

education requirements. Of the 49 states providing data in 2004, 17 (35%) require some safety education for riders, typically youth. Michigan is one of those states. Most states, 32 (65%), however have no minimum safety education requirement for operating an ORV. Further, while 26 (53%) states have a minimum age for the operation of an ORV, 23 (47%) have no minimum age. Michigan is one of the states with a minimum age requirement. Finally, of those states without a minimum age requirement, none mandates a safety education program and certification.

ORV Accidents and Fatalities in Michigan

A single, all encompassing source for data regarding ORV accident statistics and the circumstances surrounding those accidents does not appear to be available. Currently, the Michigan DNR Law Enforcement Division investigates every snowmobile fatality and files a detailed report tailored to snowmobiling (e.g. whether the operator was on the designated snowmobile trail system, etc.) in addition to the typical vehicle accident reporting form (characterized as a UD-10 form). This is not the case with ORV fatalities. To date, ORV fatalities and accident circumstances are lumped in with road related data. Two sources provide some insight into Michigan ORV accident and fatality statistics. The US Consumer Products Safety Commission (2003) reported that 1982-2002 Michigan had 224 people die in ATV accidents. The use of the term ATV suggests that this does not include off-road motorcycles or full-size 4 wheel drive vehicles used in off-road situations. There is also no accompanying data to determine where (roadway, trail, frozen lake, etc.) the fatal accidents occurred or the circumstances of those accidents. The Michigan State Police Office of Highway Safety Planning (2004) reported that during 1994-2003 there were 2,528 ORV/ATV accidents on Michigan roadways, resulting in 77 fatalities. Again, this does not specify what constituted an ORV and what constituted a roadway. Is a dual sport motorcycle an ORV? Is a UP forest trail a roadway? Implementing an investigation and reporting system similar to that for snowmobile fatalities and hunting accidents and fatalities would provide much more accurate and useful data in analyzing ORV safety. Key questions may include:

- (a) Where did the accident occur? (e.g. designated ORV system, road shoulder open to ORV use, road shoulder closed to ORV use, frozen lake, private land, etc.)
- (b) Had the operator of the ORV that died completed an ORV safety certification course and been certified? Had any other operators involved received ORV safety certification?
- (c) What type(s) of ORV(s) did the accident involve? Were there full-size automobiles involved? What were the factors that contributed to the accident?

Public Comment at Regional ORV Information Meetings

Three public information meetings were held to garner public input regarding the ORV plan. The public was also encouraged to comment about ORV use, users, facilities, environmental damage, trespass and any other issue regarding ORVs. The meetings were held Tuesday October 12 at 7PM in the Holiday Inn South in Lansing, Wednesday October 13 at 7PM in the Holiday Inn in Grayling and Thursday October 14 at 7PM in

the Ramada Inn in Marquette. The meetings were widely advertised by the DNR and groups related to public forest issues and ORV use and users. Ninety-two signed the attendance sheet in Lansing, 63 signed in Grayling and 100 signed in Marquette. It is likely that there were additional members of the public attending who did not sign, but a specific count of those additional attendees was not kept. While there were some common themes across meetings (need more legal places to ride and need to have opportunities tailored to each ORV user group such as motorcycles, ATVs and, full size vehicles), each meeting had a distinct character and considerable public input.

Lansing Meeting

Three distinct ORV user groups were represented at the Lansing meeting, off-road motorcycle riders, ATV riders and those who drive full-size four-wheel drive trucks, jeeps and specialty vehicles such as dune buggies. Each set of riders was also represented by organizational leaders from groups advocating for each type of ORV use. These leaders and many non-affiliated individuals from each type of ORV use advocated for distinct facilities specific to their needs. Many suggested parallel trails in a common corridor, thus providing a separate motorcycle trail and a separate ATV trail in a common corridor of influence. Users of full-size vehicles strongly advocated for more “play” or scramble areas focused specifically on their needs. Many noted they went out of state to find suitable riding opportunities, taking their tourism dollars with them.

There was support across the three user groups for direct access from trails to goods and services such as gasoline, grocery and convenience stores, restaurant food/drink, lodging, etc. Most ORV riders advocated for reopening the full forest road system in the Lower Peninsula to ORV use without being posted open (a situation similar to the UP today). A number of instructors of hands-on ORV safety certification were present and strongly advocated to retain such an education system over a classroom oriented approach. Most in the audience agreed with this position. Finally, there was strong support for using the state gasoline sales tax generated by ORV use for ORV programs, as had been recommended in the original ORV law (PA 319 of 1975). No persons spoke who did not identify themselves as ORV riders of one type or another.

Grayling Meeting

Four distinct groups of ORV users attended the Grayling meeting. In addition to motorcycle, ATV and full-size vehicle enthusiasts, those that ride large ATVs (54 - 56” wide John Deere Gator, Kawasaki Mule, etc.) were also present and provided input. As in Lansing, no person spoke who did not identify himself/herself as an ORV rider. Most concerns were similar to those voiced in Lansing including support for a trail system that provided separate opportunities for different types of ORVs, access to goods and services from ORV riding sites, opening the forest road system unsigned like the UP, preference for hands on ORV safety education and support for using state gasoline sales tax generated by ORV use for ORV programs.

