



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



Victoria F. Sheehan
Commissioner

William Cass, P.E.
Assistant Commissioner

October 24, 2017

New Hampshire OHRV Clubs

As this year's OHRV riding season comes to a close I wanted to take this opportunity to bring to your attention the latest information regarding the use of New Hampshire Department of Transportation (NHDOT) rights of way as Off- Highway Recreational Vehicle (OHRV) trail crossings and connectors. Given the vast network of state roadways throughout New Hampshire, the need to cross these facilities, to access the trails on private lands, as well as other public lands, will certainly occur. In addition to these highway crossings, there may be very rare cases where the use of either the Department's on-road facility or the roadside right of way may be required.

The Department of Transportation has been working with the Department of Natural and Cultural Resources- Bureau of Trails and has now completed the Department's OHRV Crossing and OHRV Connector policies. I have attached copies of both of these documents to this correspondence for reference as you plan your club's activities in future seasons. These documents provide a systematic process for the OHRV community to reference and follow as they formalize existing and plan future networks.

It is important to note however that no crossing or connector that exists on NHDOT property is exempt from the need to seek, and have granted, a permit for the use of the NHDOT right of way. Although the NHDOT understands that historically individuals may have used a section of highway right of way, this use was never formally authorized and therefore not allowed per RSA 215-A. The creation of these policies will allow this formal process to occur, similar to the way it has for decades with the snowmobile associations.

By state statutes, the Bureau of Trails is the Permittee for all snowmobile and OHRV permits that are to be issued by the NHDOT. Therefore the Bureau of Trails should be the main point of contact for the OHRV clubs when a permit is required from the NHDOT. If you wish to provide a copy of the application to the District office, so that they are aware that an application is in the system, this would be encouraged. In an attempt to be proactive, the NHDOT requires that a meeting be held by the Bureau of Trails for any off road connector, even prior to the submission of an application, due to the complexity of that type of trail request.

The NHDOT understands that some aspects to the requirements that will be contained in an OHRV permit will have a cost associated with compliance. For this reason the NHDOT cannot stress the importance of advance planning on the part of the clubs to assure that you have sufficient funds to meet the requirements, either through fundraising, membership dues or OHRV grants administered through the Bureau of Trails when a permit is issued.

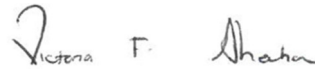
Similar to the process that the NHDOT has used for decades with the issuance of driveway permits, the applicant will be allowed one year to construct the required conditions as detailed in the permit and/or described in the policies and design typicals. This allows the clubs sufficient time to gather the resources to comply with the permit requirements. For any new crossing or connector these conditions shall be met prior to any use of the NHDOT right of way by OHRV's. It is realized that there are some areas that have been utilized historically that also need to be permitted. To assure continued trail connectivity, the Department will expect that all pre-existing crossings and connectors can be utilized as they exist currently, but must be permitted and constructed to the required standards by September 30, 2018. Any crossing or connector not meeting the required standards set forth in the permit by that date shall be closed until such compliance is met. It is further required that applications for all pre-

existing crossings or connectors shall be submitted to the NHDOT prior to the start of the 2018 OHRV season. Any deemed unsafe as currently configured will be denied and such crossing or connector closed for use immediately.

It is the intention of the NHDOT to continue to work with the Bureau of Trails and the OHRV clubs statewide as the need for the use of our right of way is realized. The clubs should do all that they can to minimize this need of highway right of way and focus on developing their trails where they are best suited and intended. The NHDOT's mission in developing these policies is to provide the maximum safety and protection for the highway traffic, while ensuring we are good stewards of the infrastructure on behalf of all the citizens of New Hampshire.

I hope this information has been helpful to you. The Department's policies relative to OHRVs can be found at the following link: <https://www.nh.gov/dot/org/operations/highwaymaintenance/documents.htm>. If you have further questions you may contact Mr. Caleb Dobbins, State Maintenance Engineer at (603) 271-2693 or Caleb.Dobbins@dot.nh.gov.

Sincerely,

A handwritten signature in cursive script that reads "Victoria F. Sheehan".

Victoria F. Sheehan
Commissioner

cc: Jeffrey Rose- Commissioner, Department of Natural and Cultural Resources
Philip Bryce- Director of Parks and Recreations, Department of Natural and Cultural Resources
Chris Gamache- Bureau of Trails Administrator, Department of Natural and Cultural Resources
Caleb Dobbins- State Maintenance Engineer, Department of Transportation