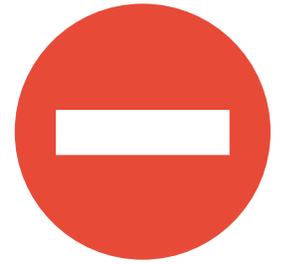


# WRONG WAY

How New York State Can  
Course-Correct on ATV Use



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## **WRONG WAY** 🚫 **How New York State Can Course-Correct on ATV Use**

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Cover: ATV riders at the Stillwater Reservoir near Beaver River Station - photo courtesy of an Adirondack Council member

# EXECUTIVE SUMMARY



- **Governor Andrew Cuomo's promotion of the Adirondacks has brought a notable increase in tourism, as more than 12 million people now visit annually<sup>1</sup>. He has also added an historic 69,000 acres to the Forest Preserve.**

However, due to cutbacks by the prior administration, staffing at the Department of Environmental Conservation (DEC) remains down 20 percent from 2008 levels<sup>2</sup>.

*These trends and events have put our natural resources, visitor safety, and the promise of a wilderness experience at risk.*

- **New York State Agencies have mistakenly taken a U-turn by promoting expanded All-Terrain Vehicle (ATV) and motorized recreation in the Adirondacks.**

After attempting but ultimately failing to manage ATV use between 1990 and 2004, the state rightfully banned public use of ATVs on "Forever Wild" Forest Preserve. Despite evidence supporting the policy, the state has made a U-turn, initiating proposals for recreational use of ATVs on the Forest Preserve, other state lands, and on private lands where the state has purchased conservation easements<sup>8</sup>.

*NYS Rangers declare that inappropriate ATV use is "the most problematic activity" on state lands, and DEC Lands and Forest staff cite recreational ATV use as unsustainable.*

- **Legislation is needed to protect our Forest Preserve and other state lands from ATV misuse.**

*The Adirondack Park is a national treasure, and a statutory ban on recreational ATV use is needed to*

*protect clean water and sensitive wildlife, to preserve the promise of a wilderness experience, and to secure the safety of our visitors for current and future generations.*

- **ATV use on public roads is a growing threat to human safety and the integrity of public and private lands.**

New York State allows local governments to decide if recreational ATV use is permitted on their roadways, against the advice of manufacturers<sup>4</sup>. Misguided statutes concerning road usage have led to excessive road damage, trespassing, injuries, and deaths. Furthermore, roads open to ATVs expose the edges of Forest Preserve lands to potential environmental harm.

*Roughly half of all ATV deaths have occurred on public roads<sup>5</sup>. NYS courts have determined that legislative reforms are needed to provide clarity around the use of ATVs on roads.*

- **New York ranks among the top ten states in ATV-related deaths and injuries. Recreational ATV use poses a significant health and safety risk to riders as well as the travelling public.**

In the most recent report by the Consumer Product Safety Commission, a troubling portion of ATV deaths (22 percent) and injuries (26 percent) were of children under the age of 16<sup>6</sup>. State leadership is needed to combat this unfortunate trend.

*It is time for New York State to update its laws to limit ATV use to riders 16 years and older, with limited exceptions.*

# INTRODUCTION



The Adirondack Park is a national treasure, and it is easy to understand why. At more than six-million acres, it is the largest park in the contiguous United States. It is ecologically significant, in that it is the largest intact temperate deciduous forest in the world. It contains an incredible diversity of plant and animal species that depend on its vast quiet forests and abundant clean water. It is a refuge for wildlife, and a place for humans to escape day-to-day turmoil and seek peaceful rejuvenation. The Park is also home to more than 130,000 year-round residents and nearly twice as many seasonal residents who are vital to the 130 communities that serve as gateways to the state-owned Forest Preserve. Public Forest Preserve lands are protected as “Forever Wild” by the NYS Constitution (Article XIV), making it the strongest conservation law in the world.



