHV riders in need of assistance due to medical emergency or stuck/stalled vehicle*



DCR OHV Staffing-Related Efforts

Funded through the TRP Grant Program:

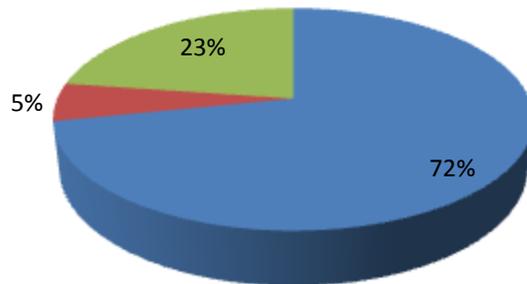
- 2-3 Seasonal Trail Maintenance Crew members in the West Region
 - *Responsible for trail maintenance such as bridge repair, tread repair, tree removal, drainage upkeep, and similar trail work*



DCR OHV Staffing-Related Efforts

Costs of Operation 2014

- Fleet Upkeep: \$2,436.37 Mostly ATV / UTV and trailer costs such as trailer light, oil, A-arms, sway bars, clutch, belts etc.
- Safety Equipment: \$187.59 Gloves, helmet, goggles, rain gear etc.
- Tools / Materials: \$771.42 Chainsaw files and chain, bar and chain oil, hammers, nails, drill, paint and brushes, chisels, lumber, marking tape, rope etc.



Western Region OHV Program



DCR OHV Permit Program

Background:

- Established at Pittsfield S.F. on May 29, 2010 to maintain safe user levels and gain a better understanding of OHV use
- In the 2012 OHV season the system was expanded to include Beartown S.F. and October Mountain S.F.



DCR OHV Permit Program

Allows us to have access to information such as:

- *Number of permits issued*
- *Number of OHV users we see every year*
- *Average number of permits issued per day*
- *Percentage of motorcycle use, ATV use, and side-by-side OHV use
(What customers are riding on our trails)*
- *Percentage of customers who are returning guests*
- *Highest number of riders we had for a day*
- *Where our guests are traveling from*
- *Average distance travelled by our guests*
- *Information also sorted by park*

