

From: [Carla Boucher](mailto:Carla.Boucher)
To: BasicPatrick@aol.com; jkeene@franklineq.com; Attorney@ufwda.org; ronamsal126@yahoo.com; mike_murray@nps.gov
Subject: RE: Vehicle Characteristics
Date: 03/11/2008 03:30 PM

In response to Patrick's comments I have deleted all but the items I wish to discuss. Anything I've deleted can be deemed acceptable by me.

1. **Valid State Drivers License...** (comment: Operators that possess a Jr. Operators license, Learners Permit or comparable document should be prohibited.) I disagree. If the state deems it acceptable to issue a provisional license then the NPS should acknowledge state direction on this issue.
2. **Motorcycles and ATV's are prohibited...**(comments: There is very little actual use of these vehicles in the seashore. In most seashore areas history shows there is a great deal of mis use of these types of vehicle. The recreational use of these vehicles is not primarily to gain access, but to recreate via the actual operation of these vehicles and the beach is not the appropriate place for this activity.) I disagree only to the extent we talk about licensed motorcycles or "street legal". There are classes of off-highway motorcycles (OHMs) that can be legally registered under state motor vehicle laws because they meet the requirements of a street motorcycle, eg. lights, licensing, registration, spark arrestor and/or muffler system, etc. I think we risk throwing our neighbor "under the bus" for our own means when we prohibit an OHM that otherwise meets the required characteristics. Their purposes are no less genuine than mine, whether it be for the esoteric feel of a ride near the ocean shore, viewing birds, viewing the night sky, etc. If we use this logic with some of the people on the committee they will be quick to agree so they can throw me (4x4) under the bus too. They already used this logic twice, once during the last meeting and they stated it again during the "permits" conversation this morning.
3. **7" Min Ground Clearance ...**(comment: As heard at the last reg neg meeting from the North District Ranger, minimum ground clearance is an issue. Some vehicles do not have the clearance for appropriate and safe operation on the beach. Seven inches is used at Assateague and seems an appropriate number. I do not think we have to get more specific as this is one of the regulations I feel supports a Ranger in making enforcement decisions when he or she comes upon a situation. I disagree first with the principle of using a minimum ground clearance for the reasons articulated above, but second because the number of 7" is too high. A Jeep Liberty has a front axle ground clearance of only 6.4". My constituents could not live with a prohibition against driving their 4x4 Jeep Liberty merely because it lacks a ½ inch ground clearance. If I have to concede it would only be with 5.5" Min ground clearance.
4. **DOT Approved Tires Only with non aggressive tread...**(comment: Although I do feel tire limits are in order, I do concede setting tire sizes is a very difficult endeavor as they must be compared to the actual vehicle. I do think some regulation must be enacted to limit what I will call for lack of a better word, "monster truck syndrome". Please see my comments below on Max Ground Clearance to understand my want for "non aggressive tread" in the language). I would need this characteristic to be more precisely articulated than just "non aggressive" tread. I don't view a BFG Mud Terrain as aggressive but suspect some users at Hatteras might. I take my personal circumstances as an example. My Toyota Xtra Cab 4x4 has 35" BFG Mud Terrain tires and is used as much on-road as off-road. It can barely get out of its own way so I don't see the aggressiveness of the tire being a factor in safety or getting stuck. If it gets stuck it has everything to do with lack of horsepower and nothing to do with tire tread. Patrick, can you articulate your version of what constitutes "a non aggressive tread" or conversely what you think an "aggressive tread" is?
5. **Jack Support (min 12'x12"x1/2")...**(comment: I offer this as the average national standard requirement for Beach Driving. In my opinion to offer less is irresponsible and feeds into those that claim the "Beach Buggy" community wants no regulation. Regulations must educate the operator to be prepared...I view this as a common sense regulation. You had me at consensus with a jack support where there was no requirement. But now your suggesting it has to have a

minimum size. Are you willing to agree to a simple "jack support" without the additional minimum size requirements.

6. **Tow Rope Language...**(comment: I agree with Carla that specific wording must be developed for this regulation to promote safe towing equipment and allow for the use of a winch as a substitute. I do feel strongly that the eventual regulation must be a requirement and not a suggestion...I further suggest that a copy of ORV regulations should include a list of towing/rescue service providers). Oops I missed the fact that I completely overlooked language that allows a winch to fulfil the tow rope language. If a tow rope is added to the REQUIRED equipment list please consider Tow strap with loop ends, no hooks, with a rating capacity at or above the GVW of item being recovered or moved unless vehicle is equipped with an operable electric or hand-held winch. I can be persuaded to have the tow strap language be either a requirement or a suggestion.