The Adirondack Park is a patchwork of public and private forested lands, which are greatly intertwined. The New York State Department of Environmental Conservation (DEC) is tasked with protecting the resources of the Forest Preserve, and the Adirondack Park Agency (APA) is charged with maintaining a park-like aesthetic.

While one of the great objectives in Park preservation in recent decades has been land acquisition, the state's new great challenge is land management. As acquisitions of

Forest Preserve lands and conservation easements are completed, the manner in which state agencies protect clean water, healthy forests and sensitive wildlife will dictate whether our Adirondack legacy is a success. The management of ATVs is proving a crucial test for measuring that success.

ATVs are unique machines, and they require unique management. They can travel virtually anywhere in the hands of a capable operator. In some cases, that means they are legitimate and valuable tools: on farms, in private forests, for rescue operations on public land, and for providing access for persons with disabilities. However, as recreational devices, history has demonstrated that ATVs are destructive, disturbing and dangerous machines.



—  
ATV use can negatively impact natural resource protection

This report details why recreational ATV use is an unacceptable activity on the public Forest Preserve, and what remedies are needed to protect our “Forever Wild” lands. Other recommendations are made out of a moral imperative to protect public health and safety.

# NEW CHALLENGES IN THE PARK



## Governor's Success Presents New Challenges in the Park

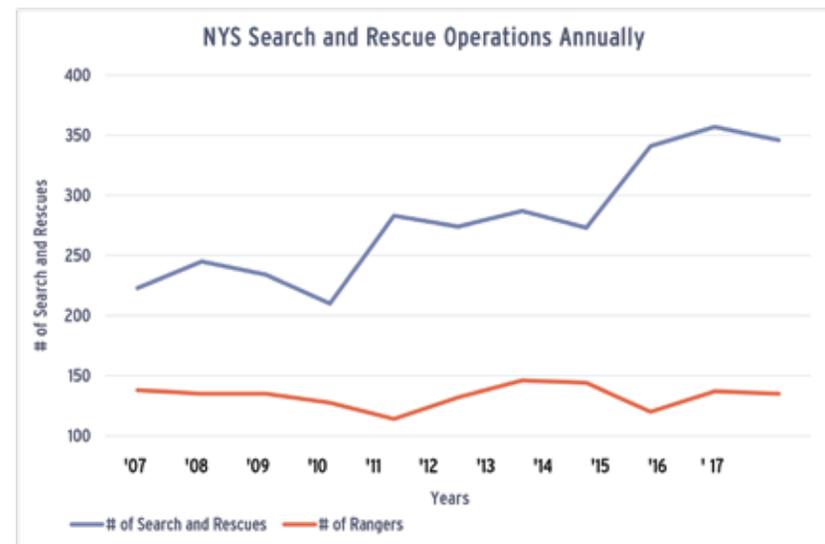
Governor Andrew Cuomo has had great success in promoting the Adirondacks during his tenure. Funding for an "I Love NY" tourism promotion campaign including commercial air-time and a "Get Outta Town" advertisement in New York City subways increased tourism in the Park. An estimated seven to ten million annual Adirondack visitors in the early part of his administration has grown to more than 12 million<sup>1</sup>.

Concurrently, the Governor undertook one of the largest acquisitions of Forest Preserve and conservation easements since the founding of the Adirondack Park. He purchased 69,000 acres and protected an additional 89,000 acres of private lands. Together, these lands provide new opportunities for recreation that will draw new visitation to the Park. Governor Cuomo took over leadership of New York State at a time when environmental staffing had been disproportionately cut by the prior administration<sup>2</sup>. That staffing has yet to be restored. Contrasted with his success in promoting increased tourism to the region, it is easy to see how state land managers are

"State Rangers are now averaging nearly one search and rescue operation per day, involving as many as 34 Rangers for a single rescue<sup>7</sup>."

overwhelmed. The size of the force has not grown with its growing responsibility, which leaves the Forest Preserve vulnerable to abuse.

