



Nature
HISTORY
Discovery

Oregon Parks and Recreation Department
ATV Advisory Committee (ATV-AC)
PGE 4245 Kale St. NE
Salem, OR
August 5, 2010

Approved Minutes

Committee members in attendance: Tim Custer, Steve Doane, Pat Harris, Troy Costales, Nathan Seable, Wendy Zusiak, Wade Bryant, Rod Roberts, Jimmy Smith and Chris Knauf, John Lane (non-voting member), and Patricia Berger (non-voting attending for Lisa Millet)

Committee member not attending: Lisa Millet

Staff present: Wayne Rawlins, Ian Caldwell, Ron Price, Mike Law, and Pamela Berger

Audience: Gary Scott, Derrell Von, Barrett Brown, Monty King, and Kyleen Stone

Chair Harris called the meeting to order at 10:31 AM

Agenda review

Approval of June 30, 2010 Minutes

MOTION: Tim moved to approve the June 30, 2010 meeting minutes. Seconded by Rod. All in favor. Chris and Troy excused.

Introductions

Public Comment

Gary Scott, citizen and ATV rider, told of his lifelong advocacy for ATV safety and thanked members for their commitment. As a design engineer he is working on various tests and projects. He said that since his wife became disabled, he now advocating for those with physical limitations to be able to ride on side by sides on Class I trails. The only full sized vehicle is the standard Polaris RZR which is designed for trail use. Only problem is that it is over weight. Really need this vehicle for some. The only option to carry a passenger is for two-up. There are a lot of restrictions for side by sides. There is a concern for training. This should not be a problem because it should be the same as ATV training. If approval needs to be delayed, requests that an allowance to be able to ride razors on ATVs to research trails. Requests that this committee grant allowance to land managers to allow RZR's on Class I trails. Thanks the committee for their time and service to the sport.

Derrel Von, citizen, asked that RZR's be allowed to continue as a Class I vehicle. Tells of his recreational experience and challenges doing so as a paraplegic. The RZR is the safest machine that I can ride and maneuver and for others with physical limitations. Other types of ATVs are not safe for me to ride. Submitted results of a poll showing 98% support of allowing RZR's on Class I trails. My RZR has now been converted by have having the seat in the middle. Suggested that a handicapped exemption be offered.

Barrett Brown, OMRA, followed up on rider fit discussion after the June ATV-AC meeting. Thinks it is possible to have rider fit instead of minimum age requirement. Has been testing in the field with kids on different size machines to see what will work and has

shared this information with John Lane. Fit is not easy for bikes like it is with ATVs. There is a perception that because you sit on a motorcycle like you sit on an ATV they should be the same but they are distinctly different. Need to be careful how language is crafted.

Monty King, Oregon Vehicle Dealers Association: Comments on the American Disabilities Act (ADA), stating that you must allow the disabled to recreate. Encourages members to review the ADA laws. Discusses tourism in Oregon. Talks about money being removed from the ATV fund in a setting that did not allow for public comment. Thinks that money should go to ATV recreation, not evasive species. Thinks the committee should spend that money now so that the funds won't be raided again.

Task Force Reports

Equipment

Ron: Will add a comment in the legislative report reflecting that no equipments recommendations have been made by this task force.

Class III Task Force Report

John Lane reported that he met with Ed Ariniello, Dan Jordan, and Barrett Brown from OMRA on July 28, 2010 to discuss and receive OMRA's suggestions for the elimination of a minimum age for operating a Class III motorcycle and the adoption of rider fit for youth under the age of 16 in Oregon.

The OMRA would like the Oregon statutes (821.170 & 821.172), addressing operating privileges for Class I and III youth, be more alike in that neither have a minimum age for operation, but both require that the youth rider meet rider fit guidelines as established by OPRD.

Previous to this meeting, OMRA had already spent many hours looking at youth on motorcycles of all sizes. It was determined that the existing language for Class I Rider Fit would not carry over well as the Rider Fit for Class III by nature of the very different riding styles of the two vehicle types.