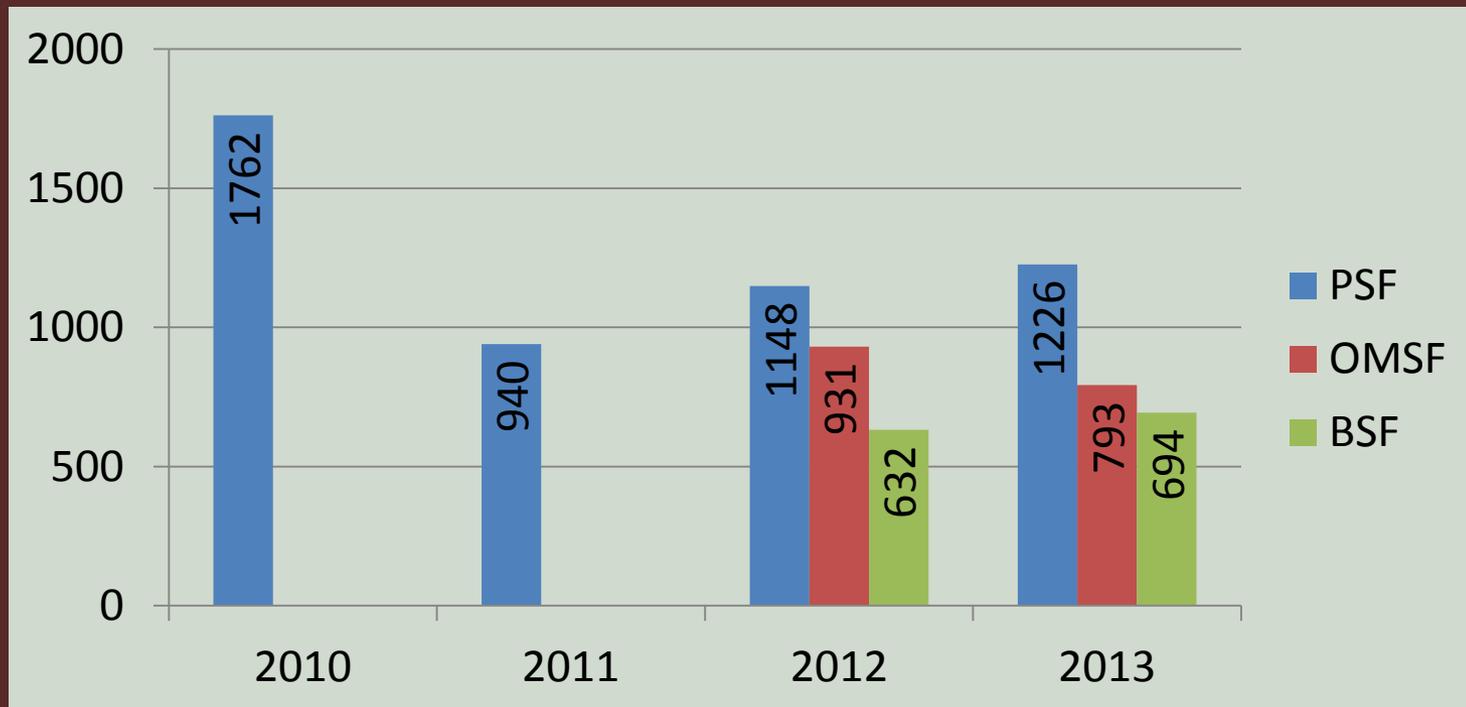
DCR OHV Permit Program

Also allows us to:

- Monitor use levels and quantify changes
- Have access to customer contact information to improve service and provide emergency notifications