These new challenges in the Park have forced our Forest Rangers to conduct more frequent search and rescue operations, resulting in less time spent on patrols in the forest. While educating the public and protecting the Park from misuse is a major part of their job, growing search and rescue pressures have them reacting to the problems of the day, rather than preventing them.



Graph 1<sup>3</sup>



In recent years, the efforts of our Rangers to combat illegal ATV use on state lands have been especially challenged by their growing responsibilities. In the 1970s, the amount of public land each Ranger was responsible for patrolling was 28,516 acres. Today, that number is 53,752. The impacts are being felt; as illustrated in the article below:

August 21, 2018

*AdirondackAlmanack.com*

**Charges On Illegal ATV Trail At Crane Mountain**  
by Editorial Staff

NYS Department of Environmental Conservation Forest Ranger Arthur Perryman reported that he received information indicating an illegal all-terrain vehicle (ATV) trail was being constructed from privately owned lands onto New York State Adirondack Forest Preserve lands in the Town of Johnsburg.

Ranger Perryman reported he began investigating and found the trail on August 4. The next day, Perryman says he encountered two ATVs traveling down the illegal trail just below the summit of Crane Mountain.

Perryman stopped the individuals - [REDACTED]  
[REDACTED] - and said the pair were in possession of earth moving tools, and hand and chain-saws. Both men were charged with illegal operation of an ATV on the Forest Preserve. DEC says the investigation is ongoing.

## ATV INFRACTIONS ON STATE LANDS 2007-2017



# 5459

TOTAL TICKETS ISSUED

# 496

AVERAGE # OF TICKETS  
ISSUED/YEAR



Since our dedicated and hardworking Rangers have been tasked with the care and custody of nearly twice as many acres of land since the advent of the ATV, it is easy to understand why the cracks in the veneer are becoming more visible. We only need to look to New York's annual Ranger report and the 2011 *Strategic Plan for State Forest Management* to see them.

# PROBLEMATIC AND UNSUSTAINABLE



## New York State Reports that ATV Use is Problematic and Unsustainable

Every year, the DEC Division of Forest Protection releases a report highlighting and quantifying its work in the field. The most recent “Ranger Report,” issued in 2017, begins its executive summary by stating:

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“Continuing a trend of the last three decades, the most problematic activity encountered by Rangers was the illegal use of all-terrain vehicles....”

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All prior reports validate this theme. So what is the problem with this ongoing misuse? Is ATV misuse a problem worth fretting over? New York State’s land managers have already answered that question.

In 2011, the DEC Division of Lands and Forests released its *Strategic Plan for State Forest Management*. The plan states:

*Environmental impacts from ATV and OHV use include soil erosion, displacement and compaction, direct impacts to streams and wetlands from ATV crossings, including increased siltation and turbidity, noise, disturbance to wildlife and their habitats, damage to vegetation, and air pollution.*

*ATV use impacts neighboring landowners and conflicts with other recreational pursuits. Illegal use of ATVs and OHVs on State Forest roads and trails officially closed to ATV and OHV use is frequent, difficult to prevent, and presents significant enforcement issues. Despite a variety of signs, gates, boulders, and other barriers designed to notify ATV and OHV users that particular roads and trails are closed to their use, a large amount of illegal riding continues to occur on these prohibited areas...*

*The environmental impacts (including noise), intensity, and nature of both legal and illegal ATV use has been shown to cause other recreational uses to decline, and in some cases completely cease, once an area is opened for ATV use.*

*Over the years, attempts have been made to accommodate off highway and all-terrain vehicle use on several State Forests but in each case, the use was not sustainable. Serious issues with soil erosion, illegal off-trail use and trail rutting developed. In all cases DEC was not able to find acceptable ways to mitigate the impacts, even when organized user groups were included in the process.*

*(DEC Strategic Plan for State Forest Management<sup>9</sup>)*

The plan goes on to cite five separate unsuccessful attempts to permit recreational ATV riding on state forests, all of which were abandoned due to environmental concerns. Our state land experts are on record citing the inappropriate nature of this activity for recreation on public lands.

