

ARIZONA TRAILS 2020 - A Statewide Motorized and Non-Motorized Trails Plan

APPENDIX D: RELEVANT TRAILS AND OHV LEGISLATION

ARIZONA REVISED STATUTES As amended March 9, 2020.

TITLE 28 - TRANSPORTATION

Chapter 1. Definitions, Penalties and General Provisions

Article 1. Definitions

2018 Arizona Senate Bill 1208 made revisions to the current dimensions and definition of a recreational off-highway vehicle also known as a side by side.

§ 28-101. Definitions

In this title, unless the context otherwise requires:

3. "All terrain vehicle" means either of the following:

(a) A motor vehicle that satisfies all of the following:

- (i) Is designed primarily for recreational non-highway all terrain travel.
- (ii) Is fifty or fewer inches in width.
- (iii) Has an unladen weight of one thousand two hundred pounds or less.
- (iv) Travels on three or more non-highway tires.
- (v) Is operated on a public highway.

(b) A recreational off-highway vehicle that satisfies all of the following:

- (i) Is designed primarily for recreational non-highway all-terrain travel.
- (ii) Is sixty five EIGHTY or fewer inches in width.
- (iii) Has an unladen weight of one TWO thousand eight FIVE hundred pounds or less.
- (iv) Travels on four or more non-highway tires.
- (v) HAS A STEERING WHEEL FOR STEERING CONTROL.
- (vi) HAS A ROLLOVER PROTECTIVE STRUCTURE.
- (vii) HAS AN OCCUPANT RETENTION SYSTEM.

Title 28, Chapter 3. Traffic and Vehicle Regulation

Article 2. Obedience to and Effect of Traffic Laws

§ 28-627. Powers of local authorities

A. This Chapter and Chapters 4 and 5 of this Title do not prohibit a local authority, with respect to streets and highways under its jurisdiction and within the reasonable exercise of the police power, from:

- 13. Designating routes on certain streets and highways for the purpose of allowing off-highway vehicle operators to gain access to or from a designated off-highway recreation facility as defined in Section 28-1171, off-highway vehicle trail as defined in Section 28-1171 or off-highway vehicle special event as defined in Section 28-1171.

Title 28, Chapter 3. Traffic and Vehicle Regulation

Article 20. Off-Highway Vehicles

2018 Arizona House of Representatives Bill 2342 made revisions to the current definition of Off-Highway Vehicles and established a non-resident OHV indicia requirement.

28-1171. Definitions

6. "Off highway vehicle":

- (a) Means a motorized vehicle when operated primarily off of highways on land, water, snow, ice or other natural terrain or



on a combination of land, water, snow, ice or other natural terrain THAT IS DESIGNED, MODIFIED OR PURPOSE BUILT PRIMARILY FOR RECREATIONAL NON-HIGHWAY ALL TERRAIN TRAVEL.

(b) Includes a two wheel, three wheel or four wheel vehicle TRACKED OR WHEELED VEHICLE, UTILITY VEHICLE, ALL TERRAIN VEHICLE, motorcycle, four wheel drive vehicle, dune buggy, SAND RAIL, ROCK CRAWLER, amphibious vehicle, ground effects or air cushion vehicle and any other means of land transportation deriving motive power from a source other than muscle or wind.

(c) Does not include a vehicle that is either:

(i) Designed primarily for travel on, over or in the water.

(ii) Used in installation, inspection, maintenance, repair or related activities involving facilities for the provision of utility or railroad service or used in the exploration or mining of minerals or aggregates as defined in title 27.

28-1177. Off-highway vehicle user fee; indicia; registration; state trust land recreational permit; exception

A. A person shall not operate OR ALLOW THE OPERATION OF an all-terrain vehicle or an off-highway vehicle in this state without an EITHER A RESIDENT OR NONRESIDENT off-highway vehicle user indicia issued by the department if the all-terrain vehicle or off-highway vehicle meets both of the following criteria:

1. Is designed by the manufacturer primarily for travel over unimproved terrain.

2. Has an unladen weight of eighteen hundred pounds or less.

B. A person shall apply to the department of transportation for the A RESIDENT OR NONRESIDENT off-highway vehicle user indicia by submitting an application prescribed by the department of transportation and a user fee for the indicia in an amount to be determined by the director of the department of transportation in cooperation with the director of the Arizona game and fish department and the Arizona state parks board. The RESIDENT OR NONRESIDENT OFF-HIGHWAY VEHICLE user indicia is valid for one year from the date of issuance and may be renewed. The department shall prescribe by rule the design and placement of the indicia.

