

DEFINITIONS

Accompanied by means when a person is within sight and when actual physical direction and control can be affected.

ATV (All Terrain Vehicle) is any motor-driven vehicle which has one or more low pressure tires (less than 10 psi) designed to carry one driver and/or payload, weighing less than 1,000 pounds and not exceeding 50 inches width.

OHRV (Off Highway Recreational Vehicle) is any mechanically propelled vehicle used off of a public way for recreational or pleasure purposes and dependent on the ground or other surface for travel. All legally registered motor vehicles used off the highway for these purposes shall be deemed as an OHRV.

Operate means to use that vehicle in any manner for transportation.

Public Way means any public highway, street, sidewalk, alley, parking lot or frozen body of water. Public way includes both the traveled portion of a road and the sides or shoulder of a road up to the boundary of abutting property owners.

Resident is a person who has lived in this state for 6 months or longer and has not claimed residency in any other state. Presentation of a valid N.H. driver's license or N.H. non-driver photo ID is required to prove residency.

Snow Traveling Vehicle (snowmobile) means a vehicle not more than 54 inches wide and not more than 1,200 pounds designed to travel over snow or ice, supported by skis, belts or cleats.

Trail Connector means a specific portion of an OHRV trail within a state highway right-of-way authorized by the Department of Transportation. Contact the Bureau of Trails for a list of approved trail connectors.

REGISTRATIONS REQUIRED

All OHRVs must be registered if operated off of the owner's property. There are no additional trail user fees in N.H.

Conventional motor vehicles (cars and trucks) that are legally registered as a motor vehicle do not have to obtain an OHRV registration. Motorcycles which are registered for highway use must obtain an OHRV registration to operate off road.

NOTE: No registration is required for youth model ATVs, trail bikes or snowmobiles if the operator is less than 12 years of age and the youth is accompanied by a properly licensed adult. To qualify, youth snowmobiles must be less than 125cc; youth ATVs and youth 2 wheel trail bikes less than 95cc.

Individuals may register at more than 200 OHRV Registration Agents, and must apply in person. Registrations may also be purchased at Fish and Game Headquarters or through the mail by contacting Fish and Game at 603-271-4300.

An OHRV registration consists of a white certificate and 2 decals. The registration certificate must be carried by the operator of the OHRV and the decals must be properly affixed to the OHRV.

REGISTRATION FEES			
TYPE	FEE	RESTRICTIONS	VALID DATES
Resident		NH residents only.	
Trail bike	\$45	Must show	July 1
Snowmobile (club member)*	\$48	proof of	to
Snowmobile (non-club member)	\$78	residency	June 30
ATV	\$54	and age.	
Non-resident			
Trail bike	\$64	Must	July 1
Snowmobile (club member)*	\$63	show	to
Snowmobile (non-club member)	\$93	proof	June 30
ATV	\$73	of age.	
Antique		NH residents only.	
Snowmobile	\$38	Vehicle must	Permanent
Trail bike	\$38	be at least	
ATV	\$38	25 years old.	
Transfer			
Must be same vehicle type.	\$16	Available to owner if OHRV sold.	Remainder of Registration Year
Lost/damaged			
	\$16	See back side of certificate for instructions	Remainder of Registration Year
Vanity			
	fee,	NH residents only.	July 1 to
	plus \$20	Contact F&G	June 30

*Must present proof of membership of a non-profit snowmobile club that is a member club of the New Hampshire Snowmobile Association. Membership must be for current registration year.

DECAL PLACEMENT

Snowmobiles – One on each side of the cowl or on the outside of the windshield, clearly visible and not obstructed.

ATVs, Trailbikes – One on the front and one on the rear, unobstructed, as high as possible or at a location provided by the manufacturer.

REGISTERING AN OHRV

2005/2006 OHRV Registrations are valid from the date of issue through June 30, 2006 and are not prorated. New registration decals are typically available at OHRV Registration Agents in June.

When registering an OHRV:

1. You must be at least 18 years of age, present a valid driver's license or non-driver photo ID, and apply in person.
2. You must present a valid N.H. driver's license or N.H. non-driver photo ID to qualify for resident rates.
3. You may bring your previous white registration certificate to the registration agency, or must provide the following vehicle information: year of manufacture, make, model, displacement, primary and secondary colors, and VIN (no title or bill of sale is required).
4. You will receive a new registration certificate and two (2) decals.
5. Affix the decals as noted above.

STOLEN OHRVs

The Fish and Game Department maintains a list of OHRVs reported to the Department as stolen. The list is used to help in the recovery of these machines.

If your OHRV is stolen, report the theft to your local police department immediately, then to the N.H. Fish and Game Department. Forward your most recent registration certificate to N.H. Fish and Game, indicating that the OHRV has been stolen.

When reporting a theft and a copy of the registration is not available, the following information should be given:

- Owner information; name, address and telephone number.
- Vehicle information; make, model, displacement, year of manufacture, V.I.N., and primary/secondary colors.
- Registration information; number and most recent year registered. If your OHRV was stolen and is recovered, please notify Fish and Game and/or OHRV Registry.