# ATV OPERATION IN THE ADIRONDACKS



## Where Riding is Allowed and Not Allowed

Currently, there are broad opportunities to operate ATVs in New York State, as well as tremendous potential for their expansion. ATVs can be very practical and useful tools on private lands, when used for forestry, on construction sites, or on farm operations. Those with an interest in recreational ATV riding can operate their machines on their own property, or pay dues to join a regional ATV riding club with trail networks established through landowner participation. Some towns and county governments allow recreational ATV riding on municipal lands as well. On most of the 750,000 acres of private lands where the state has acquired conservation easements, public recreational rights have also been gained. The DEC has used this as an opportunity to provide the public with ATV access on private logging roads. Rules vary from property to property.



Legal ATV riding on Lewis County Trail System

Forest Preserve trail signs prohibiting motorized use

The Adirondack Park State Land Master Plan does not allow the operation of ATVs on foot trails or any lands classified as “Wilderness,” and discourages the state from promoting their use on the Forest Preserve. However, New York State regulations currently permit the DEC to designate roads crossing the Forest Preserve as open to motorized vehicles, including ATVs, despite overwhelming evidence that recreational ATV use is incompatible with natural resource protection. Currently, there are no locations where recreational ATV use is officially permitted on the Forest Preserve.

In an effort to make more of the Forest Preserve accessible to persons with disabilities, the DEC offers the **Motorized Access Program for Persons with Disabilities** (MAPPWD). The program offers motor vehicle access through a temporary revocable permit to certain state lands, including the Adirondack Forest Preserve. Under this program, permit holders are allowed special access to specific areas for activities such as hunting, fishing, camping, and wildlife observation. The program provides access for those who seek solitude, connection to nature, undisturbed wildlife habitat, and inclusion with fellow sportspeople. The roads used as MAPPWD Routes have been carefully selected in order to both protect natural areas and provide desirable recreational activities. Some of these routes offer ATV access, while others can be accessed by motor vehicle.

# U-TURN ON ATVS IN THE ADIRONDACKS



## Years of Progress...

**F**ifteen years ago, New York State took actions that demonstrated much-needed leadership in addressing the natural resource impacts of ATVs. In 2003, the DEC under then-Governor George Pataki, filed a lawsuit against the Town of Horicon after the town board opened a series of abandoned town roads on the Adirondack Forest Preserve to public ATV traffic. The illegal road openings resulted in heavy damage to state property and forced quiet recreationists to look elsewhere for places to enjoy. The case, led by then Attorney General Andrew M. Cuomo, was finally decided by the Appellate Division of the New York State Supreme Court in favor of the state.

In 2004, DEC Commissioner Erin Crotty went further and closed all Forest Preserve roads to ATV traffic, citing excessive damage to the roads and off-road areas throughout the Park. Later that year, Commissioner Crotty officially began enforcement of road closures in four western Adirondack Wild Forests where ATV traffic had caused widespread damage to the forests and to state property (signs, fences, barriers, etc.). The ban on ATVs included the Aldrich Pond, Independence River, Black River and Watson's East Triangle Wild Forests, limiting public ATV access on a total of 54 roads



in the four areas. The DEC ordered that all such roads should be closed to unlimited ATV access by the general public. Environmental Conservation Officers and Forest Rangers closely monitored ATV access and enforced the new rules.

In March 2005, then-Acting DEC Commissioner Denise Sheehan issued a new policy clarifying that none of the Adirondack Forest Preserve was suitable for riding ATVs and that the activity would be banned. The only exceptions would be for short distances across areas of the Forest Preserve between two tracts of private land where the state already owns a conservation easement allowing ATV use, for individuals with disabilities, and for existing rights of way to private lands. Following the Pataki administration, Governors Spitzer and Paterson honored and upheld Commissioner Sheehan's policy, later enforced by Commissioner Pete Grannis.



