

April 23, 2012

Senator Mark Udall
328 Hart Office Building
Washington, DC 20510

Senator Michael Bennet
458 Russell Office Building
Washington, DC 20510

Congressman Scott Tipton
218 Cannon Building
Washington, DC 20515

Congressman Cory Gardner
213 Cannon Building
Washington, DC 20515

Congresswoman Diana DeGette
2335 Rayburn Building
Washington, DC 20515

Congressman Jared Polis
501 Cannon Building
Washington, DC 20515

Congressman Ed Perlmutter
1221 Longworth Building
Washington, DC 20515

Congressman Mike Coffman
1222 Longworth Building
Washington, DC 20515

Congressman Doug Lamborn
437 Cannon Building
Washington, DC 20515

Dear Members of the Colorado Legislative Delegation;

We are contacting your offices to reply to the correspondence from the Backcountry Hunters and Anglers and other organizations dated February 25, 2012. This correspondence asserted a need for Congressional action to create a consistent set off highway vehicle ("OHV") identification numbers. We have enclosed a copy of this correspondence ("the letter") for your reference. We are compelled to address several issues critical to the discussion that are overlooked in the letter.

The first critical component overlooked in the letter is the law enforcement concerns identified are already effectively managed by the Colorado Parks and Wildlife ("CPW") OHV registration program. Our Organizations have been vigorous supporters of this registration program since its inception, as responsible use of public lands is key for continued access to the world renown recreational activities that Colorado has provided. We believe that violation of the travel management rules is not responsible usage of public lands and should be investigated by law enforcement. The CPW OHV registration program was started in 1991 and each OHV used on either state or federal public lands must be annually registered with the CPW at a cost of \$25.25 per vehicle. The CPW OHV registration program has provided almost \$30,000,000 in grants to federal land management agencies and their partners for the maintenance and management of multiple use trails on public lands. The Colorado OHV registration has been identified as a model of its kind in OHV registration programs.

The letter also overlooks the issue that stickers issued by CPW already comply with federal laws for issuance of state OHV registrations. Each OHV is issued a 3x3 sticker of highly visible coloring from CPW with a vehicle specific identification number to be prominently displayed on designated locations on each OHV. These stickers provide the ID number in black block lettering on a white background with a high visibility color as the boundary. The color of the boundary changes annually and from State to State to allow for easy identification of registered vehicles. Simply identifying the common location for placement of these stickers significantly contributes to identification of violators.

The size of the OHV sticker issued by CPW is based on federal laws for such stickers and the need for efficiency in issuance of these stickers by state agencies. This uniformity of stickers also allows consistent placement of sticker across state boundaries. The registration decals issued by CPW for OHVs and snowmobiles are the same decals used for vessel registrations also issued by CPW. The US Coast Guard, by federal regulation, mandates the size of the state's vessel registration validation decal. CPW registration stickers use the same registration certificates and validation decals for vessels, OHVs and snowmobiles and to cost effectively meet the US Coast Guard mandate. This allows law enforcement to consistently identify a single sticker, regardless of the type of vehicle, and streamlines enforcement.

The letter overlooks a second critical component of sticker size. OHV users frequently use their vehicle in multiple states, and each state requires purchase of a separate OHV sticker for use on public lands, both state and federal. OHV riders are more than willing to pay for a home state registration and out of state permits as the bulk of any state registration/permit money goes to on the ground management of resources for OHV use on public lands. If the registration stickers become significantly larger physically, it simply may not be possible to display each states sticker on the OHV, as many only have small body panels. The choice of paint and graphics on a vehicle is of significant importance to some riders, as they are willing to pay premiums for certain colors or graphics packages. Those with plated motor vehicles may also be unwilling to add additional large stickers to painted surfaces, as these are often difficult to remove and impair resale values at trade in.

As previously noted, each state issues OHV registration stickers with high visibility colors surrounding the identification number. The color of the boundary surrounding each sticker is a critical component of the sticker, as this allows law enforcement personnel to rapidly and easily distinguish between stickers issued by various states. This high visibility boundary also separates black and white identification numbers from other graphics on the OHV. Making these stickers significantly larger will force riders to chose what states stickers they are displaying to avoid overlap of stickers. This situation could force riders to buy a home state registration, only to then have to cover that sticker with another states they may chose to vacation in and then need to purchase a new registration in order to display a valid registration when returning home from vacation. This conflict will not encourage riders to buy OHV registrations.

The letter also fails to address the recently released conclusions from the Law Enforcement Pilot program conducted by CPW which found violations in only 1.5% of OHV riders that were contacted. The OHV law enforcement pilot program was created to address assertions of a compelling need to stop resource damage from OHV misuse at locations identified as violation "hotspots" by those seeking to limit public access to public lands. This program deployed additional trained professional law enforcement officers, funded by funds from the OHV registration funds, at these "hotspots" during heavy usage times to supplement existing law enforcement resources in these areas. As part of the pilot, the additional officers we required to keep logs of their contacts for reporting purposes.





