

Appendix C

Summary of Motorized Recreation Interests in Pennsylvania

Of all the specialized trail users covered in this plan, motorized recreation has seen the most changes over the last five years, and the motorized community has become one of the most vocal user groups in Pennsylvania. Changes include several significant legislative actions related to liability, the use of ATV registration funds, the requirement placed on DCNR to implement certain ATV trail connections, and DCNR's revised ATV Trail Development and Management Policy. In addition, CNRAC provided a 2019 report titled *Recommendations Regarding DCNR's Role and Responsibilities to Provide Motorized Recreation Opportunities*. Finally, the motorized community provided significant feedback during the public-input efforts for this plan and the Rec Plan. The sum of these factors warrants a more in-depth look into the resources and needs related to motorized recreation in Pennsylvania.

For the purposes of this document, motorized recreation refers to a variety of motorized uses including all-terrain vehicles (ATVs), side-by-sides (SxS), off-highway motorcycles (OHMs), full-size four-wheel-drive vehicles (4x4s), snowmobiles, and similar types of off-road vehicles.

ATVs and SxS

ATV and SxS riders are the largest user groups within the motorized community and have the greatest variety of riding options. Opportunities for riding include:

- 276 miles of ATV trails in state forests
- 109 miles of trails in Allegheny National Forest (ANF)
- Tens of thousands of acres in pay-to-ride facilities such as the Rock Run Recreation Area, Anthracite Outdoor Adventure Area, and Famous Reading Outdoors
- Numerous private facilities
- A few motocross style facilities
- A variety of municipally owned roads (municipalities may allow, by ordinance, ATV riding on certain municipal roads)

According to a 2016 survey of ATV users, 52 percent primarily use private lands for ATV riding. The survey also revealed that longer trails (50+ miles) and a better distribution of riding opportunities across the state are top priorities for ATV riders. Pennsylvania law requires an ATV to be registered with DCNR if it will be operated outside of the owner's property.

OHMs

OHMs ride mostly on private lands, pay-to-ride facilities, ANF, and motocross facilities. OHMs are not permitted to ride on state lands, with the exception of a small eight-mile trail system in Bald Eagle State Forest.

4x4s

4x4s ride mostly on private lands and pay-to-ride facilities. This group likely has the fewest opportunities to ride off-road.

[Snowmobiles](#)

Snowmobiles ride mostly on a variety of public and private lands. DCNR, PGC, and USFS offer trails on public lands; however, snowmobile clubs typically participate heavily in trail maintenance and grooming. Clubs also generally facilitate trails on private lands by negotiating access, maintaining, and grooming, and monitoring trail use. Pennsylvania law requires a snowmobile to be registered with DCNR if it will be operated outside of the owner's property.

[Recent Changes](#)

Though members have varying wants and needs, the motorized-recreation community believes it did not receive a great deal of attention in the past. However, in recent years there have been a few significant changes related to motorized recreation in Pennsylvania.

[Act 97 of 2016](#)

Act 97 of 2016 amended Title 75, Chapter 77 of the Pennsylvania Code, requiring changes to how ATV and snowmobile registration funds are accounted for and spent. In Pennsylvania, owners of snowmobiles, ATVs, and SxS (which fall under the ATV definition) are required to register their vehicles with DCNR at a cost of \$20 every two years. Any vehicle that will be operated outside of the owner's property must be registered. Registration revenues may be spent on initiatives related to ATVing and snowmobiling on DCNR lands or awarded to other entities in the form of grants to support publicly accessible ATV and snowmobile riding.

Act 97 required two major changes to the code: First, the ATV and snowmobile registration funding were split into separate dedicated accounts to be spent only on the activities that generated the funding. This meant that 85% of the registration funding would go into the ATV Restricted Management Account to only be spent on activities related to ATVing, while 15% would go into the Snowmobile Restricted Management Account to only be spent on activities related to snowmobiling. (Previously, the funds flowed into one account and were spent interchangeably.) Secondly, Act 97 changed the grant process by requiring DCNR to implement separate regulations for the application and awarding of those funds and requiring grant applications to be accepted semi-annually. Since these changes were implemented, spending on ATV projects has increased significantly, while spending on snowmobile projects has decreased.

[Pennsylvania All-Terrain Vehicle Area Suitability Study](#)

This [study](#) used GIS to identify areas across the state with the most suitable characteristics to support new ATV riding areas. The results were released in 2019 and will continue to be utilized to help identify suitable locations to expand ATV riding. As part of the planning process, a survey of registered ATV users was conducted. The survey results are available in the plan document and are vital to understanding the ATV community's priorities.

[Pennsylvania House Bill 1929 of 2017](#)

HB 1929 of 2017 amended the Fiscal Code, requiring DCNR to (in consultation with PennDOT) develop, open, and maintain an ATV trail connecting the Whiskey Springs ATV Trail to the Bloody Skillet ATV Trail utilizing existing state roads and state forest roads by April 1, 2020; and, also in consultation with

PennDOT, implement the full northcentral Pennsylvania ATV initiative and create a network of ATV trails connecting Clinton County to the New York border utilizing existing state roads and state forest roads by April 1, 2024. In 2018, shortly after the HB 1929 was passed, DCNR released the [*Whiskey Springs and Bloody Skillet Connectivity Study*](#) to determine the feasibility of a safe 20+ mile connection between these two trail systems. Coordination between DCNR and local stakeholders continues.