The leg length and arm reach measures used in Class I rider fit were considered, but it was decided that line (b) actually covers both measures, and neither one really apply to the way motorcycles are ridden off-road - the rider is mainly standing and, doing so, is positioned above the handlebars. Care was taken that the language of a "Rider Fit" must be a tool for law enforcement; giving them a visual cue (upon seeing a child ride by) to judge rider fit as well as the necessity to explain the deficiency to the parent or a judge.

John, in response to Jimmy, said that current language allows for non-disabled persons may make any adjustments necessary to meet rider fit.

Class III Rider Fit Report

John Lane reported on the Task Force findings. A Class III Motorcycle operator under 16 years of age must meet the following minimum physical size requirements in relationship to the vehicle:

(a) Hand Brake Reach: While in normal riding position, with hands placed in the normal operating position, fingers extended straight out, the first joint (from the tip) of the middle finger will extend beyond the brake lever and clutch;

(b) Rider must have the ability to adequately reach controls while in normal riding position.

OMRA recognizes that the disabled rider language from Class I rider fit applies to Class III as well so the inclusion into the rules can be done in such a way to allow this.

John provided documents to the committee showing OMRA's suggestions placed into the current administrative rules with changes tracked and ORS 821.172 with changes to be inline with ORS 821.170.

Mandatory Reporting Task Force

John provided a "Off -Road Incident Report Checklist" to provide to law enforcement. The checklist will be provided at the upcoming law enforcement workshop.

Rod, in response to Steve, law enforcement most likely has access to the DHS accident reports.

Patricia: Feels this checklist will help all, including DHS. Tells about discussions with EMS and hospitals regarding data quality.

John, in response to Chair Harris, this checklist will be ready and available at the October Law Enforcement Workshop.

DHS Study

Patricia discussed data that she has been reviewing from a pilot study of 144 injury reports from emergency rooms in the study area. The reports were evaluated for data availability, consistency, and quality and used to test and refine the data abstraction form. She noted that this was a convenience sample, not a random sample, and that the information it provided might well be biased, but was still informative at this stage of the project. The data provided injury codes as well as some basic information on injury causation. However, she would like to know more about specific details that led to the accident. She noted that law enforcement or EMS data should be more informative, since, for example, some doctors did not appear to know the difference between ATVs and motorcycles.

Rod: What was time frame of reporting?

Patricia: It varied, some covered a quarter, and some would grab convenient files. The purpose was to try to look more at the quality of data as opposed to looking for a representative sample. One point of interest was that 10-15 percent of patients were brought in by EMS and the rest were walk-ins. This was a higher percentage of walk-ins than expected.

Rod: Think it would be interesting to see breakdown between EMS and walk-ins.

Wayne: What is the purpose of the technical advisory committee?

Patricia: They provide feedback on methodological aspects of the study, relate to us some of their own research experiences, and assure that our approach is in accord with standard scientific methods.

Wade: Where are you gathering information from?

Patricia: Just looking at ODNRA, Sand Lake, and Tillamook State Forest.

Rod: People may avoid reporting to police due to drinking or suspended license.

Chris: Lack of insurance will keep people from riding in an ambulance.

Ian: Are you looking at Washington County Hospitals for Tillamook State Forest?

Patricia: No just looking at Tillamook hospital statistics.

Ian: People tend to go to Hillsboro or Portland because it is closer and they live in that area.

Working Lunch

Review proposed changes to SB 578

Members review proposed changes to SB 578 and made further edits.

Motion		M	2nd	Aye	Nay	Excused
Add to the ATV-AC membership requirements for the BLM and USFS representatives to "be knowledgeable of and is active in ATV Management on Federal Lands"	Wade Bryant			X		
	Troy Costales			X		
	Tim Custer		x	X		
	Steve Doane			X		
	Chris Knauf			X		
	Lisa Millet					x
	Rod Roberts	x		X		
	Nathan Seable			X		
	Jimmy Smith			X		
	Wendy Zustiak			X		
	Chair Pat Harris			X		

Class I, II & III housekeeping changes

Tim: Still struggling with Class I language after hearing testimony today. How do we get the RZR into that class?

