

EXHIBIT NO. 9DATE: 2/19/09BILL NO. SB 383

Senate Bill 383
February 19, 2009
Presented by Jim Kropp
Senate Highways & Transportation Committee

Mr. Chairman and committee members, for the record I am Jim Kropp , Chief of Law Enforcement of Montana Department of Fish, Wildlife & Parks (FWP).

I am here to offer FWP's support of SB 383. We continue to encounter problems with the unlawful use of off-road vehicles (OHV) on private and public lands across the state. Our agency has endeavored to abate these programs through an extensive education program in concert with other state and federal land management agencies. Many of the organized off-road groups have contributed time, money and effort to stem this issue. Nonetheless, there continues to be abuse with these machines.

To give you some perspective on our efforts, during the calendar years 2005 through 2007, Montana wardens made 15,062 contacts with OHV users in the state. As a result, we issued 226 citations, 137 courtesy citations, that is, written warnings and gave 1037 verbal warnings. We initiated and carried out numerous saturation patrols, which constitute an intensive presence in problem areas of OHV abuse. We not only utilize officers on the ground, but also occasionally have used aircraft to spot and cite individuals who flaunt trail use rules.

We have 74 field wardens to cover the state of Montana enforcing a wide range of resource laws. The Bureau of Lane Management has even fewer to patrol and police their lands. The Forest Service has limited enforcement staff as well. Officers simply cannot be everywhere, nor should they. We rely heavily on citizens reporting violations to us through such entities as the TIPMONT Program as well as direct contact with our officers. Any tool that can be utilized to help identify those individuals who are abusing their privilege to use OHVs will be an aid in stemming this problem.

Organized OHV groups have dedicated efforts towards reducing and alleviating this problem. These groups teach trail manners, the proper and safe use of OHVs and have helped to establish a number of trails for OHVs across the state. We believe, however, that those who abuse the land with OHVs are not those who are members of these organized groups. One need not be a member of one of these groups to own an OHV. SB 383 will aid in reducing the unlawful activity in the same fashion that a license plate on a truck or car provides a means of tracking someone.

FWP supports SB 383.

I am available for questions. Thank you.