The findings of this pilot clearly identify that these "hotspots" for OHV violations were anything but "hotspots". Over last summer, officers involved in the pilot program contacted over 10,000 people of the 160,000 registered OHVs in Colorado, creating an astoundingly large sampling. This pilot program found that less than 5% of riders committed any violations. The overwhelming percentage of these violations were people not registering their OHV. Larger OHV numbers will not address people forgetting to register their OHV, they still will not remember. Only 1.5% of contacts involved activities where the officer found the activity serious enough to warrant the issuance of a citation. It should also be noted that this report never mentions the inability of any officer to identify the OHV riders due to a lack of ID number.

The CPW Law Enforcement pilot also contained a program almost identical to the theory discussed in the letter. The pilot program trained members of the general public to photograph various maintenance issues and violations that they encountered on the trails. Part of this training involved training each member of the public where the state issued ID numbers were displayed on each OHV. Reports from these layperson enforcement were then compiled and if there was a violation forwarded to various law enforcement agencies for further investigation. Over the course of the citizen patrols, a wide range of issues that were encountered, none of which involved the ability to identify violators. Given the lack of trouble identifying violators with existing identification numbers, training on where to look on the OHV for these numbers appears to play a role in public enforcement. This type of training does not require any federal action as these mechanisms are again in place through the CPW registration program.

While the letter creates what appears to be a valid discussion of the need for OHV registration numbers, the letter simply overlooks numerous issues critical to the discussion. When these critical components are addressed, we believe the need for the OHV registration numbers is seriously mitigated. These critical components clearly prove state registration programs are a cost effective method for the identification of violators in the backcountry. Given the number of serious threats that are facing the country, our organizations have to question the need for

development of this legislation or national standard as the state registration program is an effective and efficient tool for addressing the concerns voiced in the letter.

Respectfully Submitted,

 <p>COHVCO COLORADO OFF HIGHWAY VEHICLE COALITION</p>	<p>Scott Jones, Acting Chairman Colorado Off Highway Vehicle Coalition 518-281-5810</p>
 <p>TRAILS PRESERVATION ALLIANCE www.ColoradoTPA.org</p>	<p>Don Riggle, Chairman Trail Preservation Alliance 719-338-4106</p>
 <p>COLORADO SNOWMOBILE ASSOCIATION READY UP</p>	<p>Randall R. Miller, President Colorado Snowmobile Association 970-218-4974</p>
 <p>COLORADO BLIZZARDS</p>	<p>Mish Clancey, President Colorado Blizzards 303-746-0555</p>

Date February 25, 2012

Senator Mark Udall
328 Hart Senate Office Building
Washington, DC 20510

Senator Michael F. Bennet
458 Russell Senate Office Building
Washington, DC 20510

Congresswoman Diana DeGette
2335 Rayburn House Office Building
Washington DC, 20515

Congressman Jared Polis
501 Cannon House Office Building
Washington, DC 20515

Congressman Scott Tipton
218 Cannon House Office Building
Washington, DC 20515

Congressman Cory Gardener
213 Cannon House Office Building
Washington, DC 20515

Congressman Doug Lamborn
437 Cannon House Office Building
Washington, DC 20515

Congressman Mike Coffman
1222 Longworth House Office Building
Washington, DC 20515

Congressman Ed Perlmutter
1221 Longworth House Office Building
Washington, DC 20515

Dear Members of the Colorado Congressional Delegation,

Riding **Off-Road** Vehicles on public lands is a popular form of recreation, and when well managed can be highly compatible with the ecological values Americans associate with public lands. For years, though, unmanaged OHV riding has contributed to the deterioration of wildlife habitat. It has damaged soil ecology, caused sediment to run into streams, run wildlife off public land, and intruded on the solitude of hunters,

fishermen, and other recreational users seeking a quiet piece of country.

In order to manage motorized vehicles, the US Forest Service and Bureau of Land Management are beginning to implement a **consistent set of rules** limiting motorized vehicles to designated routes only. Significantly, these rules prohibit OHVs from traveling cross country, or creating their own trails. This change in policy is a welcome if overdue development.

Enforcing these new rules will be a challenge. One barrier to effective management is the inability of eyewitnesses to identify violators. Colorado requires a visible identification number on all OHVs using public land, but the number is **too small** to see in all but the most favorable situations. Usually, the field officers must rely on a physical description of the offender, which rarely if ever results in any enforcement action.

You, our members of Congress, can help law enforcement **identify OHV violators by requiring the identification numbers on registration decals be more visible in the field**. It's worth noting that OHVs are often moving, sometimes at a distance, and even with more visible identification, seeing them clearly won't always be possible. But many people today carry cameras or smart phones with impressive zoom capabilities. These new technologies present a tremendous opportunity for the general public to assist law enforcement in a way that wasn't possible just a few years ago. Photos can be downloaded. If a registration number can be discerned from the photo, then law enforcement can contact the offender, and the appropriate action can be taken, with a minimum of time and resources expended.

We strongly recommend, therefore, that Congress implement the following changes:

- *Require OHV registration decals that feature a large, bold, **highly visible identification number**.
- *Require that registration decals be **displayed prominently**, preferably on the front and rear of the vehicle.

