



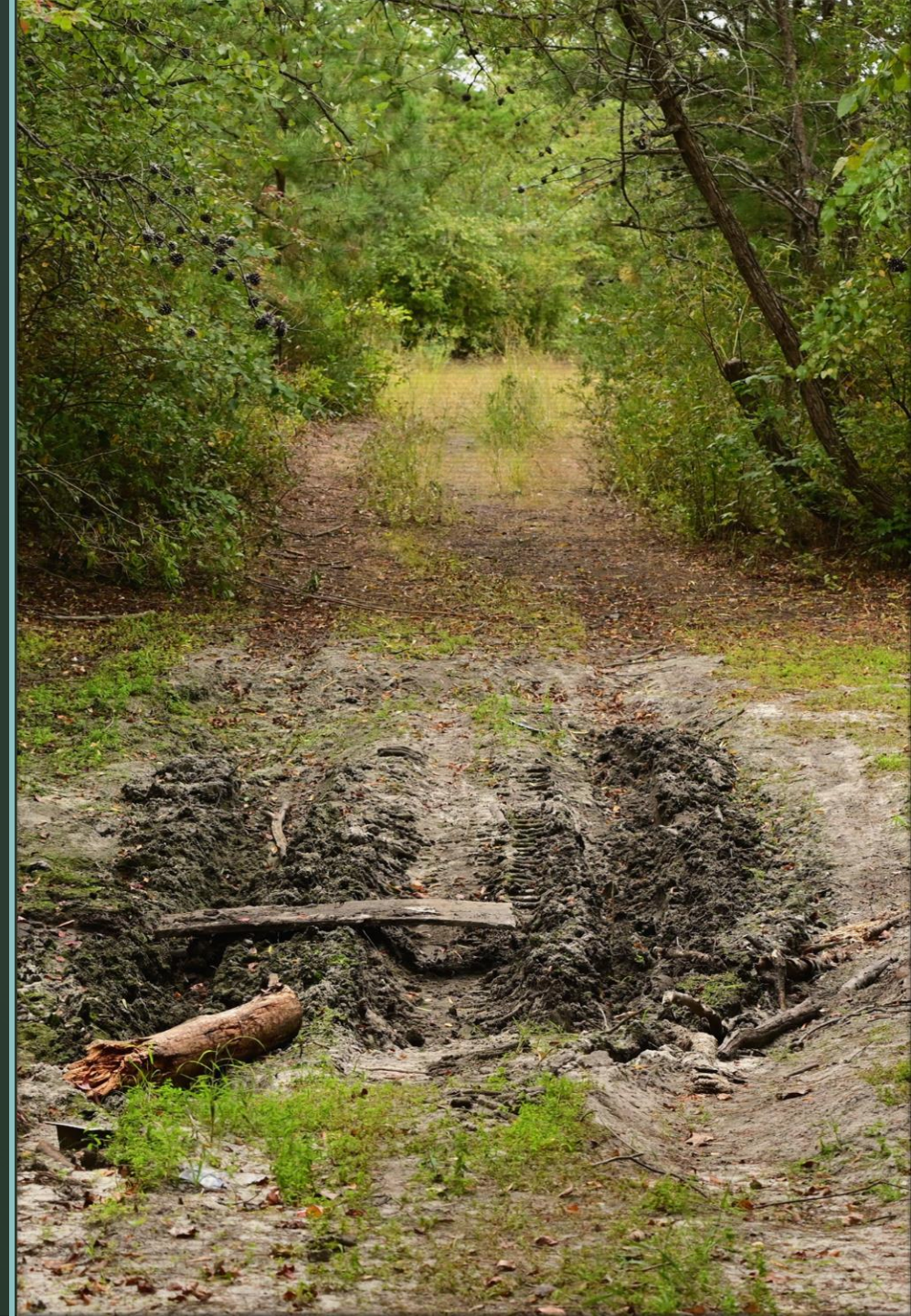
November 22, 2024 | P&I Committee

## Off-Road Vehicle (ORV) Ordinances in the Pinelands



# Why now?

- ORV damage ongoing discussion topic for P&I Committee
- P&I Work Plan (FY 2024-25) includes initiative regarding development of municipal model ordinances
- Supports the Commission's broader land stewardship goals



# What has the State provided?



**N.J.S.A. 39:3C** → Limits ORV/ATV use on public lands and roads



**N.J.S.A. 2C:64-6** → Allows for forfeiture of illegally operated ORVs/ATVs



**Guidance document** directed to law enforcement personnel



# What have Pinelands Municipalities adopted?

1. Dedicated code sections/ordinances related to ORVs, ATVs, and other recreational vehicles referencing state law
  - Operation and use restrictions
  - Enforcement same as state law (any police can enforce)
2. Code sections related to ORVs/ATVs, but shorter than above and may not directly reference state law
3. Motor vehicles definition in code lists ORVs as outside this definition, usually in the stormwater section
4. No reference to ORVs/ATVs in code

# Why such a variety among Municipality responses?

- Not all municipalities may be aware of state law
- ORV use may not be a concerning issue (no destroyed trails, not prevalent enough, etc.)
- Municipal staff may not have resources to adopt an ordinance, or it might not be a priority
- Some municipalities have adopted regulations reflective of earlier state legislation, but have not kept pace with more recent legislative changes



# Highlights from the Model Ordinance

- Limits operation on public streets, within public rights of way, and on public lands consistent with N.J.S.A 39:3C
- Written consent from landowner required for operation on private land
- Safety standards (helmets, headlights, age requirement)
- Illegal operation leading to impoundment or forfeiture
- Violations and penalties

# Next steps

- Finalize model ordinance
  - Option for municipalities
  - Incorporate feedback from Committee
  - Develop a supporting guidance document to be distributed with the model ordinance
- Engage with municipalities
  - What does or does not work for them individually
  - Other enforcement tactics





Feedback and Questions?