[*CNRAC's Review and Recommendations Regarding DCNR's Role and Responsibilities to Provide Motorized Recreation Opportunities Within the Commonwealth of Pennsylvania*](#)

This report outlines CNRAC's findings with respect to DCNR's role as the state's licensing body for snowmobiles and ATVs and how the growing demand for additional ATV riding opportunities can be addressed.

[*Recreational Use of Land and Water Act 2018 Amendments*](#)

The Recreational Use of Land and Water Act provides immunity in certain situations to landowners who open their lands for public recreation. Two major changes in 2018 benefited motorized recreation:

- The definition of "recreational purposes" now specifically includes "snowmobiling, all-terrain vehicle and motorcycle riding."
- Landowners can now be paid in donations, in-kind services, or payments that go directly to paying for "conserving or maintaining the land, paying taxes on the land, or paying for liability insurance on the land." Previously, these types of payments to the landowner disqualified them from protections under the Act.

[*Moving Forward*](#)

Trails for motorized recreation generally require the most management and attention. Establishing new riding areas requires significant time, determination, effort, and expertise. The current approach to expanding motorized recreation relies heavily on local leadership to identify and develop new riding areas. These areas must be at least several hundred acres, but should ideally be several thousand acres. While these types of facilities have been successful, there is still a desire among the motorized community to establish long-distance, landscape-scale trail systems that connect into communities and other places of interest. The development of a system of this magnitude will require time, significant effort, local volunteers to help support maintenance, willing landowners to open up their lands for motorized recreation, and unprecedented cooperation. Such a venture is highly complex and will require buy-in from all levels of government as well as private interests. Currently, the establishment of large riding areas is a step towards long-distance landscape-scale riding. The future expansion of riding will likely occur mostly off DCNR lands and on other public or private lands where local partners can lead, with DCNR playing a supporting role. However, recent changes in DCNR policy will have a direct impact to ATV riding, specifically, on DCNR lands.

DCNR's newly revised ATV Trail Development and Management Policy (see below) authorizes the Department to explore the potential for new ATV trails and connectors on state forest lands while working with willing private landowners and local communities to enhance long-distance riding opportunities.

DCNR ADOPTS NEW ATV POLICY

In January 2020, DCNR released its Draft ATV Trail Development and Management Policy for a 60-day public comment period. The internal policy serves to guide the Department in the planning,

development, and management of ATV trails on DCNR-managed lands and to respond to increasing demands for riding opportunities, local and county government interest in expanding recreational tourism, and legislative action.

DCNR received 857 comments regarding the changes to the proposed policy. Most of the comments did not specifically address the policy but instead offered support or opposition for increased ATV riding on state forest lands. DCNR developed a comment-response document which can be found on the DCNR website [here](#).

The [final policy](#) was released on November 18, 2020, replacing the previous policy in place since 2005. The new policy specifically rescinds the moratorium on new trail development in state forests, in place since 2003, and authorizes DCNR to explore the potential for new ATV trails and connectors on state forest lands. Other changes include:

- Allowing the Secretary to designate portions of the state forest road system as temporary, seasonal or permanent ATV trails.
- Working with willing landowners and local communities to enhance long-distance riding opportunities.
- Allowing the department to request public comment for projects that have broader impacts on the community/region.
- Supporting acquisition of lands specifically for motorized recreation use.
- Determining appropriate width and weight limitations for designated trails (not to exceed 64 inches and 1800 pounds).

The policy became effective immediately. Implementation will be guided by the Bureau of Forestry's ATV management plan and a set of overarching [ATV Management Principles](#).

Pennsylvania currently has more than 260 miles of ATV trails in state forests.

DCNR is embarking on an assessment to expand riding in the northcentral part of the state to explore long-distance connectors due to a relatively high number of township roads open to ATV use, and proximity to other DCNR ATV trail systems. The policy reinforces the need to partner with municipalities and private landowners to expand riding opportunities and develop destination-style connectors that would help support local and rural economies.

DCNR plays a multi-faceted role with ATVs: registering their use statewide through a cooperative agreement with PennDOT; managing registration-generated fees for maintenance, enhancement, and enforcement of trail opportunities on state forest lands; and distributing grants to provide new recreational ATV trails and facilities.

Pennsylvania has approximately 285,000 registered ATVs. On state forest lands, ATV riding is allowed only on designated trails. ATVs are prohibited on trails within state parks.

In 2020, the Department hired a full-time professional to lead its efforts to expand recreational opportunities specifically for motorized recreation.

Due to the initial impacts and overall needs in responding to the COVID-19 pandemic, DCNR was forced to push back its timeline for finalizing its comment response document and the ATV Policy. DCNR's

parks and forests have experienced unprecedented use during the past few months which has put additional pressures on administrative, operations, and enforcement staff. The Department greatly appreciates the patience of the public and interested stakeholders as DCNR advances the implementation of this policy.

More information about [ATV riding in state forests](#) is on the DCNR website. DCNR's policy also took into consideration a report developed by the CNRAC entitled "[CNRAC's Review and Recommendations Regarding DCNR's Role and Responsibilities to Provide Motorized Recreation Opportunities within the Commonwealth of Pennsylvania](#) (January 23, 2019)."