

STATE OF
COLORADO

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OHV Pilot Program for Hinsdale County and Lake City

1 message

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To: Colorado Transportation Commission and Colorado Department of Transportation Representatives

I am writing in regard to the January 15, 2021 formal application to CDOT for the OHV Pilot Program for Hinsdale County and Town of Lake City. I am opposed to the extension of this Pilot Program and request that CDOT reject the application for a 3-year renewal.

I have been vacationing in Lake City almost every summer for nearly 70 years. My parents purchased two cabins in Hinsdale County in the 1960's and I now own two properties south of Lake City on Vickers Lane. My parents were five-month seasonal residents for 17 years. My wife and I have been there for about two months each summer for the past 10 years. Therefore, the Rock families have been financially supporting local restaurants, lumberyard, grocery stores, contractors, car repair businesses, gas stations, shops, arts center, movie theater and historical society for many, many **decades**. And yet it seems as though our opinions and desires along with those of numerous other seasonal residents are ignored by local elected officials in deference to the wishes of OHV owners and local businesses.

The Hinsdale County/Lake City Joint Application contains a large number of erroneous and misleading statements. I have included excerpts from that application here in quotation marks and added my clarifying/rebuttal comments in blue after each.

Safety

The Joint Application states: "The safety of highway travel associated with the Pilot Program is the number one priority for all partners involved". [Nothing could be further from the truth. Why? Consider the following facts regarding OHV safety:](#)

- [OHVs are not certified for use on public roads.](#)
- [OHV tires are not certified for highway use.](#)
- [OHV manufacturers, operator manuals, and rider safety schools warn against operating OHVs on paved roads, hard-packed surfaces and highway environments.](#)
- [OHVs have an inherent tendency to roll over due to a high center-of-gravity.](#)
- [OHVs have an inherent instability on paved surfaces due to their drivetrain and locking rear-differential.](#)
- [OHVs are not equipped with lights certified for highway use.](#)
- [OHVs are not crash-test certified.](#)

Therefore, OHVs present a known and documented risk to public safety, to their occupants and to others when allowed to operate on paved highways. They are OFF HIGHWAY Vehicles! Yet the proposed Pilot Program would permit OHVs on SH 149! It is only a matter of time before a serious accident or death occurs by allowing OHVs on 149. The Transportation Commission and CDOT are responsible for public

safety. Who will be liable if this program is approved and an accident or death occurs? The Transportation Commission? CDOT? Hinsdale County? Town of Lake City? All of the above?

“Exponentially more traffic citations are written in the summer because there is overall more traffic.” This is certainly not a situation where “safety is the number one priority” since Lake City and Hinsdale County are requesting a program that creates EXPONENTIALLY MORE CITATIONS? “Most citations written to OHV drivers... were for driving where prohibited, minors without a helmet and no insurance. Few were written for “hazardous violations”...” What were these “hazardous violations”? “There were few unsafe traffic conditions on Highway 149 associated with the Pilot Program in 2019 and 2020”. What were these unsafe traffic conditions? How many are “few”? Is safety really the #1 Priority?

Quality of Life

“OHVs are allowed on sections of the highway only far enough to access the Alpine Loop... Signage along the route will be increased to better inform OHV drivers of the designated areas of travel.” The fact is that OHVs do not adhere to the legally designated routes. The fact is they travel south on SH 149 well beyond the CR 30 turnoff to the Alpine Loop and as far up as Slumgullion Pass. The fact is they frequently visit the Packer Massacre site, which is on Vickers Lane where my summer homes are, and drive into residential and private property areas throughout Lake City and the County. Signage exists now and is ignored. More signs won't help.

I love Lake City for its beauty, tranquility, backcountry peace, and clean air and water. The recent influx of OHVs has ruined these qualities. Instead, Hinsdale County and the backcountry have become noisy, dusty, congested and polluted due to the negative impact of OHVs and the disregard of their owners for courtesy, speed, wildlife, noise and the environment. The noise along SH 149 between Lake City and CR 30 south of town is deafening from morning until night. I can attest to that since that valley is where my summer home is located.

There are numerous examples of OHVs driving off of designated roads and onto alpine tundra. This damage to our precious wilderness areas will take many decades to recover, if they are able to recover at all. The BLM and NFS are on record with their observations of damage to the Alpine Loop and adjacent wilderness areas.

“Hinsdale County is also requesting a speed limit of 25 mph along the entirety of the Highway 149 route.” “OHVs on the highway do not significantly impact the general flow of traffic...” If OHVs don't impact the flow of traffic, why would the Applicants want to reduce the speed limit on 149? I can personally attest to the fact that OHVs have significantly increased the amount of traffic on 149 and decreased the safety on that section since I travel that section to get to town. OHVs endanger every other vehicle on the highway.

Impact on Local Economy

“Allowing OHV riders to complete the Alpine Loop is considered an economic benefit to the Town of Lake City and Hinsdale County due to the increase in the number of visitors to the area.” Once again, the Applicants have failed to support this claim due to the lack of concrete data. There is absolutely no evidence that the increased number of OHVs has led to an increase in sales tax revenue. Another fact the Applicants ignore is that a significant number of seasonal summer residents chose to either not come to Lake City during 2020 or have sold their properties and moved to more pleasant locales due to the disastrous influx of OHVs. These are the people that support the businesses of Lake City for two to six months each summer rather than a week or two typical for OHV riders. And these summer residents have been doing this for DECADES!

“The Applicants are proposing additional seasonal law enforcement resources, made possible through increased funding to the Hinsdale County Sheriff's Office by both the County and the Town.” The Hinsdale County Sheriff is on-record with the fact that his office is unable to manage the increased levels of tourism. The drain on local law resources for increased enforcement is not compensated by an increase in revenue. How many new law enforcement officers are needed? How much increased funding? Where will the money come from? Most likely it will come from higher taxes, which will adversely affect summer residents like me. I pay nearly \$2,500 in property taxes each year but cannot vote since I am not a resident of Hinsdale County.

Failure of Previous Pilot Program

A well-run Pilot Program of any type would certainly have collected data. The elected officials of Lake City and Hinsdale County failed to do that with the OHV Pilot Program of 2019 and 2020. Their Application is replete with qualitative statements rather than factual, quantitative data. "Exponentially more", "Most citations", "few citations", "few unsafe traffic conditions", "few hazardous violations".

Why would CDOT renew such a Pilot when the Applicants failed their first attempt?

Other Misleading Statements

"Without access to SH 149, OHVs could not travel the entire Alpine Loop." This is extremely misleading. OHVs can travel the vast majority of the Alpine Loop with the minor exception of less than 2 miles by taking their OHVs to parking lots at each end of the Loop.

"The Pilot Program increased the number of OHVs on the highway during the summer...but there is always an increase in traffic during this time." In fact, the Lake City Silver World reported that there was an increase of about 50% in traffic on the Alpine Loop, in large part due to OHVs. Renewing the Pilot Program will only make this situation much worse.

Given these facts and your focus on highway safety, I strongly encourage you to reject any further implementation, renewal or continuation of the CO 149 Pilot Project for Lake City and Hinsdale County. Thank you for your consideration of this request.

Respectfully submitted,

Steven Rock

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