Thanks
Carla

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From: BasicPatrick@aol.com [mailto:BasicPatrick@aol.com]
Sent: Tuesday, March 11, 2008 2:39 PM
To: ccboucher@cox.net; jkeene@franklineq.com; Attorney@ufwda.org; ronamsal126@yahoo.com; mike_murray@nps.gov
Subject: Re: Vehicle Characteristics

To all,
I have attempted to take both Jim and Carla's comments, re structure a bit using my own thought process and agenda and keep this discussion moving.
Patrick Paquette

Vehicle Characteristics

7. **All Vehicles should be registered and comply with state inspection regulations...**(comment: Each state has specific insurance regulations tied to vehicle regulation and I do not feel an ORV plan should require further insurance requirements, even if there are none in that state--ie:Last I knew, NH has no insurance requirements)
8. **Valid State Drivers License...** (comment: Operators that possess a Jr. Operators license, Learners Permit or comparable document should be prohibited.)
9. **4wd and 2wd vehicles are permitted...**(comment: Although I want to have a reason to limit vehicles to 4WD, when I consider the North District Ranger's answer that he did not see a large amount of problems based on the use of 2wd, and add the historical use of 2WD, I do not feel I have enough reason to suggest prohibiting 2WD. I am not strong on this and can be convinced either way.)
10. **2 Axle Minimum & 3 Axle Maximum (requirement is for primary vehicle only and does not include axles on a towed trailer...** (comment: I give into the argument that dual axle pick up trucks are common, have little history of misuse and we should not ban these without good reason)
11. **Trailers are limited to Open, Military style and Boat Trailers only with no more than two axles...**(comment: Trailers for hauling beach picnic, recreational items and boats are currently used and should be allowed...)
12. **30' Max Vehicle Length ...**(comment: I offer 30 feet because of the vehicles normally used in the park, pick up trucks with a slide on camper and large cooler rack and even the rare but actually used Unimog average just under 30' (In my experience and observation these, "modern versions" of the traditional beach buggy are the longest of the vehicles I feel are

appropriate for the seashore. In addition, a 30 foot length limit will prevent what many of my constituents view as manipulation of the standard regulation by large motor homes, thus 30 feet is an acceptable compromise)

13. **7" Min Ground Clearance ...**(comment: As heard at the last reg neg meeting from the North District Ranger, minimum ground clearance is an issue. Some vehicles do not have the clearance for appropriate and safe operation on the beach. Seven inches is used at Assateague and seems an appropriate number. I do not think we have to get more specific as this is one of the regulations I feel supports a Ranger in making enforcement decisions when he or she comes upon a situation.
14. **DOT Approved Tires Only with non aggressive tread...**(comment: Although I do feel tire limits are in order, I do concede setting tire sizes is a very difficult endeavor as they must be compared to the actual vehicle. I do think some regulation must be enacted to limit what I will call for lack of a better word, "monster truck syndrome". Please see my comments below on Max Ground Clearance to understand my want for "non aggressive tread" in the language).

Should not be in the requirements

1. **Max Vehicle Width...**I do not know of any use of this in other management plans and question what issues this regulation will address
2. **Max GVW...**Any benefit from this regulation is just repetitive regulation on the vehicles prohibited through the length/tire/ground clearance measures and thus I feel this is not necessary...also, this is one of those regulations that at some point is "self policing"
3. **Max Ground Clearance...**(comment: Ever since my first visit to CAHA I have thought that some of the oversized trucks have no place on the beach. I do not have a suggestion as to the number, but am aware some others on the committee do have a number in mind...I understand Carla has strong feelings with regard to her constituency and am willing to withdraw my want for this to be a requirement in exchange for the "non aggressive tread" part of the tire regulation. I am willing to listen to options that limit and not prevent lifted vehicles, but do employ some common sense to the situation)

Required Safety Equipment

1. **Low Pressure Tire Gauge (5psi)...**(comment: Clear National Standard)
2. **Shovel...**(comment: Clear National Standard)
3. **Jack...**(comment: Clear National Standard)
4. **Tow Rope Language...**(comment: I agree with Carla that specific wording must be developed for this regulation to promote safe towing equipment and allow for the use of a winch as a substitute. I do feel strongly that the eventual regulation must be a requirement and not a suggestion...I further suggest that a copy of ORV regulations should include a list of towing/rescue service providers).
5. **Copy of ORV Regulations**

Recommend in Educational Material but not Required

1. **Full Size Spare Tire**
2. **Trash Bag of Container** (comment: To require seems a waste as a vehicle can just hold trash)
3. **First Aid Kit**
4. **Flashlight**
5. **Fire Extinguisher**
6. **ORV Use Area Map**

Vehicle Operation: Once the above is agreed I hope this group or another can move into vehicle operation regulations. This category would include the already discussed Speed limits but also set regulations for parking, sleeping/napping (both inside and outside a vehicle), and more. In a message dated 3/11/2008 1:26:57 PM Eastern Daylight Time, ccboucher@cox.net writes:

Thanks Jim for getting the internal discussion started.

