

I am here today to speak in opposition to sections 10(a) and 41 in Raised Bill 6495 and Committee Bill 190. I come before you today, representing the NETRA organization. I work to organize events in the eastern part of the state. The simple point is there are no public recreational places to ride ATVs, please explain to me why anyone should one register them? What is the benefit?

I am new to the discussions of riding in the State forests. I truly think that there is plenty of room to put a 5 to 8 foot wide unidirectional trail through the woods, in selected forests within the state of Connecticut. I think they would be maintained and partnerships with other interests groups would be formed to promote a recreational activity for families. If the state chooses not to enter into this shared risk agreement then they should not mandate a registration and the subsequent taxation policy by municipalities.

I really think that Cycling Clubs did put "skin in the game" even in the face of very large obstacles over the last 28 years. I simply see tremendous effort. My personal opinion is that they put enough effort forward to merit setting up trails a priori to instituting a registration fee.

In a previous, testimony on February 20<sup>th</sup>, 2013 Jerry Shinnars clearly noted the insurmountable challenges in ever obtaining an ATV trail within a State forest given the current infrastructure. He also noted the remit stated in a law issued approximately 28 years ago. Further discussions noted the inaction of the law resided in the interpretation of the word "shall" versus "must" in a legal document. See Attached Appendix II (the actual text from Jerry's testimony on February 20<sup>th</sup>, 2013).

Regarding the law enacted in 1986 and the use of the term "shall". The term shall is noted 35 times in sections 10(a) and 41 in Raised Bill 6495. Why? Because from a legal contractual standpoint "shall" and "must" are used interchangeably. Why does "shall" carry a lesser responsibility than "must" in this law issued in 1986?

Even if there were a dramatic change in the political climate, there would still be no funding for such a venture and registration fees generating a gross of \$1,050,000.00 is not going to generate sufficient funds to do much of anything (a 35.00 registration fee multiplied by 30,000 ATVs) without a very careful earmarking provision.

I did find one piece of advice from the DEEP that actually stands against registration: "Finally, all user groups should be encouraged to raise their own funds for land acquisition for their particular recreational activity. Conservation and trail organizations have purchased thousands of acres of land around the state with public, private and foundation donations. This model could translate to motorized, equestrian, and biking organizations as well." We are finding legal venues but it is very expensive. Therefore, we should not be levied a registration fee and subsequent taxes that would inhibit the autonomous path that cycling has been forced to pursue.

As for cities and the issues that they are dealing with in regard to dirt bikes, I do not see the possibility that a registration fee from one organization will even remotely deal with the concerns they are trying to address. The issue of the city rider's civil disobedience should be addressed with city ordinances and if necessary all of the individuals of the state should share the burden of financing solutions for the inner city.

Appendix I. Examples of Efforts from Local Cycling Clubs

State Forest	Activity	Club	Goal
Cockaponsett State Forest	5000 hours of trail maintenance at the direction of park management	Salmon River MC	Seeking approval to run 2 events per year
Cockaponsett State Forest	Partnered with park management to have trail days	Salmon River MC	Seeking approval to run 2 events per year
Cockaponsett State Forest	Assembled 400 picnic tables to be distributed throughout the park	Salmon River MC	Seeking approval to run 2 events per year
Shenipsit State Forest	Cleared "nearly all" the trails from massive snow storm that decimated the trail system	CT Ramblers MC	Seeking approval to run 2 events per year
Shenipsit State Forest	Building of at least 4 bridges. "These are well built using large telephone pole length members and pressure treated wood. Many hours, volunteers and equipment used in their construction"	CT Ramblers MC	Seeking approval to run 2 events per year
Pachaug State Forest	Building of a parking lot and sign mapping the Pachaug Loop	Central Cycle Club	Continued Use of the Pachaug Loop for Registered Motorcycles and 1 event per year
Pachaug State Forest	Removal of approximately 200 tires illegally dumped on Porter Pond Road and brought to recycling center in Plainfield at no cost to the Pachaug State Forest. Pictures in Appendix III	Central Cycle Club	Provide assistance to the Pachaug Forestry Staff
Pachaug State Forest	Yearly Earth Day Cleanup in Partnership with a Local Boy Scout Troop at no cost to the Pachaug State Forest	Central Cycle Club	Continued Use of the Pachaug Loop for Registered Motorcycles and 1 event per year
Pachaug State Forest	Building of 2 multipurpose Bridges. Pictures in Appendix III	Central Cycle Club	Continued Use of the Pachaug Loop for Registered Motorcycles and 1 event per year

Appendix II Jerry Shinner's Testimony from February 20<sup>th</sup>, 2013.

My name is Jerry Shinner, Administrator of New England Trail Rider (NETRA), 900 of which are from Connecticut and the rest of the 2100 are from the other New England States and New York. We are a motorcycle association and I live in Connecticut.

The State of Connecticut wants ATV registration. An ATV is defined by either having 2 or 4 wheels. There is up to 60,000 of them in the state. Nobody knows for sure. There is no place in the State to ride them. The first problem is why would anybody register their ATV if there is no place to ride.

ATV registration is punitive without a place to ride. It is putting the cart before the horse.

Of course the State thinks once there is ATV registration in the State there will be some control but there will be no trails unless the DEEP changes the ATV policy and is more flexible. The DEEP has stonewalled us (users) since 1986 when a law was (passed) that (states) "the State shall provide trails". However, no trails have been provided.

Does anyone think trails will magically appear? The DEEP are not changing their ATV policy for creating trails. Check out the DEEP ATV policy. Go to Google and put in CT DEEP ATV policy. It's almost impossible to follow for anyone. DEEP sees it as a concession- somebody else runs it.

Someone would have to apply for an area. There is no money to pay for it and no help from the State at all. That person or persons are totally on their own. They would have to get permission from all areas of DEEP- forestry, fisheries, water, endangered species, soil and animal habitat like deer or turkeys and pay for the research which could be as much as hundreds of thousands of dollars. Then, if passed, they have to hire someone to run it and oversee it. The chance of getting this done is like winning the lotto.

How do I know this? I tried 3 times in the over 30 years I have been attempting to create trails for ATV's. Only one of the proposals was even looked at. This is the entire attempts to create trails. The one proposal they even looked at they shot down. Why? I thought it was perfect. It was out of the way, with a parking area. It was a flood control dam protecting Stafford. No animal worries or endangered species. They shot it down because it could be wetlands. Of course it could be but it had never flooded.

As far as I have seen the State has not given one inch in trying to create trails. Even if the DEEP gets some money from part of the registration will it be enough? Can they just say there is not enough money. So we are back to 1986 again? Will they provide staff and effort? Please answer these questions before passing ATV registration. Don't just be punitive, please put together a complete package. People have to have a place to ride or else there is little hope to get them registered.

The last thing I worry about is that all significant ATV events in Connecticut, such as a sanctioned race, rally or event on private property should have an exemption for registration as MASS does. MASS law says they can exempt a sanctioned race, rally or event from the requirements.

Respectfully Submitted. Jerry Shinner, [netraman@yahoo.com](mailto:netraman@yahoo.com), 860-693-9111

Appendix III

Bridge Over Kinnie Brook Pachaug State Forest



Cement Pillar Supporting the Bridge Halfs. I-Beam on Cement Sufficiently Strong Enough to Handle a Universal Crossing by Registered Motorcycles to Horses



Tire Cleanup on Porter Pond Road



One of Many Trips Out of the Woods