Trail damage in the Watson's East Triangle Wild Forest Preserve



## ...And a Sudden U-turn

In September of 2016, the APA released the DEC's Grass River Unit Management Plan for public comment. Breaking with the policies of the three prior administrations, the plan proposed a recreational ATV trail on a unit of Forest Preserve land spanning the Adirondack towns of Colton, Clifton and Fine. Following public outcry, the Plan was amended, moving the proposed trail to nearby private lands.

Then again in August of 2018, the DEC proposed recreational ATV use on the Oswegatchie conservation easement (CE) in the Towns of Diana and Croghan. The Oswegatchie CE borders nearly 10 miles of Forest Preserve, making the possibility of ATV trespassing on nearby state land highly probable. Also, in September of 2015, the DEC and APA finalized a Recreation Management Plan for the Kushuqua Easement in the Town of Brighton, opening dozens of miles of roads to ATV traffic in a sensitive boreal habitat. While certain CE lands may be appropriate for ATV use by the public, careful planning and analyses are necessary for sustainable management and have not occurred.

Brasher State Forest is just north of the Adirondack Park on more than 20,000 acres in St Lawrence County. It lies directly in the wildlife pathway connecting Algonquin Provincial Park in Ontario, Canada and the Adirondack Park. This land unit hosted the most discouraging example of all of the failed



Trail damage in the Independence River Wild Forest



Illegal ATV use in the Five Ponds Wilderness Area

attempts to support recreational ATV use in New York. From 1985 to the early 2000s, recreational ATV use was permitted there. However, due to heavy erosion, the inability to prevent illegal trails, and a lack of funding for impact remediation, the number of trails open to ATV use dwindled as the years went by. In 2006, the final truck trails were closed on this unit, and the land began to recover. In a 2015 U-turn, the DEC reversed course. It updated the Unit Management Plan for this area and opened 8.7 miles of truck trails to ATV use, which could ultimately lead to the opening of as many as 42 miles of roads in the region.

Proponents of recreational ATV use continue to insist they should be allowed on the Forest Preserve, despite clear evidence that they are disruptive and their use is unsustainable. The Adirondack Council has negotiated in recent years with ATV riding groups, offering compromises

that included expanding the number of machines that could be legally registered, new access for persons with disabilities, additional uses associated with the protection of natural resources, and search and rescue uses. With these compromises, regular motor vehicle access would have been preserved on roads crossing lands that permit motorized uses. However, ATV proponents rejected the compromises, holding out for ATV riding expansions onto the Forest Preserve. A vocal minority has applied consistent political pressure on our state's environmental agencies to sanction this activity as a legitimate use. Science and history show that recreational ATV impacts to the environment and to other recreationists are too great for it to be a sanctioned activity.

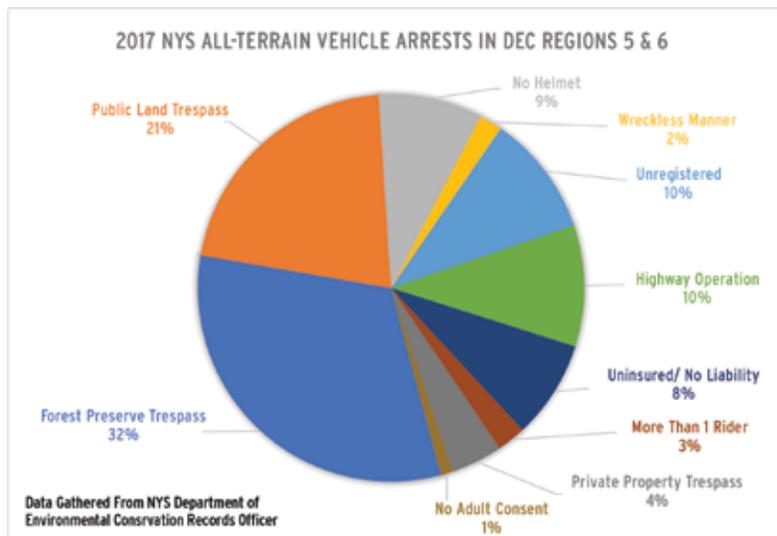
Under prior administrations, New York was headed in the right direction with ATV use on the Forest Preserve. Recently, it appears that New York has headed the wrong way.

