

November 3, 1997

Tom Deangelis
Swanzey Police Department
P .O., Box 10009
Swanzey, NH 03446-0009

Dear Detective Deangelis,

Per your request regarding information pertaining to the use of OHRV's on the state owned recreation trail in the town of Swanzey.

It is the policy of the DRED that all lands owned or under lease to the dept are closed to OHRV's unless approved and signed open. {Res 8501.01 All of the state owned rail corridors in cheshire county remain closed to wheeled OHRV's use as a federal requirement place on the property at the time of purchase by the Federal Highway Administration.

A premise of OHRV law has been that it is the responsibility of the operator to obtain landowner permission before riding. The issue of ownership has been well documented in the local papers. When an OHRV operator calls our office they are told they can not ride on that property, or any of the other state owned rail grades in Cheshire County. We send out a brochure and map as to where they could ride legally upon request. The recreational trail has been posted closed to all motorized wheel vehicles, however the signs are vandalized almost as fast as we can put them up. The one exception to the rule is that some of the local trail groups have been assisting with the maintenance on the trail and they use pickup trucks and ATV's with our permission. They receive a letter pertaining to that permission and the local police department is sent a courtesy copy.

I believe we have already forwarded a copy of pertinent laws and rules to you. They are RSA 215-A:3-a, rules Res 8501.01, and Res 101.06. If you need certified copies please contact us.