

Winters, Shelley

From: Andrew Dorsett <adorsett@townoflittleton.org>
Sent: Thursday, January 26, 2017 4:28 PM
To: Winters, Shelley
Subject: RE: TE funds & motorized restriction

Could the line be purchased to remove the restrictions and if so what was the price for that section?

Thank you,

Andrew Dorsett
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From: Winters, Shelley [<mailto:Shelley.Winters@dot.nh.gov>]
Sent: Thursday, January 26, 2017 4:16 PM
To: Andrew Dorsett
Subject: RE: TE funds & motorized restriction

Correct, that corridor was purchased with State funds, not FHWA TE funds.

From: Andrew Dorsett [<mailto:adorsett@townoflittleton.org>]
Sent: Thursday, January 26, 2017 4:05 PM
To: Winters, Shelley
Subject: RE: TE funds & motorized restriction

Hi Shelley,

Thank you for your response. Woodsville through to Lisbon has a Rail Trail that is open to ATV use. These must have been secured with a non TE Fund source correct?

Thank you,

Andrew Dorsett
Littleton Town Manager
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From: Winters, Shelley [<mailto:Shelley.Winters@dot.nh.gov>]
Sent: Thursday, January 26, 2017 4:01 PM
To: Andrew Dorsett
Cc: Barker, Louis
Subject: TE funds & motorized restriction

Andrew,
Thank you for your patience so I could pull some information together with regard to motorized restrictions on property purchased with Transportation Enhancement (TE) funds from the Federal Highway Administration (FHWA). The section of rail corridor in Littleton, currently going through the abandonment process was FHWA TE funds and as [such](#):

(h) Use Of Motorized Vehicles.--Motorized vehicles may not be permitted on trails and pedestrian walkways under this section, except for --

1. maintenance purposes;
2. when snow conditions and State or local regulations permit, snowmobiles;
3. motorized wheelchairs;
4. when State or local regulations permit, electric bicycles;
5. and such other circumstances as the Secretary deems appropriate.

As the desire to permit ATVs on this trail would not fit in #1-#4, it would have to be permitted through #5 and require the use of FHWA's Framework process to request an exception. FHWA developed a "[Framework for Considering Motorized Use on Nonmotorized Trails and Pedestrian Walkways under 23 USC Section 217](#)" which the Division Offices, including NH, require State DOTs to submit to request an exception.

The City of Claremont, through NHDOT, requested such an exception for an abandoned rail-trail corridor in their community and after much extensive work complying with the Framework, FHWA did not grant the ATV (motorized) exception. To the best of my knowledge there has not been one such exception granted nationally. The Claremont issue was ongoing for 3+ years by the time the waiver request (framework) was officially submitted. If you want copies of the waiver (very voluminous) or FHWA's letter, let me know and I can request a copy from the Bureau that was the direct liaison with FHWA on this issue.

Shelley

Shelley Winters
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