Town of Gorham, NH
Operation of Off Highway Road Vehicles

I. Purpose

The Town of Gorham, NH is a tourism community that welcomes and promotes recreational Off Highway Road Vehicle, herein after, OHRV activities. To enhance OHRV activities, the Town offers access to downtown Main Street for dining, lodging, shopping and other offerings. This ordinance is intended to identify lawful operation, identify streets/highways that do NOT have access and travel routes in our community.

II. Authority

NH RSA 31:39 Purpose and Penalties
NH RSA 31:39-d Local Ordinance Citations; Pleas by Mail NH RSA 41:11 Regulation of Use of Highways. Etc.
NH RSA 215-a:10 Limitations of OHRV Operation on Class I, II, III and III-a Highways
NH RSA 215-A:15 Regulations of Political Subdivisions

III. Definitions

a. "Off highway recreational vehicle or OHRV" means any mechanically propelled vehicle used for pleasure or recreational purposes running on rubber tires, tracks, or cushion of air and dependent on the ground or surface for travel, or other unimproved terrain whether covered by ice or snow or not, where the operator sits in or on the vehicle. All legally registered motorized vehicles when used for off highway recreational purposes shall fall within the meaning of this definition; provided that, when said motor vehicle is being used for transportation purposes only, it shall be deemed that said motor vehicle is not being used for recreational purposes. For purposes of this chapter "off highway recreational vehicle" shall be abbreviated as OHRV. OHRVs shall not include snowmobiles asdefined in RSA 215-C.

b. "Street " means the entire width between boundary lines of every way or place, or whatever nature, used by the members of the public for the operation of vehicular traffic.

IV. Travel Routes

a. OHRVs are authorized to operate on town streets, however, **NO** OHRV travel has been approved on the following highways/streets:

- Route 2 (Lancaster Road) West of Parking Area
- Jimtown Road – State Highway Portion (from Route 2 to Moose Brook State Park)
- Route 16 South (beginning at intersection of Routes 2 and 16 adjacent to the Town Common)
- Route 2 East (no travel is permitted beyond Bangor Street)
- Route 16 North/Berlin-Gorham Road (no travel is permitted beyond the State OHRV parking area)

As of this date, the State allows travel on Route 2 to/from the intersection of Routes 2 and 16 (traffic signal) to the Lancaster Road parking area. However, no loading or unloading of OHRVs or parking of OHRVs is allowed at the Route 2 Parking Area.
OHRV parking is provided on the Berlin-Gorham Road at 447 Main Street, Route 16 North in Gorham

b. OHRVs seeking to gain access from Washington Street, Mill Street, Peabody Street and Bell Street shall use Libby Street to Promenade Street to Church Street. OHRVs crossing Route 16 shall do so in accordance with NH RSA 215-A:6 X.

c. OHRVs shall operate on the traveled portion of the street, in single file, and follow normal traffic patterns.

V. Prohibitions

a. No person shall operate an OHRV upon a town street unless properly licensed in accordance with NH RSA 215-A:29.

b. No person shall operate an OHRV upon a town street without displaying a valid registration decal affixed to the OHRV in accordance with NH RSA 215-A:21.

c. No person shall operate an OHRV on town streets at a speed greater than is reasonable and prudent under the existing conditions and without regard for actual and potential hazards. In all cases speed shall be controlled so that the operator will be able to avoid colliding with any person, vehicle, or object.

d. Where no hazards exist, which would require a lower speed to comply with subparagraph (c), the speed of any OHRV in excess of 25 miles per hour shall be

prima facie evidence that the speed is not reasonable or prudent and that it is unlawful.

e. The driver of every OHRV shall, consistent with the requirements of subparagraph (c), drive at an appropriate reduced speed when approaching and crossing an intersection or railway grade crossing, when approaching and going around a curve, when approaching a hillcrest, when traveling upon any narrow or winding trail, and when a special hazard exists with respect to pedestrians or other traffic by reason of weather or trail conditions.

f. No person shall operate any OHRV on town streets so as to endanger any person or damage any property.

g. No person shall operate any OHRV on town streets during the period from one half hour after sunset to one half-hour before sunrise, except in emergency situations.

h. No person shall operate an OHRV on town streets from November 4 to May 23 of every year.

i. No person shall operate an OHRV on authorized town streets without working head and tail lights.

j. No person shall operate an OHRV on town streets unless it is equipped with mufflers and an exhaust system which comply with the requirements of RSA 215-A:12.

k. No person under the age of 18 shall operate or ride upon an OHRV on town streets without protective headgear. The headgear must be equipped with a neck or chin strap.

l. No person shall operate an OHRV on town streets without eyeglasses, goggles, or a protective face shield unless the OHRV is equipped with a windshield that protects the driver's eyes and face when sitting erect.

VI. Penalties/Enforcement

a. Any person who violates the provisions of this ordinance shall be guilty of a violation and shall be fined:

• First Offense	$100 fine
• Second Offense	$250 fine
• Third Offense	$500 fine

b. Enforcement of this ordinance shall be in accordance with NH RSA 31:39-c.

Signature page to follow.

By vote of the Gorham Board of Selectmen on July 12, 2021:

Michael L. Waddell, Chairman

Judith LeBlanc, Selectperson

Adam White, Selectman