



**TOWN OF HOPKINTON, NEW HAMPSHIRE
RULES & REGULATIONS
OPERATION OF OFF HIGHWAY ROAD VEHICLES (OHRV) ORDINANCE**

ORDINANCE NO: 15-01

1.0 Purpose

The Town of Hopkinton permits appropriate recreational Off Highway Road Vehicles (OHRV) activity. This ordinance is intended to identify lawful operation, permitted access, and travel routes in our community.

2.0 Authority

Pursuant to the authority of NH RSAs 41:11 which authorizes the Select Board to regulate the use of roads in the town, and 215-A:15 which specifically authorizes the Select Board to make special regulations concerning OHRVs, the Hopkinton Select Board does hereby enact the following:

3.0 Definitions

3.01 "Off highway recreational vehicle or OHRV" means any mechanically propelled vehicle used for pleasure or recreational purposes running on rubber tires, tracks, or cushion of air and dependent on the ground or surface for travel, or other unimproved terrain whether covered by ice or snow or not, where the operator sits in or on the vehicle. All legally registered motorized vehicles when used for off highway recreational purposes shall fall within the meaning of this definition; provided that, when said motor vehicle is being used for transportation purposes only, it shall be deemed that said motor vehicle is not being used for recreational purposes. For purposes of this chapter "off highway recreational vehicle" shall be abbreviated as OHRV. OHRVs shall not include snowmobiles as defined in RSA 215-C

3.02 "Street" means the entire width between boundary lines of every way or place, of whatever nature, used by the members of the public for the operation of vehicular traffic.

- 3.03 “Trail” means the OHRV trail system located on private lands within the town of Hopkinton maintained by the Bound Tree ATV Club. An updated trail map will be provided to the town annually by the Club and included with this ordinance as a reference.

4.0 Permitted Travel Routes

OHRVs are permitted to operate on the following town streets and roads:

- 4.01 Pine Street 1: On the gravel portion from the intersection with Trail-1 at the “Line Hill Junction Trail Parking lot ” to the Henniker town line.
- 4.02 Pine Street 2: From the intersection of Trail 2 and Pine Street to the fire station. OHRVs may pass through the front fire station parking lot and cross Park Ave to the Dimitri's Pizza parking lot. OHRV's are prohibited from traveling on Route 103 and 127.
- 4.03 Bound Tree Road: From the Bound Tree intersection of Trail-1 near the Contoocook Precinct Water treatment facility to the Warner town line.

5.0 Prohibitions

- 5.01 No person shall operate an OHRV upon a town street unless the operator possesses a valid motor vehicle driver's license or shall have successfully completed the approved OHRV safety training course. Children 12-16 need a Safety Certificate and be accompanied by a licensed adult (can be on their own machine but MUST be within voice distance of adult).
- 5.02 No person shall operate an OHRV upon a town street without displaying a valid NH OHRV registration decal affixed to the OHRV in accordance with RSA 215- A:21. Trail bikes must be registered for highway use as defined in RSA 215:A-1, XV.
- 5.03 No person shall operate an OHRV upon a town street without a headlight in working order, rear taillight in working order, and adequate brakes in accordance with RSA 215-A:14.
- 5.04 In accordance with RSA 215-A:6, III (a), no person shall operate an OHRV on the Permitted Travel route 4.02 (Pine Street 2) at a speed in excess of 10 miles per hour. On all other permitted routes, no person shall operate an OHRV at a speed in excess of 20 miles per hour. In all cases speed shall be controlled so that the operator will be able to avoid colliding with any person, vehicle, or object.
- 5.05 The driver of every OHRV shall drive at an appropriate reduced speed when approaching and crossing an intersection or rail way grade crossing, when approaching and going around a curve, when approaching a hillcrest, when traveling upon any narrow or winding trail,

and when a special hazard exists with respect to pedestrians or other traffic by reason of weather or trail conditions.

- 5.06 A person may operate an OHRV across any public way where the operation of said OHRV is not otherwise prohibited by law, but said person shall comply with the following provisions: (a) The crossing shall be made at an angle of approximately 90 degrees to the direction of the public way and at a place where no obstruction prevents a quick and safe crossing; and (b) The operator shall bring the OHRV to a complete stop before crossing the shoulder or, if none, the public way, before proceeding; and (c) The operator shall yield the right of way to all motor vehicle traffic on such public way which constitutes an immediate hazard to such crossing.
- 5.07 No person shall operate any OHRV on town streets so as to endanger any person or damage any property.
- 5.08 No person shall operate any OHRV on town streets during the period from 1/2 hour after sunset to 1/2 hour before sunrise, but no earlier than 6:00 A.M.
- 5.09 No person shall operate an OHRV on town streets from November 4 to May 23 of every year.
- 5.10 No person shall operate an OHRV on town streets unless it is equipped with mufflers and an exhaust system which comply with the requirements of RSA 215- A:12
- 5.11 No person under the age of 18 shall operate or ride upon an OHRV on town streets without protective headgear. The headgear must be equipped with a neck or chin strap in accordance with RSA 265-122.
- 5.12 No person shall operate an OHRV on town streets without eyeglasses, goggles, or a protective face shield unless the OHRV is equipped with a windshield that protects the driver's eyes and face when sitting erect.

6.0 Signage

- 6.1 A sign shall be erected at the end of each trail as designated in section 4.0 giving notice of this ordinance. The Bound Tree ATV Club will be responsible for erecting signs with approval of the Select Board.
- 6.2 The Bound Tree ATV Club, with approval of the Select Board, shall install trail markers and speed limit signs along the road segments within the town right of way. The Club shall contact the owners of properties along the route when signs are placed on or near their property.

7.0 Penalty

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7.01 Any person who violates the provisions of this ordinance shall be guilty of a violation and shall be fined:

First Offense	\$25 fine
Second Offense	\$50 fine
Third Offense	\$100 fine and 6 month loss of right to operate on Town roads.

Subsequent offenses will be based on a 12 month period.

7.02 Enforcement of this ordinance shall be in accordance with NH RSA 31:39-c

8.0 Effective Date

8.01 This ordinance shall be effective September 8, 2015

8.02 Readopted and updated December 12, 2016

Trail Mail