ACCIDENTS

Every year in New Hampshire, hundreds of people are injured in OHRV crashes and collisions; some die. Since 1996, 63 people have been killed in fatal OHRV accidents in New Hampshire. Approximately 35% had some level of alcohol in their blood. Excessive speed was a contributing factor in 55% of the fatal crashes.

OHRV accidents can be avoided by practicing safe and responsible operation. Besides alcohol, common contributing factors include operating at excessive speeds, riding on thin ice, operating in unfamiliar areas at night and failing to wear protective equipment.

OHRV accidents must be reported if:

- Anyone is injured or killed, or
- Property damage of over \$500 occurs.

A person who is involved in a reportable accident must:

- Stop and give name, address and registration number to others who were involved in the accident or whose property was damaged;
- Report accident to nearest Police Station; and
- File a report with Fish and Game within 5 days.

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.

This publication is a summary of New Hampshire Off Highway Recreational Vehicle statutes; it is not the complete law or rules. The official rules may be examined at:

Administrative Services,

New Hampshire State House, Concord, N.H.

<http://gencourt.state.nh.us/rsa/html/indexes/215-A.html>

2006 New Hampshire Off Highway Recreational Vehicle Laws Digest



The New Hampshire Fish and Game Department receives numerous complaints concerning irresponsible riding. The most common complaints are riding without landowner permission and excessive speed. These complaints combined with other acts of irresponsibility result in the closure of very important trails. Volunteers from local clubs have been working hard with private landowners and state agencies to develop and maintain the existing trail system. These actions make it very difficult for the clubs to either maintain or expand their trail system.

State law requires that all operators over the age of 12 must possess either a valid Motor Vehicle Driver's License or have successfully completed an OHRV Safety Education Class. The New Hampshire Fish and Game Department strongly recommends that all riders participate in a Safety Education Class. Be part of the solution, not part of the problem, take a class, join a club and ride responsibly.

INFORMATION RESOURCES

New Hampshire Fish and Game Dept.:	603-271-3129 www.wildlife.state.nh.us
OHRV Registry:	603-271-4300
Bureau of Trails: For ATV and Snowmobile Trail Maps	603-271-3254 www.nhtrails.org
New Hampshire Snowmobile Association:	603-224-8906 www.nhsa.com
New Hampshire OHVA: Wheeled Vehicles	888-847-1964 www.nhohva.org
Maine OHRV Registry:	207-287-8000
Vermont OHRV Registry:	802-828-2000

RECIPROCITY

For reciprocity questions, please call the state you are interested in riding in. At this time, there is no reciprocity with Maine and limited ATV reciprocity with Vermont.

WHERE CAN I RIDE?

You can ride on trails that are clearly signed and designated for the type of vehicle that you are operating or on land where you have received written landowner permission to ride.

When purchasing or renting an OHRV, all OHRV riders are required to be familiar with the rules and regulations as they pertain to OHRV operation, prior to sale or rental.

POSTED LAND AND DUTY OF CARE

Landowners are not required to post their property against OHRV use. The absence of signs prohibiting OHRVs does not imply that OHRVs are welcome or allowed. Landowners are not responsible to keep their land safe for use by others who may hunt, fish, trap, camp, hike, sightsee or operate OHRVs.

LANDOWNER PERMISSION

Unless you are on an approved trail system or you have obtained permission for the specific piece of land, you are in violation of the law. All land, whether public or private, requires landowner permission. Over 80% of the snowmobile trail system in N.H. is on private property. Respect the wishes of the landowner and stay on designated trails.

It is recognized that OHRV operation may be hazardous. Therefore, each person who drives or rides an OHRV accepts the dangers inherent in the sport and shall not maintain an action against an owner, occupant or lessee of land for any injuries which result from such inherent risks, dangers or hazards.

SOUND LEVELS AND TESTS

Loud OHRVs are a primary cause of complaints from landowners and other trail users. Vehicles powered by “two stroke” engines are the biggest offenders. All OHRV operators are encouraged to ride quiet vehicles. It is illegal to modify an exhaust system in any way that increases the noise level.

Snowmobile noise levels must comply with the manufacturer specifications as contained in the requirements of the Snowmobile Safety and Certification Committee approval. Trail bikes and ATVs cannot emit noise levels that exceed 96 decibels.

OHRVs designed for “closed course competition” may only be used at OHRV competitions, unless the OHRV is modified to meet all equipment requirements including muffler, spark arrestor and noise emissions.

OHRV operators must submit to a sound level test when requested to do so by a law enforcement officer.

SIGNS AND TRAIL MARKERS

Signs and trail markers are established for safety. A great deal of time and money is spent to erect signs. It is illegal to remove, destroy, deface or obstruct signs and markers on trails or on private property. Violation of this section is a misdemeanor.

SPEED LIMITS

SPEED SHALL BE REASONABLE AND PRUDENT FOR EXISTING CONDITIONS.

