



ARIZONA ASSOCIATION OF COUNTIES

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February 8, 2008

The Honorable Jerry Weiers
Arizona House of Representatives
1700 W. Washington Street
Phoenix, AZ 85007

RE: HB2573 Off Highway Vehicles; User Fee

Dear Representative Weiers:

On Friday February 8, 2008 the Arizona Association of Counties (AACo) discussed and voted on the provisions of HB2573 and we are pleased to announce our support for this legislation.

AACo membership consists of 330 elected county officials from all 15 of Arizona's counties. Many of our counties are considered part of rural Arizona and we believe that HB2573 is an excellent advancement toward preserving public lands for future generations while simultaneously providing a variety of safe opportunities for off-highway vehicle users to enjoy our state.

HB2573 continues to allow our county sheriffs the ability to use off highway vehicles in the course of their duties and in times of emergency yet it prohibits off-highway vehicle riders from causing damage to areas that are private property, natural or cultural resources, wildlife habitats or riparian areas. This legislation is especially proactive because it also includes provisions to help mitigate land damage and allow for revegetation where necessary.

We also appreciate that a portion of the indicia fee will be deposited into the Highway User Revenue Fund (HURF) as this fund is an essential tool for counties to maintain their growing inventory of more than 21,000 miles of roads.

For these reasons, we are pleased to stand in support of HB2573.

Sincerely,

Nicole W. Stickler
Executive Director

President
Michael Jeanes
Maricopa County
Clerk of the Court

1st Vice President
Phil Leindecker
Cochise County
Assessor

2nd Vice President
Derek Rapier
Greenlee County
Attorney

3rd Vice President
Tim Carter
Yavapai County
School Superintendent

Past President
J.R. DeSpain
Navajo County
Supervisor

Executive Director
Nicole W. Stickler

HB 2573: OFF HIGHWAY VEHICLES; USER FEE

LETTERS OF SUPPORT

SPONSORED BY: REP. JERRY WEIERS



We ask you to join over 35 organizations in supporting HB 2573!

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Mike Hann
41115 Castle Hot Springs rd
morristown, AZ 85342-9608

February 7, 2008

The Honorable Jerry Weiers
Arizona House of Representatives
1700 West Washington Street
Phoenix, AZ 85007

Representative Weiers:

Dear Rep. Weiers

I have read Bill 2573 online and want to give my support to this bill. It seems to be a bill that shows good common sense to a problem that has been building. I am more than willing to pay the user fee listed in the bill to receive the benefits also listed. This is a case where I believe that if common sense legislation isn't passed now we will end up with unreasonable restrictions in the future. Thank you for your work and the committies work on this bill. I have become disabled and the only way I can get out and enjoy the beautiful Az. is on an ATV. I used to hike a lot but that is know out of the question so continued access to the desert on my ATV is a very important issue with my wife and I.

Sincerely,

Mike Hann
623-388-9211



Southwest Public Employees for Environmental Responsibility (PEER.org)

738 N 5th Av., #210, Tucson AZ 85705; 520.906.2159; swpeer@peer.org

Daniel R. Patterson, Ecologist & Southwest Director

February 11, 2008

Hon. Legislators and Governor – Southwest PEER is part of a national alliance of local, state and federal scientists, law enforcement officers, land managers and other professionals dedicated to upholding environmental laws and values. **We support HB2573 as a step in the right direction to better control reckless and illegal off-road vehicle use in Arizona.**

Reckless off-roading is a top threat to Arizona's landscapes, waters and wildlife. It is critical that we act to protect natural resources and safety, and to ensure clearer and stronger laws, so law enforcement can effectively deal with the many reckless riders. HB2573 establishes a user fee for off-road vehicles, increases funding for law enforcement, includes important safety provisions, clarifies where it is unlawful to drive off-road vehicles, and establishes a grant program. There have been some improvements added to this year's bill, which should help ensure responsible grant use.

State Parks will administer the grant dollars which can be used for various activities including law enforcement, environmental education, and to mitigate damage to the land as well as to close and revegetate damaging off-road vehicle trails.

This bill is a compromise. If there is one part of the bill we have some concerns about it is provisions to designate, construct, maintain, manage and acquire land for off-roading. New provisions this year include limits on new trail construction in areas that have environmentally or culturally sensitive land and a cap on expenditures for new trail construction at 35%. PEER sees it **unwise to expand off-road areas** until the current very big problems are brought under full control. We recommend the Legislature do a full review of the program in 3-5 years, perhaps as part of a re-authorization, to judge its effectiveness for conservation and law enforcement.

HB2573 will:

- Prohibit driving an ORV (aka OHV) off an existing road, trail or route in a manner that causes damage to wildlife habitat, riparian areas, cultural or natural resources or property.
- Prohibit driving these vehicles on roads, trails, routes or areas that have been closed as indicated in rules or regulations of a federal or state agency or any county or municipality or by proper posting if the land is private land. They cannot drive over unimproved roads, trails, route or areas unless driving in those areas is allowed by rule or regulation. They can only drive these vehicles on roads, trails routes or areas that are open as indicated in rules or regulations of a federal agency, this state, a county or municipality.
- Prohibit operation of an off-road vehicle in connection with acts of vandalism harassment of wildlife or domestic animals; damage to the environment, including excessive air, water and land pollution; abuse of the watershed; and impairment of plant and animal life.

As a decent first step, SW PEER supports HB2573 and all efforts to mitigate and limit off-road vehicle harm, to stronger conservation of Arizona's landscapes, waters and quality of life.

Thank you,

Daniel R. Patterson, ecologist, SW PEER