I am happy to leave

Registered & insured vehicles only
Licensed drivers only
4 wheel drive (how do you grant 2WD exception)
D.O.T. approved tire sizes
Tire pressure gauge (from 5# and up)
Shovel
Flashlight
Trash bag/container

I have some discussion about the following:

2 axle min & 3 axle max – I don't have a problem including it if the rest of you feel its important to have in there. But I would ask that the following language be considered along with it: "Axles on trailers are not counted when calculating the minimum and maximum axle requirement". I'm trying to express that a 3 axle maximum should not preclude the use of towed military trailers, eg. My 4x4 has 3 axles and my military trailer full of picnic supplies has 1 axle. I don't want to be precluded from taking my trailer merely because I've already met the 3 axle maximum with my truck.

Max total length (26'-28'-30') – I don't want us to make this a requirement but if the rest of you insist then I would want to vote only for 30'. The lower lengths could preclude some of my constituents from access with their pinzgauer or unimog or military trucks.

Max width 8'6" – I don't want us to make this a requirement but if the rest of you insist then the 8'6" is okay.

Ground clearance; 7" min, ____max. I think this is fraught with many problems and would like to stay away from this issue. For example, the ground clearance measured to where – the bumper, the frame? Measured prior to airing down, after airing down, measured from hard surface blacktop road or gravel parking area or sandy beach? Even more problematic is whether adopting a maximum or minimum height would then serve as a launching point for a NC state initiative for a bumper height law where the legislators or state police say "hey, look what requirements they use at CAHA, let's use those".

Max GVW _____ - I don't want us to make this a requirement because I don't believe there's a relation between GVW and any of the factors we're hoping to address. But if the rest of us insist on including it because it's a non-issue and therefore a free bargaining chip then I'll concede. I would suggest a Max GVW of 12,000 pounds.

Tire size—(No restrictions as long as they are street legal). I've changed this one above to read "D.O.T. Approved Tire Size.

Regarding the **ADDITIONAL RECOMMENDED EQUIPMENT:**

Jack & jack base/board (an opportunity for inexperience to = disaster) – I conceded to this on the quorum vote so I'll stick to accepting it as required or recommended
Spare tire (many vehicles have donut spares, spare requirements would be useless) - I agree that spare requirements would be useless.
Fire extinguisher – okay by me to recommend
Tow rope/chain/strap (inexperienced people get hurt) (NPS handouts should include towing co. phone numbers) – I'd prefer we leave this off the recommendations unless we can agree to recommend something universally accepted as safe = tow strap with loop ends, no hooks, with a rating capacity at or above the GVW of item being recovered or moved.

Also add the following to RECOMMENDED

Maps of park unit

NPS ORV regulations for park unit
Emergency contact numbers for park unit and surrounding municipalities, eg. 911, state police, law enforcement, fire, rescue, blah, blah, blah.

Thanks for requesting my input.

p.s. my last name in your e-mail address book is spelled incorrectly. You have Bouchard. The correct spelling is Boucher. But call me anything except late for dinner. ☺

Carla

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From: Jim Keene [mailto:jkeene@franklineq.com]
Sent: Saturday, March 08, 2008 2:54 PM
To: basicpatrick@aol.com; C Bouchard; ronamsal126@yahoo.com; CAHA
Subject: Vehicle Characteristics

For our work group telecom (3-12-08 @ 12:30 pm), I offer the following as my basis for discussion.

Comments appreciated.

Jim Keene

MINIMUM REQUIREMENTS:

Registered & insured vehicles only
Licensed drivers only
4 wheel drive (how do you grant 2WD exception)
2 axle min & 3 axle max
Max total length (26'-28'-30')
Max width 8'6"
Ground clearance; 7" min, ____ max
Max GVW _____
Tire size—(No restrictions as long as they are street legal)
Tire pressure gauge (from 5# and up)
Shovel
Flashlight
Trash bag/container

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Jack & jack base/board (an opportunity for inexperience to = disaster)
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