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|---------------|--|
| 10 MPH | <ul style="list-style-type: none">• Within 150 feet of a bobhouse or fishing hole.• On sidewalks that are open to OHRVs.• On bridges that are posted open to OHRVs.• At trail junctions, in parking lots and when passing trail grooming equipment.• Public ways open to OHRV use. |
| 15 MPH | <ul style="list-style-type: none">• On plowed roads on D.R.E.D. Property. |
| 35 MPH | <ul style="list-style-type: none">• On all trail connectors.• At night on Back Lake in Pittsburg. |
| 45 MPH | <ul style="list-style-type: none">• On all trails where no speed limit is posted. |
| 55 MPH | <ul style="list-style-type: none">• Turtletown Pond, Concord. |

OHRV OPERATION

You must:

- Display a headlight and taillight when operating between ½ hour after sunset and ½ hour before sunrise.
- Have brakes capable of stopping the vehicle within 40 feet at 20 MPH.
- Yield to pedestrians, horseback riders and other trail users.
- Yield to the right and reduce speed when meeting vehicles coming from the opposite direction.
- Stop when requested to do so by a police officer or landowner and give your name and address.
- Display both registration decals.
- Carry valid registration certificate.
- Carry valid driver’s license or OHRV Safety Certificate.

It is unlawful to:

- Operate so as to endanger any person or damage property.
- Operate on railroad tracks or within the railroad right-of-way unless the area is posted as an OHRV trail.
- Operate on airports, airport runways or cemeteries.
- Operate on any road or within the right-of-way except where authorized and posted.
- Chase or harass wildlife.
- Operate on town roads or sidewalks unless posted for OHRVs.
- Operate on or across any highway bridge unless posted as open for OHRVs.
- Tow any person or sled without a rigid hitch.
- Operate while driver’s license is under suspension/ revocation in N.H., any other state or Canadian Province.
- Skim across open water.

OPERATION

Highway Operation. OHRVs are not permitted to operate on the traveled portion or within the right-of-way of any public way, including roads, streets, highways, bridges, parking lots, sidewalks or ways that are maintained by any city, town, county, state or federal agency, except when specifically allowed and posted.

Highway Crossings. Permitted OHRV crossings may be established across some roads, except interstate highways, toll roads and limited-access highways.

At all permitted highway crossings, OHRV operators must:

- Come to a complete stop before the shoulder of the road.
- Yield to all traffic.
- Cross at a 90-degree angle.
- Possess a valid driver’s license or OHRV Safety Certificate.

WETLAND WARNING

Riding in wetlands is against the law, and violators can be fined up to \$10,000 and may be required to restore damages that result.

LICENSE AND AGE RESTRICTIONS

UNDER AGE 12

- Can only operate on land owned or leased by parent, grandparent or guardian, or;
- Can operate off own land if accompanied by a licensed adult over the age of 18.
- Operators must wear helmet and eye protection.
- Cannot cross roads.

AGES 12 AND ABOVE

- Must possess either a valid Motor Vehicle Driver’s license or have successfully completed an approved Safety Education Class.

UNDER AGE 14

- Must be accompanied at all times when operating off of parent’s, grandparent’s or guardian’s property.

UNDER AGE 18

- Operators must wear helmet and eye protection.
- ATV Operators cannot carry passengers.
- All passengers must wear a helmet.

SAFETY EDUCATION

Volunteer instructors teach OHRV Safety Education Classes throughout the state. Successful completion of an OHRV safety class or a valid motor vehicle driver’s license is required to cross public ways for operators 12 years old and above. Please contact Fish and Game Headquarters at 603-271-3129 or go to www.wildlife.state.nh.us for information concerning these requirements or for class schedules. **Note: It is unlawful to operate an OHRV while driver’s license is under suspension or revocation in any state or Canadian province.**

LAW ENFORCEMENT

The N.H. Fish and Game Department is the primary agency responsible for Off Highway Recreational Vehicle law enforcement, however, all law enforcement officers are empowered to enforce OHRV laws.

The activities of Fish and Game Conservation Officers include law enforcement and participation in the safety education program. Each officer is issued a snowmobile and an ATV or trail bike for patrolling.

FINES AND PENALTIES

When a person 16 years or older breaks the law, they may be given a summons to appear in court. Most OHRV laws are “violations.” A few OHRV statutes are “Misdemeanors” which are punishable by higher fines and/or one year in jail. 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 subsequent offenses for operating while under the influence of drugs and/or alcohol.

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.

An OHRV registration can be revoked for breaking the law. If an OHRV is involved in an offense, the registered owner may be held liable.

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 petition to juvenile court 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.

RESPONSIBLE RIDERS SAFETY EDUCATION

If you are convicted of speed or other OHRV offenses, you shall be required to show successful completion of an approved safety education class OR you must attend a Responsible Riders Safety Education course and will be assessed an additional Administrative Penalty.



ALCOHOL/DRUGS

It is illegal to operate or attempt to operate any OHRV while under the influence of alcohol and/or drugs, or with a blood alcohol concentration greater than .08% or .02% if less than 21 years old. Penalties for OHRV DWI and procedures for testing correspond with Motor Vehicle DWI.

OHRV operators must submit to a test or tests to determine blood alcohol concentration. Failure to consent to a test results in the loss of a driver’s license.