# PROTECT THE FOREST PRESERVE



## Legislation Needed to Protect the Forest Preserve from ATV Misuse

There are currently no roads opened to recreational ATV use on the Adirondack Forest Preserve, but that has not kept individuals from trespassing. A recent Adirondack Council Freedom of Information Law request provides a snapshot of a single year of ATV misuse, with 207 tickets issued in DEC Regions 5 and 6, covering the Adirondack Park:



Graph 3<sup>9</sup>



Metal gates and barriers constructed to deter motorized trespass on public Adirondack Forest Preserve lands, such as the Aldrich Pond Wild Forest seen above, have largely been ignored by ATV riders



While tickets are issued as a deterrent for law violators, their current impact is questionable. The minimum fine for the unauthorized use of a motor vehicle on the Forest Preserve is \$0. While there is a surcharge for persons convicted of violations of NYS Environmental Conservation Law, prosecutors have discretion to charge those accused with offenses that carry no surcharge.

The lack of a true deterrent, and the fact that the DEC has recently proposed permitting ATV use on Forest Preserve lands, point to the need for a legislative solution.

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The NYS Legislature should codify a prohibition on ATV riding on the Forest Preserve, and pair that prohibition with strict penalties for trespassing. Exceptions should be provided for search and rescue operations, access for persons with disabilities and official duties related to the protection of natural resources.

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One day worth of ATV damage at the Whetstone Gulf State Park on the western edge of the Adirondack Park

Vandalized signs on public Forest Preserve lands



A rutted trail in the Black River Wild Forest

# THE TROUBLE WITH ROADS



## Public Roads and ATVs Don't Mix

New York State is one of 36 states that allows local governments to open their roads to recreational ATV use, even though ATV user manuals clearly warn riders not to operate their machines on paved or hardened surfaces<sup>4</sup>. The Insurance Institute for Highway Safety reports that more than half of ATV-related accidents occur on paved roads<sup>5</sup>.

### OPERATING ON PUBLIC ROADS

Operating this vehicle on public streets, roads or highways could result in a collision with another vehicle. Never operate this vehicle on any public street, road or highway, including dirt and gravel roads (unless designated for off-highway use).



### OPERATING ON PAVEMENT

This vehicle's tires are designed for off-road use only, not for use on pavement. Operating this vehicle on paved surfaces (including sidewalks, paths, parking lots and driveways) may adversely affect the handling of the vehicle and may increase the risk of loss of control and accident or rollover. Avoid operating the vehicle on pavement. If it's unavoidable, travel slowly, travel short distances and avoid sudden turns or stops.



Image 1<sup>11</sup>

New York State Vehicle and Traffic Law Section 2405.1 allows a town or county government to open a section of a road to ATV use when it is otherwise impossible to connect legal riding areas on private or municipal lands. This section of law has been abused in numerous instances by local officials who ignored the "otherwise impossible" standard and simply incorporated long sections of roads to their public ATV trail networks.

Such actions have required the Adirondack Council to partner with affected private landowners in legal challenges. Our most recent effort challenged an unlawful authorization of ATV use on a road in the Town of Forestport, Oneida County, where a NYS State Supreme Court judge ordered the road closed to ATVs. Manufacturers warn that ATVs are not designed to be operated on hardened surfaces. Opening stretches of road to ATV use exposes public and private lands to trespassing and the associated impacts that prove difficult to prevent.



