

**OFF-ROAD VEHICLE (ORV) TRAILS ADVISORY BOARD MEETING**  
**Holiday-Inn Lansing West**  
**7501 West Saginaw Highway**  
**Lansing, Michigan**  
**February 8, 2006**

**Chairman Ranney** called the meeting of the Off-Road Vehicle (ORV) Trails Advisory Board to order at 6:30 p.m. on Wednesday, February 8, 2006 in Lansing, Michigan. He welcomed everyone and introduced the Board members.

**Members Present:**

Mr. Dick Ranney, Chair  
Mr. Glenn Moll, Vice Chair  
Mr. Jason Dinsmore  
Mr. Larry Harrington  
Mr. John Bernard  
Sheriff Terry Johnson

**Member Absent:**

Mr. Peter Wyckoff

**Staff Present:**

Mr. Steve Kubisiak, Forest, Mineral and Fire Management (FMFM), Lansing  
Mr. Jim Radabaugh, FMFM, Lansing  
Mr. Steve DeBrabander, FMFM, Lansing  
Mr. Wayne Wheeler, FMFM, Newberry  
Ms. Paige Perry, FMFM, Gaylord  
Mr. Michael Paluda, FMFM, Marquette  
Lieutenant Creig Grey, Law Enforcement Division (LED), Lansing  
Mr. Scott Berg, LED, Lansing  
Mr. Richard Kennedy, FMFM, Lansing

**USDA Forest Service Staff Present:**

Ms. Rose Ingram, Huron-Manistee National Forest, Cadillac

**MINUTES**

Acknowledged Minutes of the November 9, 2005 ORV Trails Advisory Board Meeting.

**Mr. Harrington made a motion, supported by Sheriff Johnson, to accept the minutes of the November 9 2005 Off-Road Vehicle Trails Advisory Board Meeting. Motion unanimously carried.**

**OLD BUSINESS**

**Minimum Age Requirements** – **Chairman Ranney** offered the Board's sympathy to Ms. Walls and thanked her for coming to the meeting to answer questions concerning the circumstance in which her son was killed. He said he knows this is very difficult for her. He noted the ORV Board is only advisory and that any changes to age restrictions would require legislation.

**Ms. Julie Walls** said her son Nicholas had been riding motorcycles since age five with his father. On Memorial Day 2005, her nine year old Nicholas was killed while riding his dirt bike on private land in

Brandon Township in Oakland County. He was riding with his cousins and stepbrother around the property and died when he ran into a barbed wire fence. She said there was parental supervision, but she was not aware of the safety training, or certification requirements, until after the fact. Her son did not go through the training. **Ms. Walls** does not believe young children have the maturity to understand course content, or have the motor skills necessary to operate motorcycles that are capable of high rates of speed. She believes there should be a minimum age restriction for off-road motorcycle riders.

The Board members asked questions. Discussion ensued about existing regulations, the importance of rider education, existing safety certification requirements and parental responsibility. It was the consensus of the Board that an age restriction for off-road motorcycles is not necessary. No further action was taken by the Board.

**ORV Plan/Forest Certification Update** – **Mr. Radabaugh** reported that in December the Department of Natural Resources (Department) was successful in certifying Michigan State Forests under both Forest Stewardship Council (FSC) and Sustainable Forestry Initiative (SFI) standards. He noted that illegal ORV damage was cited as a nonconformance. The Department has developed a corrective action response (CAR) and work instructions to address this audit finding. The Department will create a task force charged with defining a Department-wide strategy for addressing illegal ORV use. The strategy will be defined by June 30, 2006, and will address three fronts including user education, enforcement and maintenance/restoration. A member of the ORV Board will be appointed to the task force along with representatives from Forest, Mineral and Fire Management and Law Enforcement Divisions.

**Mr. Radabaugh** reported that forest certification efforts, along with the legislative boiler plate requirement regarding planning for a 25% increase in trail mileage, has slowed the Department's internal review of the ORV plan. A kick-off meeting of the internal review committee is scheduled for next week. After the review is complete, the plan will go to the Statewide Council for review, and then to the Natural Resources Commission (NRC) for adoption.

**Mr. Michael Paluda, Upper Peninsula Field Coordinator** introduced himself to the Board and stated that he was heavily involved in the forest certification effort. He noted the seriousness of the audit findings relating to illegal ORV use and environmental damage and said it could jeopardize forest certification if it cannot be controlled. A follow-up audit will be conducted in March to review status of the corrective actions and annual audits will be conducted each October. **Mr. Paluda** cautioned that unless the ORV community gets involved and the Department gets the illegal ORV use and damage under control it could lead to a ban on ORVs in Michigan state forests. He urged the leaders in the ORV community to get involved and work with the Department and ORV manufacturers and dealers.

