

2015 New Hampshire Revised Statutes
Title XVIII - FISH AND GAME
Chapter 215-A - OFF HIGHWAY
RECREATIONAL VEHICLES AND TRAILS
Section 215-A:6 - Operation of All OHRVs.

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215-A:6 Operation of All OHRVs. –

I. It is unlawful to operate any OHRV during the period from 1/2 hour after sunset to 1/2 hour before sunrise without displaying at least one lighted headlight and one lighted taillight.

I-a. [Repealed.]

II. No person shall operate an OHRV upon any portion of the right of way of any public way including the traveled portion of a maintained public way except as provided in this chapter.

III. (a) No person shall operate an OHRV 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.

(b) Where no hazards exist which would require a lower speed to comply with subparagraph (a), the speed of any OHRV in excess of the limit specified in this section shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful:

(1) 10 miles per hour within 150 feet of any so-called bob-house, fishing shanty or occupied fishing hole of another.

(2) 20 miles per hour on class I through VI highways when the OHRV is being operated within the rights-of-way adjacent to such highways; class IV, V, and VI highways approved for OHRV operation; and bridges open for OHRV operation.

(3) 10 miles per hour at trail junctions or parking lots, when passing trail grooming equipment, or on town or city sidewalks.

(4) 20 miles per hour on plowed roads on department of resources and economic development property open to OHRV operation.

(5) 35 miles per hour on all trail connectors and any approved OHRV trail, unless posted otherwise.

(c) The prima facie speed limits set forth in subparagraph (b) may be altered for a specific hazard.

(d) The driver of every OHRV shall, consistent with the requirements of subparagraph (a), 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.

IV. It is unlawful to operate any OHRV so as to endanger any person or damage any property.

V. When meeting, the operators of OHRVs or snowmobiles shall reasonably turn to the right and reduce speed to avoid collision.

VI. No person shall operate an OHRV within the limits of any railroad right of way where the

rails are still intact unless otherwise posted, except in any emergency pursuant to the provisions of RSA 215-A:9, VII; provided, however, an OHRV may be driven upon the right of way of any railroad for a crossing of the tracks at their intersection with an authorized trail, road or highway where an OHRV is not otherwise prohibited. Any person violating the provisions of this paragraph shall be guilty of a violation for the first offense and shall be guilty of a misdemeanor for any subsequent offense.

VII. No person shall operate an OHRV upon any airport runway or landing field, or within cemeteries, except in an emergency pursuant to the provisions of RSA 215-A:9, VII. Any person violating the provisions of this paragraph shall be guilty of a violation for the first offense and shall be guilty of a misdemeanor for any subsequent offense.

VIII. No person shall operate an OHRV on the right of way of any public way classified as a class I highway and designated as an interstate highway, toll road or limited access highway.

IX. Pursuant to RSA 215-A:15, city or town councils and boards of selectmen may authorize the use of sidewalks and class IV, class V or class VI highways and bridges, or portions thereof, for use by OHRVs. The operation of OHRVs may also be allowed on sidewalks adjacent to class I, II, III, or III-a highways pursuant to RSA 236:56, II(e). Operators of OHRVs using said roads, or portions thereof, shall keep to the extreme right and shall yield to all conventional motor vehicle traffic. The bureau, or its designee, shall so post such highways where authorized. Following a duly noticed public hearing, except in the case of an emergency closure, such city or town authorities may change the allowable usage of a class IV, class V, or class VI highway by OHRVs by giving notification to the supervisor of the bureau and removing any signs that no longer apply.

X. A person may operate an OHRV across any public way where the operation of said OHRV is not otherwise prohibited by law, but said person shall comply with the following provisions:

(a) The crossing shall be made at an angle of approximately 90 degrees to the direction of the public way and at a place where no obstruction prevents a quick and safe crossing; and

(b) The operator shall bring the OHRV to a complete stop before crossing the shoulder or, if none, the public way, before proceeding; and

(c) The operator shall yield the right of way to all motor vehicle traffic on such public way which constitutes an immediate hazard to such crossing; and

(d) The operator shall possess a valid motor vehicle driver's license or shall have successfully completed the approved snowmobile or OHRV safety training course.

XI. [Repealed.]

Source. 1981, 538:3. 1983, 449:5. 1988, 264:1, 2. 1990, 186:3, 4; 256:2. 1996, 63:2; 78:1. 2004, 47:1. 2005, 210:14-16, eff. July 1, 2006. 2014, 283:1, eff. July 28, 2014.