ATV "Poker Runs" occur on public roads with regularity and encroach upon the western border of the Adirondack Park



The Adirondack Council and others have fought unlawful authorization of ATV road use over and over in a “whack-a-mole” pursuit. In 2005, the Attorney General issued an informal opinion advising local officials of their obligations to show a need for using the road. In 2018, a notable opinion was handed down in a *pro se* lawsuit filed by Bernadette DeSantis against the Village of Constableville, on the western edge of the Adirondack Park:

*The fact that the Legislature included the term “otherwise impossible” and mandated a specific determination by the municipality requires the court to conclude it was not the Legislature’s intent to allow any section of public highway to be opened to ATV use simply by a municipality deciding to do so. There must be fact finding following an investigative process which then concludes with the required determination. Quite frankly, clearing the “otherwise impossible” hurdle seems like a daunting, if not impossible task. However, modifying or eliminating that hurdle is a matter for the Legislature.*

*(Hon. Peter Schwerzmann, Acting Justice of the NYS Supreme Court, 5th District)<sup>10</sup>*

The courts have spoken, but until the NYS Legislature acts, the trouble with ATVs on roads will remain. The NYS Vehicle and Traffic Law needs amending to limit the distance ATVs are allowed to travel on roads, to address public and private land trespass, to comply with manufacturer recommendations, and to incentivize well-designed ATV recreation plans on private land networks.



Sign directs ATV riders away from a private driveway

Town of Ohio public road allowing ATV use

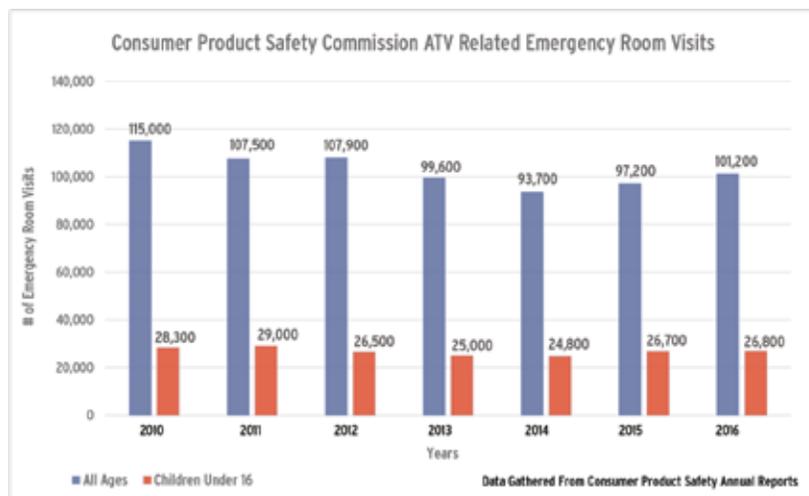
# ATVS HARMFUL TO PUBLIC HEALTH



## ATV Related Deaths and Injuries

While ATVs have a track record of harming the environment, they are arguably more harmful to public health. The Consumer Product Safety Commission (CPSC) has estimated that New York State currently ranks eighth in ATV deaths in the nation.

children under the age of 16. These numbers are projected to increase as CPSC updates its reports each year. Currently, New York State law permits ATV operation by children under the age of 16 if supervised by an adult, or unsupervised if the child has taken an ATV safety course.



Graph 4<sup>6</sup>

The data gathered by the Adirondack Council from CPSC reports estimate that more than 100,000 people are visiting emergency rooms from ATV-related incidents every year. More than 20 percent of those emergency room visits involve



A young child rides in an ATV during the SNIRT Rally 2018

Numbers and graphs do not adequately convey the gravity of this data. All too often, North Country papers contain news stories that account for these tragic incidents:



July 12, 2018

*Associated Press*

### State police investigate ATV fatality in Adirondacks

BLACK BROOK, N.Y. (AP) State police say an all-terrain accident in the Adirondacks has claimed the life of a northern New York man. ... Troopers say [REDACTED] was driving an ATV when it left the road and went into a ditch before hitting a tree. [REDACTED] was ejected and landed about 10 feet from the vehicle.