In addition, there were a number of specific comments about the need to better maintain the designated trail system in the northern Lower Peninsula, including additional trail maintenance and relocation of trails to more suitable sites (less whooped out, drier, etc.).

The riders of large ATVs also advocated for creation of a designated route system that provided a complete riding opportunity (e.g. large loop), not routes merely as short connectors between motorcycle or ATV trail loops. This was echoed by those who believed this would have positive tourism impacts, especially for older riders, who desired a less technical, more leisurely ride through public forest land and were interested in scenery, stopping to pick mushrooms or berries, etc.

Marquette Meeting

The Marquette meeting had the largest attendance and was the most diverse of the three meetings in terms of comments and the presence of non-ORV users. A number of UP landowners who did not ride ORVs brought in photographs of ORV damage to their lands by trespassers. They advocated for increased law enforcement and for the ORV community to “clean up its act”. Riders also attended who did not consider themselves trail riders, rather hunters and anglers who use ATVs as support vehicles to reach remote hunting, fishing and camping locations.

There was visible confusion about the legality of cross-country travel on state forest lands (without the benefit of any trail or road), which some thought was legal until DNR Law Enforcement personnel explained it was not. There was also concern expressed about what form US Forest Service implementation of a more “closed unless posted open” policy would take. Those who spoke and mentioned the current system of state forest roads as well as the designated ORV system being open to ORV use were supportive of continuing that approach in the UP. Many also supported the counties who had their road shoulders open to ORV use.

A number of members of the tourism industry commented on the current and potentially greater importance of ORV riding to the region’s economy. In particular, they advocated for lengthy, designated ORV routes and trails that would promote motorized trail tourism in non-snow months similar to winter snowmobiling. They felt the presence of such long-distance designated trails would be critical to attracting and retaining such tourism. Others felt it was important for ORV program signage to be compatible with snowmobile program signage.

Finally, some county sheriff department ORV safety instructors noted that they supported an approach to provide classroom ORV safety education through county sheriffs using the schools (similar to marine safety) as a methodology to rapidly reach more youngsters than the hands-on approach. This was not universally supported, but many were in agreement. The group also heard input from a parent whose son had been killed in an ORV accident on a private road by a chain.

Written Public Comment Provided to the DNR

The Michigan DNR designated Steve Kubisiak, Recreation and Trails Program Coordinator, to receive written comment, by both regular and electronic mail. A total of 64 distinct individuals wrote to Steve regarding updating the ORV plan. While some communications only spoke about one topic, most covered two or more. A clear majority of those commenting overall wanted to increase ORV opportunity in some way in

Michigan. Suggestions included opening the forest road system in the Lower Peninsula to ORV use without designation as in the UP (especially strong suggestion of ATV riders), allow ORVs to travel wherever snowmobiles can, open some or all county road shoulders to ORV use and site additional ORV facilities in southern Michigan where most people live to enhance convenience, not only for Michigan residents, but also for residents of Ohio and Indiana. A minority, wanted to further restrict ORV opportunity or keep it as it is. Their suggestions included “closed unless posted open” in the UP, not opening county road shoulders to ORV use, better ORV enforcement to catch trespassers on private lands and those riding illegally on Great Lakes beaches and more strict licensing/insurance requirements to operate ORVs.

Beyond those two general orientations there were other important points. A number commented on improving economic benefits of ORV use through tourism. Key suggestions were to improve designated connections from ORV trails/routes/areas to communities with goods and services and acquiring long-term leases for ORV trails/routes on private lands such as those owned by forest products companies. Others advocated for separate trail systems for ATVs, motorcycles and full size vehicles to reduce conflicts and to provide the experiences each group is seeking. Another smaller set of comments was supportive of improvements in managing the designated system including better maps, signage and trail maintenance such as additional grading and re-routing whooped out trails.

A group of those providing written input directly reiterated their support for the positions of the Michigan Cycle Conservation Club regarding the ORV plan update. These positions include additional designated system mileage with additional trailheads and separate trails for different types of ORVs, long distance loop and point-to-point trails to promote tourism, opening forest roads in the Lower Peninsula to ORV use, support for hands-on ORV safety education, no net loss/replacement of trail mileage lost in the system due to a variety of situations such as timber harvest, wet areas, etc., access to ORV generated state gasoline sales tax revenue for ORV programs, improved ORV signage that is compatible between the ORV and snowmobile program, re-route/rest whooped out trail and promote the family values of the ORV use.

ORV Grant Recipient Workshops

Below are the summaries of the September 16, 2004 ORV Damage Restoration workshop (held at the Grayling DNR Field Office) and the September 21, 2004 ORV Trail Maintenance workshop (held at the Ralph A. MacMullen Conference Center). All active grant recipients for each program were invited. Attendants at the Restoration workshop included one or more representatives from the US Forest Service, Michigan DNR Forest, Minerals and Fire Management Division, Huron Pines RC and D, Antrim County Conservation District, Michigan ORV Advisory Committee and Michigan United Conservation Clubs. At the Trail Maintenance workshop there were attendees from the Michigan DNR Forest, Minerals and Fire Management Division, US Forest Service, Cycle Conservation Club, Great Lakes 4-Wheel Drive Association, Irons Area Tourist Association, Michigan ORV Advisory Board, Lansing Motorcycle Club, Twin Bay Trail