



New Hampshire Fish and Game Department

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May 11
April 7, 2021

Dear Selectmen/Town Officials:

I am writing this letter to address the increasing call volume and demands for response involving Off-Highway Recreational Vehicles (OHRVs) in the communities that have agreed to open their town roads and jurisdiction to said activity. Many of these calls are forwarded to the NH Fish & Game Department to distribute to the closest Conservation Officer. In years past, this was an acceptable practice as OHRV laws are located in Title 18 (Fish & Game Law); however, as the expansion of trails and roads open to OHRVs and the popularity of the sport grows, these constant calls and complaints have become excessive and most times, takes an officer away from their primary mission as a Conservation Officer – natural resource compliance and enforcement.

Since my promotion to the position of Chief of NH Fish & Game District One, which encompasses all of Coos County, I have seen the dramatic increase in calls regarding OHRVs and question why these calls are being forwarded to my officers. When it comes to actual OHRV trails that run through the woodlands on both public and private lands, I agree that all complaints or calls for service should come to the local or closest Conservation Officer to handle; however, complaints or calls pertaining to OHRVs on roads that were opened to OHRV use by the town or community need to be handled by the town. Pursuant to RSA 215-A:15, towns can pass bylaws or ordinances regulating the operation of OHRVs within city or town limits, provided that they do not conflict with provisions of this chapter. However, under section 1-a. (a), it states that *any municipality that enacts an ordinance or bylaw under paragraph 1 relating to this chapter shall be responsible for the enforcement of such ordinance or bylaw.* This is what I will be referencing when any future calls regarding OHRV operation on a town-opened road occurs.

There are only six Conservation Officers currently assigned in Coos County and very rarely are all six on duty at once. Our enforcement responsibilities have expanded exponentially over the years, and the personnel necessary to handle all these responsibilities has not. The surge in OHRV activity is the main contributing factor behind this demand. It is simply too much to handle with such a small staff, and saying "No" or not being able to respond to complaints is the only avenue we have in prioritizing what we can do.

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