October 22, 2018

*Watertown Daily Times*

### Schools, friends raising money for family of high school junior injured in ATV accident

COLTON – Even though he had transferred to a new school, teachers, students and staff at Parishville-Hopkinton Central School continue to support a former student after he was involved in an ATV accident last month.... [REDACTED] 16, ... was involved in the Sept. 28 ATV accident after watching his new and former classmates play each other in a soccer match in Colton. He underwent surgery to repair a broken femur and lacerations. But after the surgery, he developed a cerebral fat embolism which left him in a coma.

Adirondack families are losing loved ones on these machines, and New York State law permits the operation of ATVs in instances that run contrary to the advice of the manufacturer.

### AGE RESTRICTIONS

This vehicle is an ADULT VEHICLE ONLY. Operation is prohibited for anyone under 16 years of age or anyone without a valid driver's license.

The operator must be tall enough to sit with back against the seat, both feet flat on the floor and both hands on the steering wheel (if equipped) or handlebars.



Image 2<sup>11</sup>

Currently, New York State Law allows a ten-year-old child to ride a full-sized ATV, unsupervised, if they have taken an ATV safety course. This means a child in elementary school could operate on public roads opened to ATV use, right along with other motor vehicles. With certain models, they could even bring their friends along as passengers. It is time for New York State to update its laws to limit ATV use to riders 16 years and older, with limited exceptions.

# CONCLUSION



## Legislative Action is Needed

**A**TVs are powerful, impactful machines. They have legitimate uses on farms, in timber harvesting operations and on construction sites. Recreational riders in the Adirondacks should look to private lands, where their use is planned for and permitted. New York State struggles greatly with ATV misuse in the Adirondacks and elsewhere, to the detriment of natural resources, public health and safety, peace, and solitude. Legislative action is needed to protect public and private lands from destruction, and to make riding safer. Currently, New York State is headed the wrong way with regard to ATV use. Legislation enacting a general ban of ATVs on the Forest Preserve, protecting youth ridership and limiting road usage can turn that around.



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Legislation enacting a general ban of ATVs on the Forest Preserve is needed

# ENDNOTES



<sup>1</sup>**Adirondacks 2017 Visitor Research.** Longwoods International Annual Report. 2018.

<sup>2</sup>**New York State FY 2020 Executive Budget Department of Environmental Conservation Appropriations.** New York State Division of Budget. 2019; **Environmental Funding in New York State.** Office of the State Comptroller. 2014.

<sup>3</sup>**Forest Ranger Annual Report Statewide Highlights.** New York State Department of Environmental Conservation. 2007 thru 2018.

<sup>4</sup>**ATV's on Roadways: A Safety Crisis.** Consumer Federation of America. 2014.

<sup>5</sup>**Motorcycle and ATV Fatality Facts.** Insurance Institute for Highway Safety & Highway Loss Data Institute. 2017.

<sup>6</sup>**2016 Annual Report of ATV-Related Deaths and Injuries.** Consumer Product Safety Commission. 2017.

<sup>7</sup>**How 34 Forest Rangers and 12 Volunteers saved a hiker's life.** Adirondack Explorer. 2018.

<sup>8</sup>**Strategic Plan for State Forest Management.** New York State Department of Environmental Conservation. 2011.

<sup>9</sup>**2017 Department of Environmental Conservation Regions 5 & 6 ATV Arrests Records.** Freedom of Information Law Request. 2019.

<sup>10</sup>**New York State Supreme Court; County of Lewis.** Decision and Order of Honorable Peter A. Schwerzmann. 2018.

<sup>11</sup>**2019 Owner's Manual Sportsman 850.** Polaris Sportsman. 2019.



**ADIRONDACK**  
**COUNCIL** PRESERVING WATER,  
AIR AND WILDLANDS

**WRONG WAY 🚫 How New York State Can  
Course-Correct on ATV Use**

Adirondack Council Special Report | March 2019

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