



Wes Moore, Governor
Aruna Miller, Lt. Governor
Josh Kurtz, Secretary
David Goshorn, Deputy Secretary

February 29, 2024

BILL NUMBER: House Bill 866 – First Reader

SHORT TITLE: Off-Highway Recreational Vehicle Trail Fund and Off-Highway Recreational Vehicle Recreation Oversight Board - Alterations and Establishment

DEPARTMENT’S POSITION: LETTER OF INFORMATION

EXPLANATION OF DEPARTMENT’S POSITION

The Department provides this letter of information on House Bill 866. The Department prides itself on providing different options and opportunities for Marylanders to recreate across the State. The Off-Highway Recreational Vehicle Trail Fund has enabled the Department to expand our opportunities for such opportunities.

BACKGROUND INFORMATION

The MD OHV Alliance is a State-wide body of OHV recreation enthusiasts that works to improve and promote responsible OHV recreation and management across the state. The MD OHV Alliance partners with MD DNR and has worked with previous administrations to enact three prior pieces of legislation: Creating the Off-Highway Recreational Vehicle Trail Fund with a portion of the OHV titling fees; removing landowners' liability for allowing OHV recreation for free; and allowing OHV riders to ride on county roads in Allegany and Garrett Counties up to 5 miles, to go between trailheads on different properties.

The OHV recreation fund has helped to create more trail infrastructure on state lands, however, finding and gaining approval for new trail development is particularly challenging for off-road vehicles, which have a larger footprint and more potential conflicts with other land management priorities or requirements than do traditional or multi-use trails. The Department has encountered challenges previously with trail development projects conflicting with other departmental goals and initiatives such as water quality management; forest protection and expansion; and rare, threatened and endangered species conservation. In addition, there is a desire for more geographic diversity for OHV trails including the Eastern Shore and Central MD.

The MD OHV Alliance has expressed a desire for new lands and new trails to be developed more rapidly and seem to have some concerns about past expenditures for trail equipment, vehicles, etc. As Wolf Den Run was the first State Park with a significant OHV focus, many of these expenditures were “start-up costs” and basic infrastructure purchases that were necessary to get the park open and the trails ready for use.

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Based on the Department's experience with Wolf Den Run, the planning, design, development, and construction of safe and sustainable trails that are enjoyable for visitors and integrated with conservation goals and objectives takes time. Much of the success at Wolf Den Run State Park is due to collaboration among natural resource professionals and park staff that are well versed in OHV park operations and trail design, maintenance, and management.

BILL EXPLANATION

The bill would increase the portion of the excise tax to be contributed to the fund, establish the Off-Highway Recreational Vehicle Recreation Oversight Board to advise the Secretary of Natural Resources on certain matters, as well as review and approve expenditures from the fund. The bill also mandates the percentage of funds to be spent on trail activities such as acquisition, development, maintenance, and trail-related infrastructure. The Bill prioritizes the acquisition of new land appropriate for OHV use, expedites the development of new trails on these properties, and allows for trail funds and State staff resources to be used to design, develop, maintain, and manage OHV trails on leased land that is not owned by the State.