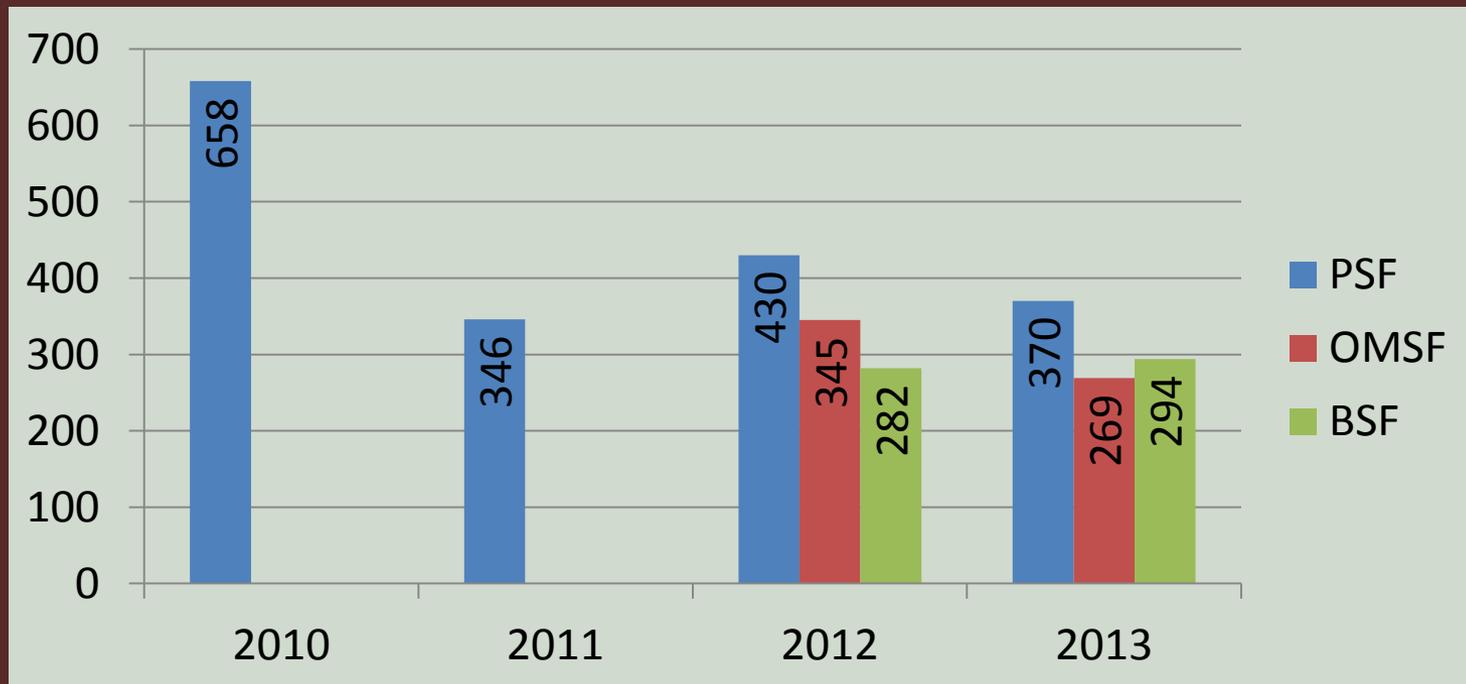
DCR OHV Permit Program

Total Permits Issued (2010-13):



