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Off-highway vehicle fans say concerns unheeded

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People who drive off-road vehicles don't always get respect. There exists a belief among some who don't off-road that those who do are outlaws in the woods, drinking, acting crazy and tearing up the land.

That's painting with a pretty broad brush, says Mark Werkmeister, president of the New Mexico Off-Highway Vehicle Alliance.

It's the state Legislature that doesn't always get it right, Werkmeister says.

“Off-highway” and “off-road” mean the same thing, though off-highway is the preferred term because it's more inclusive, according to Werkmeister.

An off-highway vehicle, Werkmeister says, is any type used off the pavement, from ATVs to 4x4 trucks.

The U.S. Forest Service, Werkmeister says, indicates that 26 percent of New Mexicans participate in off-highway vehicles or motorized recreation.

“So that's close to half a million,” Werkmeister says. “It's a big number. The anti-OHV gnash their teeth when they hear that.”

But as big as the group is, the OHV folks don't always get heard.

That may be changing due to Senate Bill 379, which Gov. Bill Richardson signed into law last month.

The bill, among other things, shifts the oversight and management of the off-highway vehicle program from the New Mexico Department of Tourism to the Department of Game and Fish. The legislation condenses the Off-Highway Motor Vehicle Board from 27 members who could regulate to an advisory board of seven, appointed by the governor. It also establishes a penalty structure for violations. Penalty fees will flow into the Trail Safety Fund, with at least 50 percent of the funds devoted to law enforcement and education.

The bill, Richardson says, will emphasize safety and education while simultaneously protecting the state's natural resources.

S.B. 379 replaces the 2005 OHV Act.

“We opposed the old act because we didn't think it attacked the problems in the right way,” says Werkmeister, an Intel engineer who has participated in motorized recreation riding Jeeps and dirt bikes, mostly for 30 years.

The older, much larger board, Werkmeister says, was populated mainly by obstructionists. “With them, progress was slow.”

Werkmeister wants to see more OHV representation on the smaller board. “In Arizona, all

board members have to be motorized recreation enthusiasts.”

The New Mexico Department of Game and Fish has only recently begun to get used to the management of the OHV programs.

Martin Frentzel, chief of information and outreach for Game and Fish, says his department is studying ways to stress cultural and agricultural sensitivity of the lands used by OHV. “We (Game and Fish) deal with thousands of landowners on a daily basis. Overall we have a better working relationship with people in agricultural areas than the Tourism Department.”

The New Mexico Legislature, Frentzel says, especially Sens. Phil Griego and Dede Feldman, who worked on the passage of the new bill, wants to see “a more sensitive and aware user of our off-highway vehicles.”

Frentzel says, “Many people in New Mexico still live close to the land. We have some very traditional lifestyles here. We need to respect that.”

Chris Johnson, past president of the NMOHVA and an active participant in the sport of motorcycle observed trials, wants to see the state conduct certified off-highway safety classes. The 2005 OHV Act set money aside to have such classes, but it never happened.

Frentzel says Game and Fish is willing to undertake such a project. “We train thousands of kids every year in the safe handling of firearms. In our hunter education program, we trained more than 1,400 students in the month of March alone. We are an agency that has a track record for outreach and education.”

But for some alliance members, skepticism remains. “There's a bunch of verbiage in 379,” says Joanne Spivak of Santa Fe, who describes herself as “an old dirt-biker lady.” “What we want is not for the bill to be a witch hunt. We want it to be fair.”

“New Mexico is a big state,” Frentzel says. “If we work at this and go about it correctly, we can have room for just about everybody.”