

ATV Watch

From: "ATV Watch" <Andrew@ATVWatch.com>
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Cc: <tjameson@dot.state.nh.us>
Sent: Tuesday, April 17, 2007 2:19 PM
Subject: ATV Use on TE Funded Rail Trails

Hello Mr. Brillhart,

I was just checking in on the status of resolving the issue of motorized ATV use on the TE funded rail trails. Your last letter indicated that the New Hampshire Department of Transportation (NHDOT) anticipated providing ATV Watch with a response by the end of March, but we have not yet received anything.

From the information we have it seems clear that under Federal Statues the only allowed motorized use of the TE funded rail trails is for snowmobiles. Assuming we are correct, the following are some of the issues which concern us:

1. The Bureau of Trails continuing to promote the use of ATVs on the TE funded rail trails perpetuates the damage to the trails and abutting lands resulting from the ATV use.
2. The Bureau of Trails continuing to promote the use of ATVs on the TE funded rail trails could open the State up to criticism if there are any ATV related accidents on the trails.
3. The issue has been in the hands of the State for several months and the State has not taken this window of opportunity to appropriately post the trails before the snow cover is gone. This could result in riders anticipating continued ATV use on the trails in the summer and then next winter with the associated consequences.

If the State intends to "work around" the restrictions to ATVs by petitioning the Federal Highway Administration for a waiver, through State legislation, through administrative rules or any other means, I am formally requesting, under New Hampshire's Right to Know law advanced notification of any related meetings. I am also requesting, under New Hampshire's Right to Know law, that all governmental records related to the process be preserved and a copy provided to ATV Watch.

The citizens of New Hampshire are fortunate that the NHDOT had the foresight to acquire these trails and that the NHDOT maintains ownership and control of the rail trails. In the past the NHDOT has demonstrated a balanced and thoughtful approach to decision making regarding the trails. Unfortunately, the Bureau of Trails, which manages the rail trails, has repeatedly demonstrated that their decision making is heavily influenced by the fact they are funded directly from ATV registration fees.

Sincerely,
Andrew Walters
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4/20/2007