**Gladwin Trail Update** – **Mr. DeBrabander** referenced the power point presentation made by Mr. O'Neill at the November meeting. He reported the Department has received a lot of letters and emails in support of reopening the trail. The south loop remains open. The middle and north loops are closed. The reopening date for the middle loop is yet undetermined. Trail hardening, erosion control and illegal trail restoration projects remain to be done on the middle loop. The Department is currently determining if the middle loop can be reopened while the improvements are being made. Trail program staff has requested project specifics and a timetable for completion from the management unit. The report concerning the north loop has been submitted to the District and comment from resource divisions is being sought. Once all comments are received, the District will forward the report with recommendation to the Field Coordinator. The report will then be submitted to FMFM for program review and final decision.

**ORV Grants Update** – **Mr. Kubisiak** reported grant recommendations have been approved by the Resource Deputy and grant agreements have been sent to the sponsors. Four additional projects were included which are: Two engineering bridge reviews on multi-use trails, an environmental

assessment for a proposed motorcycle trail on the Hiawatha National Forest and a trail restoration project on the pioneer trail located on the Ottawa National Forest. He noted there is a remaining balance of approximately \$18,000 in restoration funds, and \$268,000 in maintenance and development funds. Program staff will continue to work with field staff and sponsors to identify additional projects. Sponsors should notify their field contacts if they have an idea for additional projects for funding consideration.

**Safety Education Update** – **Conservation Officer (CO) Scott Berg, Law Enforcement** reported he is working on a contract to hire a vendor to produce and supply new training materials and he hopes to have them on board by June. In the meantime the existing training materials and curriculum will be used. There are currently 389 certified instructors. Over 10,000 students have been trained since 2004. A training academy for instructors is planned and will be scheduled as soon as the new training materials are available. Instructor information packets are available and the Department is working on a newsletter for instructors. A website for instructors to order materials is also available, and the information on how to access the site will be provided in the newsletter. Training instructor's names are posted on the Department website. **C.O. Berg** acknowledged the contributions of the ORV Safety Education Workgroup and believes that Michigan's curriculum will be one of the best in the nation and will save lives.

## **NEW BUSINESS**

**ORV Pamphlet** – **Mr. Moll** believes it is important to have information about ORV regulations available where customers purchase ORV licenses and at Michigan Welcome Centers. He said that basic information such as what is an ORV, where you can ride, who can ride, protective gear and tread lightly information should be included. He also suggested this information be made available on the internet, local Chambers of Commerce, DNR service centers and ORV dealerships. He suggested the Department also consider doing public service announcements and press releases. **Mr. Kubisiak** noted that the Handbook of Michigan Off-Road Vehicle Laws contains all this information and it's the Department's intent to use this document for public information purposes. This information is also available on the Department's website. He said a meeting was recently held with law enforcement and licensing staff to compile a strategy to more effectively distribute the handbook to license vendors for public distribution.

**Green Spade Award** – **Chairman Ranney** reported the Lansing Motorcycle club planted over 1,500 seedlings in 45 minutes last Arbor Day. The club's goal is to plant 4 to 5000 seedlings this year. **Chairman Ranney** announced the creation of the Green Spade Award and challenged ORV clubs to plant trees this Arbor Day. The club that plants the most trees will be presented with the Green Spade Award at a future ORV Trails Advisory Board Meeting.

**Election of Chair and Vice Chair** – **Mr. Moll** opened nominations for Chairperson.

**Mr. Harrington made a motion, supported by Sheriff Johnson, to keep the same officers. Motion unanimously carried.**

## **PUBLIC APPEARANCE**

**Mr. Greg Esler, St. Clair Shores** lost his son in an ATV related accident on July 29, 1990 and is here on behalf of Ms. Walls. He appreciates the Board's efforts to advocate for safety, but believes there should be age limits for ORV riders because of the need for mental maturity and motor skill development. He cited age limits for driving, smoking and drinking. He asked the Board to reconsider their position regarding age limits and thanked the Board for the opportunity to speak.

**Mr. Bruce Kamminga, Two Trackers 4X4, Caledonia** said he has been riding since 1965 and this is the first meeting he attended. He noted the exponential growth of ATV and motorcycle sales and asked where people can legally ride and get information. His biggest concern is how to help people get information that come into his shop. **Mr. Radabaugh** noted that information about ORV regulations and trail maps are available on line-on. The website address is <http://www.michigan.gov/dnr> click on **Recreation and Camping** then **ORV/ATV**. Brochures and trail maps are also available from the Department.

