

## Off Highway Recreational Vehicle (OHRV) Usage Policy

The purpose of this policy is to provide guidance to the citizens of the Town of Monroe with respect to usage of Off Highway Recreational Vehicles known as OHRVs. This policy identifies the age requirements, permitted access and travel routes, the lawful operation, and prohibitions of their usage within the Town of Monroe.

### 1. Definitions:

**Off Highway Recreational Vehicle** – (commonly known as OHRV) is defined as an off-highway recreational vehicle (OHRV) which is any mechanically propelled vehicle that is used off a public way for pleasure or recreation purposes and runs on rubber tires, tracks or a cushion of air, and depends on the ground or other surface for travel and has an operator who sits in or on the vehicle. All legally registered motorized vehicles when used for off-highway recreational purposes are OHRVs. OHRVs include all terrain vehicles (ATVs) and utility terrain vehicles (UTVs). Snowmobiles as defined in RSA 215-C are not included in this policy.

**Street or Road** – defined as the entire width between boundary lines of a place used by members of the public for the operation of vehicular traffic.

**Highway** – defined as a main road, especially one connecting major towns or cities. The highways in Monroe are maintained by the State.

### 2. Age Requirement for OHRV usage

OHRV/Wheeled Vehicle Requirements						
	Operating on Personally Owned & Public Property		Operating on Private and/or Public Property			
Age	Helmet & Eye Protection	Carry Passengers on ATV	Accompanied by Licensed Adult Over 25	Driver's License or Safety Certificate	Operate Across Roads	Operate Along Designated Roads**
* <b>All operators and passengers under 18</b> must wear a helmet. <b>All operators</b> must wear eye protection unless the OHRV has a windshield or screen that covers the eyes.						
** To operate along <b>approved</b> roads, must possess a valid driver's license OR must possess valid safety certificate and must be accompanied by an adult at least 25 years of age who possesses a valid driver's license.						
<b>Under 12</b>	Yes*	No	Yes	No	No	No
<b>12 or 13</b>	Yes*	No	Yes	Yes	Yes	Yes**
<b>14 or 15</b>	Yes*	No	No	Yes	Yes	Yes**
<b>16 or 17</b>	Yes*	No	No	Yes	Yes	Yes**
<b>18 and Over</b>	No*	Yes	No	Yes	Yes	Yes**

### 3. Permitted Travel Routes:

As of passage of this policy, the following Town Roads are open to OHRV operation

Smutty Hollow Road – entire road  
Lang Road – entire road  
Buffum Road – from Pete and Gerry’s barn and sand pit drive to 162 Buffum Road  
Coppermine Road - entire road  
Nelson Road - entire road  
Grange Hall Road – entire road  
Mountain View Road – entire road  
Plains Road - top of hill by Gibson Farm to Hunts Mountain Road  
Hunts Mountain Road – from Plains Road to top of the mountain  
Harley View Drive – entire road  
Pine Hill Road – entire road  
Bedell Circle – entire road

### 4. Private Property:

Private property may only be traveled on with written permission from the property owner.

5. **Speed Limits:** Unless otherwise posted, the speed limit on the roads in the Town of Monroe is 20 mph. Speeds should be reduced when approaching a curve, hill crest, pedestrian or another OHRV.

### 6. Prohibitions

The following items are prohibited:

- a. No OHRV shall be operated on a town street without displaying a valid registration decal.
- b. No OHRV shall be operated on a town street that is not properly signed for usage as an OHRV permitted route.
- c. No OHRV shall be operated on a town street at a higher speed than posted OHRV speed. Slower speeds are recommended when existing conditions are hazardous.

Also, OHRVs are expected to reduce speed when approaching a curve, a hill crest, a pedestrian, or another OHRV.

- d. No person shall operate any OHRV on any town street so as to endanger any person or damage any property.

- e. No OHRV shall be operated on any town street from ½ hour after sunset to ½ hour before sunrise except in an emergency.
- f. No OHRV shall be operated on any town street without working head or tail lights.
- g. No OHRV shall be operated on any town street unless it is equipped with mufflers and an exhaust system.
- h. No OHRV shall be off-loaded from a trailer/vehicle in the parking lot between the Monroe Methodist Church and the Monroe Town Library. Parking of any trailer/vehicle used to transport an OHRV is not allowed on the side of the roads or on Town property.

## 7. Accidents

- a. Accidents must be reported if:
  - Anyone is injured or killed, or
  - Property damage of over \$1,000 occurs.
  - Subject to change.
- b. A person who is involved in a reportable accident must:
  - Stop and give their name, address and registration number to others who were involved in the accident or whose property was damaged;
  - Report accident to nearest police officer or police station; and
  - File a report with Fish and Game within 5 days. **Accident report form can be found at [wildnh.com/ohrv](http://wildnh.com/ohrv)**
- c. Financial Responsibility:
  - All provisions of the New Hampshire Financial Responsibility law shall apply to an OHRV operated on a public highway. Any person who fails to report an accident involving death or personal injury shall be guilty of a Class B felony.
  - OHRV insurance is not required to operate in New Hampshire, however, liability insurance protection is recommended.

## 8. Penalties/Enforcement

Any person who violates the provisions of this policy shall be deemed guilty of a violation and shall be penalized. Enforcement of this policy shall be in accordance with NH RSA 31:39 by the Board of Selectmen or their designee.

When a person breaks the law, they may be given a summons to appear in court or a ticket. Most laws are violation-level offenses, which may carry a penalty of up to \$1,000.

A few statutes are criminal misdemeanors, which are punishable by higher fines and/or one year in jail.

1. Misdemeanors include refusing to stop for a police officer, unauthorized use (stealing), removing or defacing signs, and a second offense for operating on railroad tracks, cemeteries or airports or for offenses for operating while under the influence of drugs and/or alcohol. Some offenses carry a requirement to attend a Responsible Rider Safety course.
2. Any offense that occurs within a public right-of-way can be considered a motor vehicle offense and motor vehicle laws may apply. These may impact a person's driver's license privileges.

If an OHRV is involved in an offense, the registered owner may be held liable, and the registration may be revoked. Effective 7/1/2019 fines have been increased through legislation.

3. Minors: When a person under 16 years old breaks the law, the officer can have the vehicle towed and impounded for up to 24 hours. A summons may also be issued. If an adult has knowledge that a child under the age of 16 was operating the vehicle illegally, the adult may be liable for the actions of the child.
4. Signs and trail markers are established for public safety. A great deal of time and money is spent to erect these signs to improve your riding experience. Please pay attention to them. It is illegal to remove, destroy, deface or obstruct signs and markers on trails or on private property. Violation of this law is a misdemeanor.

Adopted this \_13th\_\_\_\_ day of October, 2020 by the Selectmen of the Town of Monroe.

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