



Please Vote YES on HB18-1103

Additional Safety Requirements for Operation of Off-Highway Vehicles are NOT in Conflict with State Rules

Sponsors: McLachlan/Coram

The recreational use of off-highway vehicles (OHVs) is an important tourism amenity in Colorado. A wide number of our counties – primarily on the Western Slope and in the San Luis Valley - have tourism economies that are dependent upon attracting OHV riders to their communities. Many of these counties have spent years working on programs and designating road networks that attract thousands of riders from across the country each year. In many mountainous communities, primitive county roads often double as OHV trails, and this has put more OHV riders in direct proximity to four-wheel drive vehicles and the general travelling public – necessitating additional safety measures.

Following several fatalities, Hinsdale County passed an ordinance this past year that requires safety belts, eye protection, helmets (for riders under 18), and other safety requirements for individuals operating OHVs on county roads. The county was notified by the state that they will not be eligible for grants from the State Trails Program because these local regulations are not in alignment with state park rules - which require only working brakes, headlight/taillights, mufflers and spark arrestors for OHVs.

HB 1103 simply clarifies that local governments adopting **additional** safety regulations for OHV operators on roads within the county's jurisdiction are not in conflict with state rules or statutes. Please note that agricultural use of OHVs is **exempt** from local government access and safety ordinances.

Please Support Efforts to Make OHV Use on County Roads Safer

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Legislators-

My apologies for not being able to be there today in person. Due to staff shortages, it became difficult to use up 24+ work hours for two of us to make it here today.

House Bill 18-1103 is plainly and simply all about public safety. Yes, certainly it finally does clarify the ability of local governmental bodies to adopt the safety factors listed therein without being in conflict with other state law(s). But, it should be noted that the four counties (Hinsdale, San Juan, San Miguel and Ouray) containing or adjacent to what is commonly referred to as the "Alpine Loop", have already proactively done just this, all or at least in part.

Sheriff Bruce would like to note that as far as the number of occupants on ATVs/OHVs is concerned, his agency is allowing two people to occupy an ATV, which is nominally thought to be for one person only. The reasoning behind this is that, this has not been a problem in Hinsdale County, has not cause any crashes and because a significant number of visitors cannot afford more than one machine. In all other instances, the occupants are in fact restricted to what was designed by the manufacturer.

Like the transition at the turn of the century from true horse-power to fossil fuel energy horse-power, the hue and cry was that surely this was the "end of the world" as they knew it. Today, some of the clamor and rhetoric is along those same lines. Sheriff Bruce has been accused of having "Opened the gates of ATV hell" with his permissive attitude concerning ATVs and OHVs. That is ridiculous. These machines now often rival the size and power of two door Jeep Wranglers, with them having safety features not found on the older Jeeps, pickups and SUVs. This is simply yet the latest metamorphosis of our next means of travel for recreation. Certainly, they are far safer than the large motorcycles traveling down our state and interstate highways. Already treated as motor vehicles in seven other states, Sheriff Bruce

believes the day will come when the Colorado Assembly will also so treat them. Obviously restricted to certain sections of state highways that have lower speed limits.

These machines have been interacting with motor vehicles viewed as "normal" for years now in our counties. In Hinsdale County we have yet to have had an OHV/ATV crash with a car/pickup/motorcycle. Sheriff Bruce's observations are that the operators of these machines tend to be more safety conscious than the average driver of licensed motor vehicles.

Finally, our counties that have instituted these stronger and safer standards than existing state law, have been penalized by the Colorado State Parks Trails grant processes for simply believing public safety standards need to be beefed up.

Sheriff Bruce closes by saying that his experience is that visitors to his county are extremely grateful to have stronger safety standards in place, that make their visit a safer one.

A handwritten signature in black ink, appearing to read "R. Bruce". The signature is stylized with a large initial "R" and a long horizontal stroke at the end.

Ron

OHV Bill (HB18-1103)

My name is Cindy Dozier and I am a Hinsdale County Commissioner. Thank you so much for considering this bill and especially, thanks to Senator Coram for championing our cause of increasing safety on the Alpine Loop. We hope that you will support HB18-1103.

As you can see from your pictures, things can get a little wild on the Alpine Loop and in Hinsdale County. As the most remote County in the lower 48, with 96.5% public land, we are where folks come to recreate. The Alpine Loop sees over a quarter million visitors each year and we want these folks to enjoy our public lands and we want to help them stay as safe as possible. In Hinsdale County and Lake City, we have embraced OHV's as part of our heritage tourism economy. Our neighboring counties, San Juan, Ouray, and San Miguel make up the rest of the "Loop" and we all want to be united in our expectations of the Loop's use. Hinsdale and San Juan Counties have hired an "Alpine Ranger" to assist folks as they travel the Loop. Our ranger serves as an ambassador and helper to many up on the Loop. He gives directions, medical aid, lots of instruction and generally assists all.

Since I am a Hinsdale County Commissioner, I will speak from that perspective. Since 2007, Hinsdale County has had an ordinance in place requiring a driver's license for OHV operators. This was different than the CPW regulations and caused some conflict. This conflict impacted the four counties' ability to receive grant funding from the State Trails Commission. A couple of years ago, we clarified legislatively that we were not in conflict with the state. We believe that the driver's license requirement prevented many accidents. Since that time, OHV's have changed dramatically to include side-by-sides which drive more like a car. With these changes in vehicles, we still see fatalities and other unfortunate events, so our sheriff brought forward the plan to increase safety requirements for our OHV users. We enacted an ordinance last summer, along with San Juan County that codified these requirements and we believe that the requirements save lives.

Here's one little story that explains the value of our ordinance...our alpine ranger, Alan Rae, met up with a family in a side-by-side at a gas station in our little town. They were holding an infant in their arms and Alan was concerned for the baby's safety. He asked the parents to please get a car seat for the baby before they went around the Loop. They listened. Later that day, they rolled their OHV. The baby was found safe. What was that life worth?

You will see in your packet a letter from our sheriff explaining some of our issues and solutions on the Loop. The reason we bring this small piece of legislation is so that we can be considered for state funding for our Alpine Ranger program.

The bill is permissive, has an agricultural exemption and ONLY applies to county jurisdiction roads.

We in Hinsdale County want folks to enjoy the beautiful country we have there. We simply want to maximize their success by helping them be safe. Please vote yes for 1103.

Thank you.

Cindy Dozier,
Hinsdale County Commissioner