

Motorized Trespassers Threaten and Destroy Open Space Value and Function

By Tom Odell, Chairman Westbrook Conservation Commission

With the popularity of all terrain vehicles (ATVs) and “off the road” motorized dirt bikes escalating the conflict between land owners and motorized trespassers is becoming increasingly contentious. It is unlikely that there is a community in Connecticut that at some level is not experiencing this conflict. Unfortunately conflict resolution is not in site. While riders using private land are required by state law to carry a written and signed permission of the land owner the law is seldom followed.

More often than not motorized trespassers use municipal, land trust and state open space land—directly in conflict with its intended value and function. In the process of using these power “toys” to explore and play in forest, fields and wetlands:

- Natural resources are threatened when soil is exposed causing erosion, siltation of wetlands and watercourses, and a ready site for invasive plants.
- Passive recreation is significantly reduced by noise and destroyed trails.
- Protection and enhancement of biodiversity is unlikely because the impact of motorized trespassers is likely to occur at any time of day or night.

So how can Conservation Commissions and the community, acting as stewards of town owned open space, combat this growing threat of motorized trespassers? Education and enforcement would seem to be the best paths to take—but neither is easy nor necessarily “fool”--proof.

- **Education:** Involve the community by conducting site walks, trail maintenance, open space management planning, natural resource inventory and other on site activities. Make sure site neighbors participate—both adults and children. Create a community sense of pride and stewardship and a constituency for enforcement.
- **Enforcement:** Make sure there are appropriate town regulations in place to support motorized trespass enforcement. Many towns already have ordinances in place to regulate ATVs and other motorized vehicle use on town property (see CCM—ATV information). Commissions should also support state legislation that will enhance local enforcement.

Local law enforcement is difficult because ATVS and most motorized dirt bikes are not registered and do not have identifying plates. Frequently motorized trespassers that plague open space lands are children/adolescents acting without parental supervision, usually they will not be chased primarily for safety reasons.

.State legislation can assist local enforcement. Appropriate fines, fees or points on vehicular licenses for illegal trespass, vandalism and littering that impact either the rider or the parent of the unsupervised adolescent should be part of any legislation. All vehicles falling under the legal definition of All Terrain Vehicles should be registered, and riders required to display adequate vehicular identification.

Help preserve the value and functions of the open space lands in your community. Let your legislators know your concerns regarding open space motorized trespassers and ask them to support legislation that will assist local enforcement to reduce motorized trespass of municipal and land trust open space.