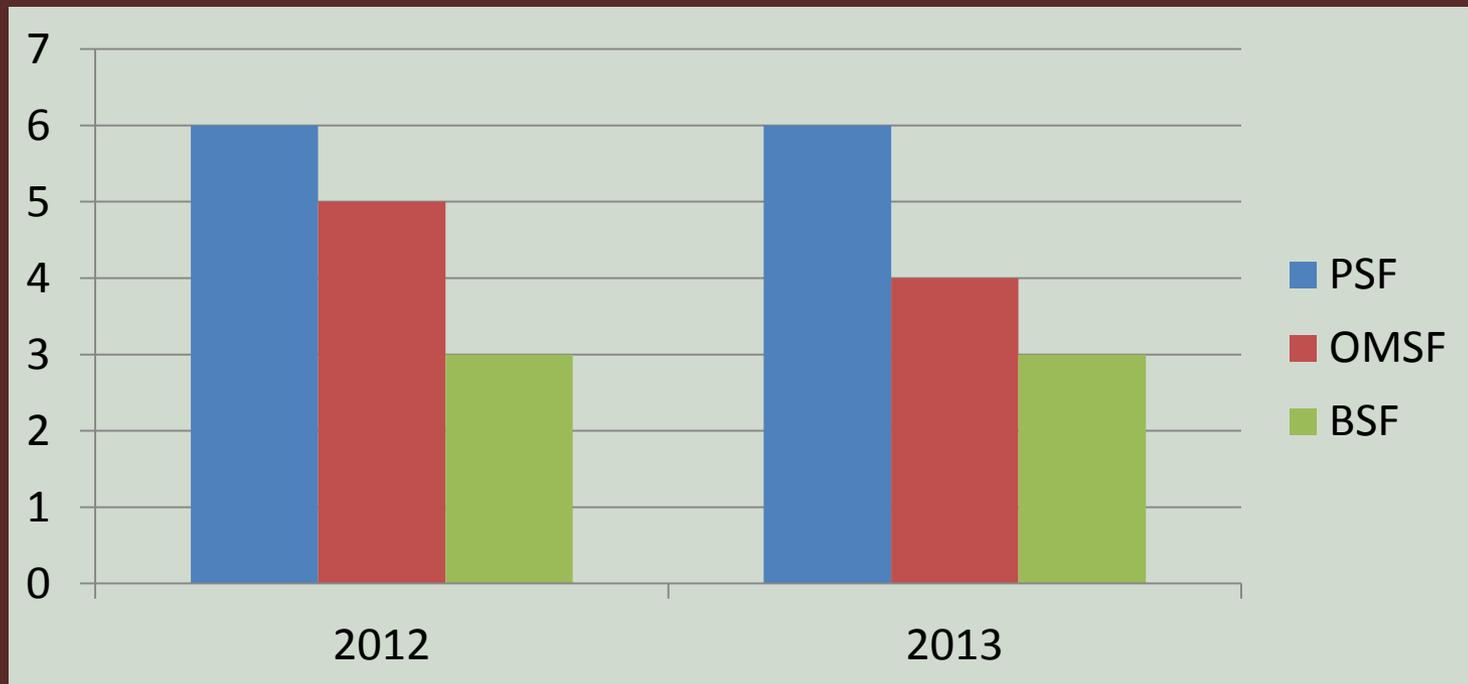
DCR OHV Permit Program

Total Number of Users (2010-13):



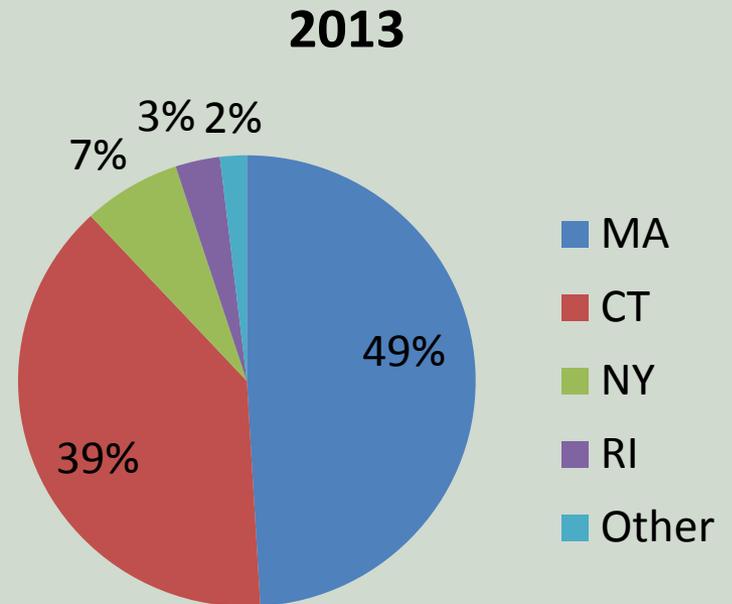
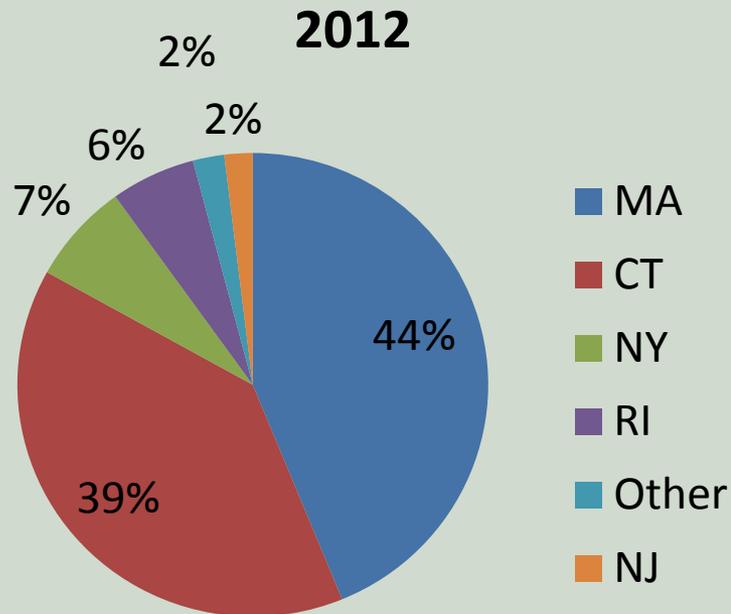
DCR OHV Permit Program

Average Number of Permits Issued Per Day (2012-13)



DCR OHV Permit Program

Percentage of Users by State (2012-13):



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Questions?