**Mr. Richard A. Rondeau, Michigan ATV Association** believes that in light of forest certification it is incumbent upon the ORV community to begin policing themselves or risk losing riding privileges. He supports mandatory Safety Education for all riders.

**Mr. Ernie Brooks, Marine City** thanked the Board and acknowledged them for doing a fine job. He believes the snowmobile associations do a good job of providing information at Welcome Centers and thinks the same thing could be done for ORV. He asked why Conservation Officers are resistant to counties opening up roads to ORV use and believes they are providing misleading information at public hearings. **Lt. Grey** said that it is the legislature that has set laws regulating the use of ORV's on roadways and there is both a public safety and resource protection side to this issue. **Mr. Ranney** asked that Conservation Officers provide honest facts at public hearings, and that direction from Law Enforcement be provided to field officers.

**Mr. Jim Mazzola, Great Lakes Four Wheel Drive Association, Dryden** asked questions about the Forest Certification, Safety Education, trail grants program and where pre-printed ORV stickers could be obtained. He recommended the Department include training for full size and recreational utility vehicles (RUV) in the safety training curriculum. He requested a listing of the sitting members on the federal Recreational Trail Program (RTP) Advisory Committee.

**Mr. Bill Gilbert, Michigan ATV Safety Association** believes the laws relating to youth operation of large ORVs needs to be reviewed and revised. He thanked Scott Berg and Lt. Grey for their efforts in improving the safety education program. He thanked Mr. Harrington and agrees with him regarding forest certification. He sympathizes with Ms. Walls situation and believes parents or legal guardians should be required to attend the safety education course with youth. He believes that ORV dealers don't care about providing ORV rules or safety information to customers.

**Mr. R.J. Witte, Cycle Conservation Club of Michigan Inc. (CCC) and Great Lakes Dual Sporters, Rhodes** announced that Lewis Shuler has been named as the new Executive Director of the Cycle Conservation Club of Michigan Inc. He has served on the Board of Governors and has been a motorcycle safety instructor since 1992. He is involved with youth programs and the kids ride.

**Mr. Lewis Shuler, Executive Director, Cycle Conservation Club of Michigan Inc. Coldwater** introduced himself and looks forward to continuing a good relationship with the Board and the Department of Natural Resources.

**Mr. Chuck Smith, ATV Off-Road Club of Michigan** thanked the Board and offered his condolences to Ms. Walls. He advocates hands-on training with the hope proper training will help eliminate deaths. He asked how many kids were trained in southeast Michigan last year and believes local law enforcement is not knowledgeable about ORV regulations. He believes the Department is dragging its feet on resolving problems at the Gladwin ORV trail.

**Mr. Tony Pitts, Ann Arbor** has been in the sport about a year and bought his 7 year old son an ATV. His son took a safety course and his ATV has a governor to control speed. He believes it is the parent's job to keep kids safe and that there should not be age limits for ATVs. Because he cannot ride on public lands in Michigan with his son he goes to Florida to ride.

**Mr. Paul Mulder** asked why the M-37 ORV parking lot was not plowed and reported the bathroom door was unlocked and flung open. **Ms. Ingram** will look into the situation.

**Mr. Tom Dunn, Lansing Motorcycle Club** thanked the Board and said he sympathizes with Ms. Walls. He said he has been riding motorcycles with his sons since they were 7 and relayed some stories. He does not support age restrictions for motorcycles and believes it is the parent's responsibility to see that their children are properly trained to operate an ORV.

**Mr. Dinsmore moved to adjourn, supported by Mr. Moll. Motion unanimously carried.**

Meeting adjourned at 9:37 pm.

**Next Meeting**

May 10, 2006 Lansing Holiday-Inn West

**Public Present:**

Chuck Smith ATV Off-Road Club of MI  
Thomas Dunn, American Motorcycle  
Association (AMA), District 14  
Tom Gallagher, Michigan Recreation  
Vehicle Riders Association  
Paul Mulder, GLFWDA  
Bill Gilbert, Michigan ATV Safety  
Association  
Bruce Kamminger, Two Trackers 4 WD  
Scott Miller, Two Trackers 4 WD  
Dave Smith, Two Trackers 4 WD  
Julie Walls  
RJ Witte, Cycle Conservation Club

Richard A. Rondeau, MATVA  
Sharon E. Rondeau, MATVA  
Ernie Brooks  
Jim Kunath  
Marc D. Smith, ASI  
Tony Pitt, ATV Off-Road Club  
Larry Wood, ATV Off-Road Club  
Jim Mazzola, Great Lakes 4WD Assn  
Sue Thrushman, ATV Off-Road Club  
Duc Duong, Two Trackers 4 WD  
Heidi Puckett, Rep. Stakoe's office  
Lewis Shuler, Cycle Conservation Club