The purpose of this effort isn't to punish off-road riders, but to strengthen their legitimacy through more effective management. Off-road recreation benefits local economies, and helps support a diverse business spectrum from manufacturing, to travel, to hospitality. Your prompt attention to this matter will help keep off-road riders on the trail and out of trouble.

Sincerely,



Jim Akenson
Executive Director
Backcountry Hunters and Anglers
(541) 398-0091



David Lein
Co-Chair
Colorado Backcountry Hunters and Anglers
719-579-6659



Tom Reed
Director of Off-Road Vehicle Policy
Trout Unlimited
703-522-0200



Joel Webster
Director of Western Lands
Theodore Roosevelt Conservation Partnership
406-360-3904



Robert Ong
President
Rocky Mountain Big Horn Society
720-201-3791



Bob Hix
Regional Representative
Pheasants Forever
303-743-8957



John Gale
Regional Representative
National Wildlife Federation
303-746-3570



Suzanne O'Neil
Executive Director
Colorado Wildlife Federation
303-987-0400



Gus Rassam
Executive Director
American Fisheries Society
301-897-8616



Mindy Rice
President
Colorado Chapter of the Wildlife Society
303-297-1192



Eric Nuse
Executive Director
Orion, The Hunters Institute
802-730-8111

St. Vrain Archery and Bowhunting Club
Stets Newcomb, President
303-775-3589

Four Corners Backcountry Horsemen
Bob Volger
970-563-4185

Mesa Verde Backcountry Horsemen
Nihla McCabe
970-570-5036

Front Range Backcountry Horsemen
Dan Shier
303-278-1261

Pikes Peak Backcountry Horsemen
Hank Cole
719-964-5696

Businesses



Angling Trade Magazine
Tim Romano, Co-Owner
303-495-3967



Traditional Bowhunters Magazine
T.J. Conrads, Owner
208-383-0982



Front Range Anglers
Bill Leuchten, Owner
303-494-1375



Rocky Mountain Anglers
Jay Zimmerman
303-447-2400

Crystal Fly Shop. Com



Crystal Fly Shop
David Johnson, Owner
970-963-5741



Scott Rods
Jim Bartschi, Rod Designer
970-249-3180



Grand County Fly Fishing Company
Jeff Ehlert, Owner
970-726-5231



Monic Fishing Lines
Ben Potter
303-530-3050



Wild Trout on the Fly
Mike Miller



Boss Tin, Fishing and Waterfowl Products
John and Lori Unger, Owners
970-731-6740



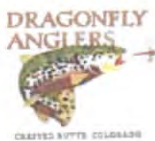
Pins & Fins
Kendall Carson, President
970-669-5103



Rigs Fly Shop and Guide Service
Tim Patterson, Owner
970-626-4460



The Creek Company
Dave Gowdy, Owner
1-800-843-8454



Dragonfly Anglers
Rod M Cesario
1-800-491-3079



Fishpond
Johnny Le Coq, Co-Founder
970-468-7883



Toads Guide Shop
Tim Kenney, President
970-249-0408



Bray Ranches, Private Wildlife Adventures
Robert Bray, Owner
970-327-4779



Highlands Unlimited
Jennifer & Geoff Burbey, Owners
970-247-8443



Rim Rock Outfitters
Monty & Rebecca Elder, Owners
970-675-2619



Beaver Creek Outfitters
Scott Gesell, Owner
218-368-3679



J-Bar-H Outfitters
Jeanne Horne, Owner
1-800-230-4868



Matschee Guide Service
Tim Matschee, Owner
303-864-0547



Crazy Horse Outfitters and Guides
Willie & Caitlin Swanda, Owners
970-731-3641



Coffee Pot High Country Outfitters
Kelley Sanburg
970-209-2628



Red Feather Guides and Outfitters
Arnie Schlottman, Owner
970-524-5054



T Bar M Outfitters
T. Mike Murphy, Owner
970-259-5469

Hooked on Flies
Steve Haupt, Owner

Ice Fishing Colorado
Mark Taylor, Owner
303-269-1565

Winter Park Flyfisher
Jeff Ehlert, Owner
970-726-5231

Rio Grande Angler
Kevin Leggitt
1-877-656-3474

Traditional Archery Products
Gary and Connie Renfro, Owners
303-567-4226

Hodiak Outiftters,
Hodiak (Hody) Ewing, Owner
970-799-3641

Geneva Park Outiftters
Terry Lee Sandmeier, Owner
719-439-4606

The Craig Wild Bunch Guides and Outiftters
Willie White
970-824-9334

Wilderness Adventures
Aaron Laske, Owner
719 587-3057

cc:

Secretary Ken Salazar
Secretary Tom Vilsack
BLM Director Bob Abbey
USFS Chief Tom Tidwell
Colorado Governor John Hickenlooper
Colorado Department of Natural Resources Director Mike King
Colorado Parks and Wildlife Director Rick Cables
New Mexico Senator Jeff Bingaman