Wade: Since the day this machine came onto the market, this has been an issue. Some places are allowing 50 inch vehicles on class 1 trails, for example in Utah. As the representative for Class I, suggests we discuss a way to allow the usage on the trails. This will ultimately fall to the land managers. We need further discussion with them. Need further research.

Ron: A decision needs to be made today; we have three land managers here today that can help us with it.

Rod: Agrees that you can feel his passion, however it's not just width, its width and weight.

Wayne: Since OPRD does not manage the lands, why would anybody have to obtain permission from us? They should go straight to those who manage the lands.

Rod: But we do issue the tags so OPRD can issue a handicapped tag.

Nate: Pretty moved by this morning's testimony. Offering a handicapped tag could be the easiest way.

Wayne: There is a huge segment of the population that qualifies as ADA.

Nate: For hunting, we have folks go through Fish and Wildlife then we choose to honor that recommendation.

Chris: Mobility device is considered as a scooter or cart. The Code of Federal Regulations (CFRs) are pretty clear about use. If we created another class we then could review size and weight.

Tim: Not sure if issuing a handicapped permit will cut back on the confusion. Thinks the answer is in creating a new class.

Rod: Pros and Cons. Operating definitions in ORS.

Wendy : Quite a transition for land managers if a Class IV were added.

Wade: The question is, do the land managers want to see RZR's on ATV trails? If yes, then we need to figure out how to incorporate it.

Steve: What percentage of land is open to the public?

Ron: About 50% of land is federally controlled. Thinks adding a Class IV allows the land managers to designate new and existing trails for side by side use.

Nate: That is already being done. Somebody is already ahead of the curve. With new riding area coming out now, it is easier to solve. With existing trails, it's going to be harder

Chris, in response to Steve, we have 16 million BLM acres in Oregon. You can take many machines on many roads, there are lots of roads open to ATVs. Side by sides can be taken on just about any BLM road.

Nate: Clatsop is making trails for Class 1 and side-by-sides.

Steve: Today's guests didn't state what roads they like to ride on.

Wade: I believe they like groomed trails vs. riding on roads. They like the experience of a smaller trail.

Steve: Should it be by weight or disability?

Tim: We could issue a disability sticker/ placard.

Wade: We might want to remove the weight or raise it enough to incorporate RZR's.

Tim: If we raised the weight to 950 lbs. what happens with the hand-bars?

Wade: Nothing.

Rod: It still will be up to the land managers.

Chris: Rather than trying to make this fit into another category, I'm comfortable with a Class IV classification as land managers. It would still allow them to ride on jeep trails and roads. We've been slow to react.

Troy: Do we need purposeful outreach to landowners to tell them that they can open trails up to other uses with size restrictions.?

Rod: Do we need to add a category to add points for Class IV?

Tim: We can give discretionary points for class 4 trails.

Ian: Question about supervisor needing a drivers license.

Discussion about requiring safety cards for supervisors and other operators.

Ron, Rod, Chris, and Troy will serve on a workgroup to finalize the legislative report Wendy would like to be copied on their emails.

Review Rider Fit

Motion		M	2nd	Aye	Nay	Excused
Accept new rider fit language as read earlier by John and remove minimum age for Class III	Wade Bryant			X		
	Troy Costales			X		
	Tim Custer		x	X		
	Steve Doane			X		
	Chris Knauf			X		
	Lisa Millet					x
	Rod Roberts	x		X		
	Nathan Seable			X		
	Jimmy Smith			X		
	Wendy Zustiak			X		
	Chair Pat Harris			x		

Calendar of events

August 27 - September 6, 2010	Oregon State Fair
September 23, 2010	Tillamook field trip
October 6, 2010	La Grande field trip
October 7, 2010	La Grande grant workshop
October 13-15, 2010	Enforcement workshop
October 20, 2010	Medford grant workshop
October 22, 2010	Salem Grant workshop
January 11-13, 2011	Grant meeting - Salem
April 6-8, 2011	Grant meeting & field trip (location TBD)

Chair Harris adjourned the meeting at 3:44 PM

Submitted by,

Pamela Berger
ATV Grants and Agreements Coordinator