

**Adirondack Council - Adirondack Mountain Club - Adirondack Wild:  
Friends of the Forest Preserve - Catskill Mountain Keeper - Champlain Area  
Trails - Citizens Campaign for the Environment - Clean and Healthy NY -  
Environmental Advocates - Natural Resources Defense Council - New York  
League of Conservation Voters - Parks and Trails NY - Police Benevolence  
Association - Protect the Adirondacks! - Sierra Club**

June 9<sup>th</sup>, 2014

Hon. Sheldon Silver, Speaker  
Room 932 LOB  
NYS Assembly  
Albany, NY 12248

Dear Speaker Silver:

The undersigned organizations and individuals write to inform you of our opposition to Assemblywoman Addie Russell's bill (A.4971-a), that would increase the maximum weight limit for All-Terrain Vehicles (ATVs) registered in New York State.

This bill expands the definition of off-road vehicles to include a new class of vehicles called Utility-Task Vehicles (UTVs). While ATVs are smaller and carry two passengers, UTVs can carry up to six people, plus cargo, and can weigh as much as a compact car when fully loaded. Yet, this bill would allow them the same access as that is afforded to smaller ATVs. These heavier vehicles will significantly increase the damage to recreational areas open to ATV use and pose an increased health and safety risk to people and wildlife.

Recreational ATV riding is already causing severe and expensive damage to public trails and roads, and private property, throughout the state. From the Long Island Pine Barrens to the Wilderness areas of the Adirondack Park, ATVs dig deep ruts and cause widespread erosion on public lands. Erosion leads to water pollution, as rains and runoff wash soils into nearby lakes and rivers.

Furthermore, when ATV users illegally ride through streams and wetlands, they destroy fisheries and habitat for amphibians. Noise and air pollution from ATVs prevents the quiet enjoyment of public lands by other non-motorized users and those who seek peace and solitude in nature. It also disrupts (noise) and kills wildlife (collisions) and degrades local air quality.

Unfortunately, budget cuts coupled with an expanding scope of work leaves the Department of Environmental Conservation (DEC) and other law enforcement officials unable to adequately address illegal ATV use on off-limits public lands and trespass on private lands. In addition, many riders are able to evade government-erected barriers designed to prevent such trespass. Many ATVs are equipped with winches that can remove boulders and pull down gates, and in

other cases, riders can easily maneuver around these barriers, making all current enforcement efforts difficult.

The current damage is so extensive that on-line photo albums have been created to document the impacts. Here is one example: <http://bit.ly/1hz2Vfm>.

New York has taken steps in the past to protect the public health and safety from motorized vehicles. Section 114-d of the Vehicle and Traffic Law (chapter 365 of 2008) defines where electric personal assistive mobility devices (commonly known as the “Segway”) can and cannot be used. In fact, because of concerns you and others expressed, the law expressly prohibits Segways from being used anywhere in New York City. We believe that just as the Segway was deemed incompatible for use in New York City, the state should not expand the definition of ATVs to allow even heavier versions access to recreational areas of the state. Vehicles that could weigh as much as a compact car are not compatible with recreational areas.

With the current lack of enforcement and continued negative impacts to natural resources of the state caused by existing inappropriate ATV use, allowing the passage of A.4971-A will just add to these issues. Non-motorized user groups, who contribute to the tourist economy of the state, will be less inclined to recreate and seek solace in New York’s public lands if they are damaged and polluted. In short, passing this legislation would be bad for the state’s coffers and its natural resources.

We urge you to halt the progress of this legislation and prevent widespread damage to the environment of our state.

Sincerely,

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Executive Director  
Protect the Adirondacks!

Roger Downs  
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Sierra Club Atlantic Chapter

CC: New York State Assembly