Off-Highway Vehicle (OHV) Sound Testing Annual Report to the Colorado General Assembly pursuant to 33-10-109 (1) (g) (IV) Colorado Revised Statutes

Pursuant to the reporting requirements of Colorado Revised Statute 33-10-110(g) (IV) regarding the cooperation between federal, state, and Colorado political subdivisions to implement section 25-12-110(1) and (2) of the C.R.S. pertaining to OHV sound levels, this memo is the Department of Natural Resources report to the General Assembly.

Background

Senate Bill SB08-063 empowered state peace officers to write citations for OHV sound level violations beginning July 1, 2010.   Sound testing is performed in accordance with the Society of Automotive Engineers (SAE) sound standard: SAE J1287. The bill included provisions for both unlawful operation and sale of noncompliant OHVs.

A typical stock OHV that is available for sale to the public for purchase will easily pass the SAE J1287 sound test protocols. These vehicles also comply with the United States Environmental Protection Agency sound standards.

Some OHVs outfitted with aftermarket mufflers by their owners or stock mufflers that require maintenance or repair may not pass C.R.S 25-12-110 sound laws.

2009-2010 Activities

In 2010, the State OHV Program funded a grant for $46,666 to provide sound testing training and equipment to cognizant agencies throughout Colorado. This grant supported training for over 128 individuals and the purchase of 37 sound meters distributed to cognizant agency personnel including local, state and federal law enforcement officials. The OHV program expended an additional $10,000 which included the purchase of 4 additional sound meters for use by Colorado State park personnel.

Colorado State Parks worked closely with the United States Forest Service (USFS), Bureau of Land Management (BLM) and Colorado Off-Highway Vehicle Coalition (COHVCO) to implement the sound law. This working group produced a training curriculum, class materials and provided equipment needed to train law enforcement officers, land managers and OHV enthusiasts.

Information from motorsports manufactures that provides engine rotation data needed for testing is available on State Parks website as a reference for law enforcement officers.

Registered OHV and snowmobile owners (approximately 165,000) were sent informational flyers that explained the new sound law over a two year period prior to the law's enactment.

Free sound testing was provided at State Parks Regional offices and at over 60 different events and locations throughout the state of Colorado.

2011 Activities

State Parks Patrols/ Education

Free sound testing was provided for motorized enthusiasts at over 50 scheduled events. State Parks convened two training sessions for approximately 20 law enforcement officers. Educational OHV sound checks were provided free of charge at the Littleton Office Complex and the Western Regional Office. Testing allowed enthusiasts to understand the condition or the legality of their machines prior to using them on the trail.

Parks officers made over 2500 OHV rider contacts throughout Colorado without issuing any citations for OHV sound violations in 2011.

Forest Service

Forest Service Law Enforcement Officers (LEOs) did not write any violation notices or citations for OHV sound violations in 2011 rather they provided education on the regulations. They estimated that they had a total of 17 incidents involving sound testing equipment for OHVs. LEOs indicated that the deployment and use of the equipment is technical and requires experience.

The Forest Service will be developing information retrieval codes to better capture Colorado sound standard OHV violations in their law enforcement information tracking system.

Bureau of Land Management

The BLM reported writing one warning at the North Sand Hills during 2011 riding season.