

May 15, 2012

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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 of 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,



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