

## Use of ATVs, OHVs, ORMs and ORVs

Off-highway vehicles (OHV) are useful in farming operations and provide recreation in appropriate settings; however, they can cause significant environmental damage if they are used in inappropriate places. The Iowa Chapter of Sierra Club supports minimizing the effects of OHV in ecological damage (pollution, erosion and unnecessary ruts), trespass, littering/dumping, noise pollution and harassment of wildlife. The Chapter also supports requiring licensing after driver training, vehicle identification numbers/letters that are 3.5" to 4 inches, and monitoring activities by law enforcement for OHVs. Without the 3.5" to 4" letter/number vehicle identification in a highly visible location, from the vehicle's front and back, offenders are nearly impossible for law enforcement to identify without following the vehicle until it stops.

### BACKGROUND

Off-Highway Vehicles is the term used in Iowa law. OHVs include ATVs (All-Terrain Vehicles which have more than two wheels and are straddled to ride), ORMs (Off-Road Motorcycles) and ORVs (Off-Road utility Vehicles that have a bucket type or bench seat).

Iowa allows each county to register and establish its own ordinances for use of OHVs on secondary roadways. This creates confusion, inconsistent means of identification and law enforcement issues especially when incidents occur near county lines or an operator is recreating in another county than where he resides.

Off-Highway Vehicles used primarily for farming purposes are exempt from many of the requirements needed to operate OHVs primarily in non-farming activities. This double standard causes much of the difficulty in identifying law-breakers and tempts many non-farming owners to illegally claim farming as the primary use of the vehicle.

As Iowa laws allow more and more uses of OHVs on public property, the potential for ecological harm is magnified with each activity. Many OHV owners now do not own enough land to ride their OHV on their own property and are destined to haul or drive their vehicles to public lands or county roadways in order to enjoy riding their vehicle. This results in many rural areas and roadways being abused and degraded as a result of maneuvers like spinning-out, braking hard and sliding the vehicle, turning donuts with the vehicles, as well as jumping ditches, especially in muddy conditions, and trespassing onto private land.

### ECOLOGICAL IMPACT

OHVs can present serious and special problems of impact on the environment and incompatibility with other users of the land. Experience has shown that OHVs may result in one or more of the following effects:

1. Physical soil damage, often readily visible, resulting in:
  - a. Erosion, causing soil loss and damage to stream banks, streams and fish habitat;
  - b. Soil compaction and serious adverse impact on flora and its regeneration; and
  - c. Degradation of the pathway, including rutting and erosion.

2. Disruption of wildlife breeding and nesting habitats, especially of vulnerable species, resulting in loss of young.
3. Disturbance of wildlife, leading to weakened physical condition, death, and possible extirpation of some species.
4. Damage to archaeological, scientific, historical and other significant sites, and damage to natural features, sometimes with irreversible effects, especially on rare features of interest for scientific study.
5. Facilitation of illegal hunting, fishing and the taking of game and non-game wildlife.
6. Danger to the safety of other land users because of vehicle speed, steep terrain, sharp curves, slippery or unstable ground surfaces and/or limited visibility.
7. Competition with other land users. Off-highway vehicle operators, with their increased mobility, generally use a greater quantity of scarce land per recreational user than non-motorized land users.
8. Introduction of air and water pollution to areas presently removed from any such sources.
9. Excessive noise which in close proximity may result in physiological effects on animals and humans; or may induce anxiety, altering animal behavior patterns, and which, in most circumstances, seriously degrades the solitude of wild areas for other users.
10. Litter. By virtue of mechanization, operators of vehicles carry more gear, with potential to leave more litter.
11. Vandalism. Motorized ease of access is often coupled with an increase in acts of vandalism on public and private property.
12. Fire. Illegally or improperly operated vehicles can often create a fire hazard on public or private lands.

## **GUIDELINES FOR IMPLEMENTATION**

The following guidelines are supported by the Iowa Chapter of Sierra Club:

1. Initiate educational programs to instruct vehicle operators on safety, consideration for others, environmental impact and on places legal to operate.
2. Possession of written permission from a private landowner when using private land.
3. Trail and road construction and maintenance workers and trail and roadway users should report vehicular trail/roadway damage to land managers/law enforcement for remedial action.
4. For most effective implementation of policy, local regulations that exceed state and federal standards for control of vehicle use off-road should be encouraged.
5. Provide authority and resources to state, county and local law enforcement officers to enforce vehicle and public resource laws on all public land.
6. Motorized wheelchairs when used as necessary medical devices, are not considered off-highway vehicles and are not subjected to these guidelines
7. Test and license OHV operators on their ability to operate the vehicles and their knowledge of all laws relating to the vehicle's operation on and off-road.
8. License all OHVs that use public roadways, with no exemptions, with license plate letters and numbers that can be clearly identified from a minimum of 100 feet. License fees should be placed in a fund dedicated to repair of environmental and roadway damage caused by vehicles; for personnel and equipment for patrol and law enforcement; for operator education and training services; for financing of continuing studies of the effects of vehicles on the environment; and for ensuring the safety and enjoyment of the environment by other users.
9. Mandate mufflers and spark-arrestors on all OHVs with a provision for periodic inspection.
10. Require air pollution control devices that meet the same standards as set for automobiles on all motorized vehicles used off-road.