

## **Idaho Off-Highway Vehicle Safety on National Forest roads**

In 2009, Idaho Senate Bill 1098 exempted licensing requirements for underage drivers (less than 16 years old) of off-highway vehicle (OHV) on all Forest Service roads. Previously, Idaho law prohibited use of OHVs by unlicensed riders on roads open to passenger vehicle traffic.

While responsible OHV recreation is welcome on National Forest System (NFS) roads, safe operation of all types of motor vehicles of NFS roads is compromised by Senate Bill 1098 because it allows underage, unlicensed and untrained drivers sharing NFS Roads designed and maintained for passenger cars and trucks that often operate at higher speeds.

The Forest Service is working with OHV user groups on a proposal to require safety training and certification of underage/unlicensed OHV drivers and develop a better definition of required supervision of underage drivers. The proposal (House Bill 706) was introduced in the Idaho House near the end of the 2010 legislative session. With the support of the OHV user groups another attempt will be made at the Idaho Legislature for passage in 2011.

While legislation to require safety training for underage OHV operators is necessary to addressing most safety concerns on National Forest roads, there are still some road segments where each National Forest will conduct a hazard assessment and identify a limited number of roads for further evaluation and possible mitigation.

On the Payette National Forest approximately 1800 miles of National Forest System roads are open to OHVs and full size vehicles, including trucks, RVs, and construction equipment. About 271 miles of these roads are being evaluated due to safety concerns because speeds are faster and drivers of passenger and other vehicles are not expecting to share the road with OHVs. Some other roads are of concern due to road width, sight limits and traffic volume.

We have mapped these Roads of concern on the National Forest and have posted maps on the website to share with local government leaders, OHV user groups and the general public.

We are interested in public comments on each road of concern, whether people know of additional road segments or locations we should look at, what people know about use patterns (e.g., what locations seem to be popular with user groups), and safety issues such as encountering cars and trucks on the road.

The Payette National Forest is also considering a variety of potential safety mitigation measures for each road of concern that may include actions such as doing nothing, traffic signing, continued public awareness efforts, or for the most acute situations, restrictions on OHVs.

The public's concerns will be considered by the Forest Supervisors and Regional Foresters as safety mitigation measures are implemented in 2011. The appropriate course of action on safety measures will take into account whether or not the proposed legislation for safety training is enacted by the state of Idaho.

Because of the cooperative work to date and because of a specific request from Governor Otter, the Forest Service did not implement vehicle restrictions on NFS roads in Idaho in 2010.

## Questions and Answers

Q: Why are you doing this now and wasn't this addressed in the Travel Planning that has been going on?

A: Our Forest launched travel planning several years prior to Idaho law being changed in 2009. At the time we started travel planning we assumed that state licensing and age requirements were in place and it would not be necessary to conduct a mixed-use analysis.

Q: What do you mean with the term "mixed-use" traffic?

A: We are referring to the mixing of OHVs and highway vehicles (cars, trucks) using the same National Forest System road.

Q: Are you looking at every road on the National Forest?

A: In a word, no. Not all roads that traverse National Forests are solely part of the National Forest road system. The other roads are considered local roads under county or highway district jurisdiction, or state highways.

Q: So what about these other roads on the National Forest? Can we drive OHVs on them?

A: There are many roads that are under the authority of a county road department or a local highway district and there is a different state law that applies to OHVs. Those roads may be open or closed to OHV use but the operator is required to have a driver's license. State highways and freeways on National Forests do not allow OHVs, but there is a state law that allows the Idaho Transportation Board to designate crossings.

Q: What roads are of most concern to the Forest Service?

A: Approximately 7,700 miles of NFS roads in Idaho are open to passenger vehicles with about 700 miles either paved or two-lane. The 700 miles of paved and two-lane roads have greater traffic volumes and generally higher speeds. We also want to examine other roads where there may be hazards due to the road having blind curves for example.

Q: What about trails?

A: Motorized trails are not a part of this concern. The concern is about mixed traffic on roads. Motorized trails don't have mixed traffic because only OHVs are allowed.

Q: OK, I get that. But what about OHV trails that may include a road as part of a loop?

A: Those are a great example of where we want to hear from users about their experience with mixed traffic. Some trail systems are the product of substantial investment and may have a road segment as part of it.

Q: So is this just a question of closing roads to OHVs?

A: Not at all. Some mixed traffic safety issues may be a situation where increased public awareness can mitigate the concern. For example, an alert to OHV drivers about mixed traffic at an information kiosk may be the answer. In other situations it may require signs along the road warning both OHV and car drivers to be aware of mixed traffic. Only in the most significant risky situations would we need to look at vehicle restrictions.

Q: So vehicle restrictions would only be a last resort?

A: Yes.

Q: What about narrow windy roads?

A: In some situations we may be looking at brush control to improve being able to see further. There may even be some situations where a long-term solution will require some work on the road.

Q: How will this affect Idaho law where you and OHV groups have worked together to try to get a law to require OHV safety training for youth?

A: It depends. For some road segments that present a physical on-the-ground issue (such as brush clearing) a change in the law would not really be a factor. Locations where we have identified high recreation use mixed with lots of traffic are areas we believe user safety can be enhanced if youth have completed safety training and are properly supervised. Your example of loop trails that involve a road is applicable here.

Q: So if you are going to make your own decisions about roads why are you bothering the state about its law allowing unlicensed, untrained and underage OHV drivers on National Forest roads?

A: We believe the State of Idaho and the Forest Service share a mutual interest in providing opportunities for people to responsibly drive OHVs in a reasonably safe environment. The best way to achieve that is a drivers license and minimum age. Second best is to have safety training and adequate supervision. We think it is analogous to the required hunter safety training.

Q: Why don't you just require drivers licenses for operators of OHVs just as the law is for county and highway district roads?

A: Forest Service policy is to rely on state jurisdiction for licensing of individuals. This decision was part of the national travel planning rule in 2004 because the conclusion was separate registration or licensing processes for operators for the National Forests would be confusing, inefficient, and intrusive.

Q: Does it really matter whether you have public comment because it appears you have already figured everything out and we are just going through the motions.

A: No, we believe we can learn information from OHV users and the public about areas that are important where there is significant recreation use that may present a safety conflict due to the nature of the roads or with mixed traffic. Use patterns are changing constantly because there are more licensed OHVs in Idaho every year.

Q. Would these proposals involve BLM administered roads? What are they doing about mixed use now?

A. The BLM roads are not affected. BLM is observing the situation but for the most part we understand they don't face issues with high traffic volumes or roads that don't have driver visibility issues as does the Forest Service.

Q. So can you summarize how the legislation will help alleviate underage driver risks, and not impact the enjoyment of using my ATV, or OHV?

A. The legislation will require training in the safe operation of an OHV. Youth who take the training will, we hope, act in a manner that reduces risks to themselves and others when operating OHVs on roads.