C. When a person pays for an A RESIDENT off-highway vehicle user indicia pursuant to this section, the person may request a motor vehicle registration if the vehicle meets all equipment requirements to be operated on a highway pursuant to article 16 of this chapter. If a person submits a signed affidavit to the department affirming that the vehicle meets all of the equipment requirements for highway use and that the vehicle will be operated primarily off of highways, the department shall register the vehicle for highway use and the vehicle owner is not required to pay the registration fee prescribed in section 28-2003. This subsection does not apply to vehicles that as produced by the manufacturer meet the equipment requirements to be operated on a highway pursuant to article 16 of this chapter.

D. The director shall deposit, pursuant to sections 35-146 and 35-147, seventy per cent PERCENT of the user fees collected pursuant to this section in the off-highway vehicle recreation fund established by section 28-1176 and thirty per cent PERCENT of the user fees collected pursuant to this section in the Arizona highway user revenue fund.

E. An occupant of an off-highway vehicle with a RESIDENT OR NONRESIDENT OFF-HIGHWAY VEHICLE user indicia issued pursuant to this section who crosses state trust lands must comply with all of the rules and requirements under a state trust land recreational permit. All occupants of an off-highway vehicle with a RESIDENT OR NONRESIDENT OFF-HIGHWAY VEHICLE user indicia shall obtain a state trust land recreational permit from the state land department for all other authorized recreational activities on state trust land.

F. This section does not apply to off-highway vehicles, all-terrain vehicles or off-road recreational motor vehicles that are used off-highway exclusively for agricultural, ranching, construction, mining or building trade purposes.

§ 28-1172. Applicability; private and Indian lands

This Article applies to all lands in this state except private land and Indian land.

§ 28-173. Enforcement

All peace officers of this state and counties or municipalities of this state and other duly authorized state employees shall only enforce this article on land that is either of the following:

1. Solely under the jurisdiction of this state or a county or municipality of this state.

2. Open as indicated by federal law.

§ 28-1174. Operation restrictions; violation; classification

A. A person shall not drive an off-highway vehicle:

1. With reckless disregard for the safety of persons or property.



2. Off of an existing road, trail or route in a manner that causes damage to wildlife habitat, riparian areas, cultural or natural resources or property or improvements.
3. On roads, trails, routes or areas closed as indicated in rules or regulations of a federal agency, this state, a county or a municipality or by proper posting if the land is private land.
4. Over unimproved roads, trails, routes or areas unless driving on roads, trails, routes or areas where such driving is allowed by rule or regulation.

B. A person shall drive an off-highway vehicle only on roads, trails, routes or areas that are opened as indicated in rules or regulations of a federal agency, this state, a county or a municipality.

C. A person shall not operate an off-highway vehicle in a manner that damages the environment, including excessive pollution of air, water or land, abuse of the watershed or cultural or natural resources or impairment of plant or animal life, where it is prohibited by rule, regulation, ordinance or code.

D. A person shall not place or remove a regulatory sign governing off-highway vehicle use on any public or state land. This subsection does not apply to an agent of an appropriate federal, state, county, town or city agency operating within that agency's authority.

E. A person who violates subsection A, paragraph 1 is guilty of a class 2 misdemeanor.

F. A person who violates any other provision of this section is guilty of a class 3 misdemeanor.

G. In addition to or in lieu of a fine pursuant to this section, a judge may order the person to perform at least eight but not more than twenty-four hours of community restitution or to complete an approved safety course related to the off-highway operation of motor vehicles, or both.

H. Subsections A and B do not prohibit a private landowner or lessee from performing normal agricultural or ranching practices while operating an all-terrain vehicle or an off-highway vehicle on the private or leased land..

§ 28-1175. Instruction course; fee

A. The Arizona Game and Fish Department shall conduct or approve an educational course of instruction in off-highway vehicle safety and environmental ethics. The course shall include instruction on off-highway vehicle uses that limit air pollution and harm to natural terrain, vegetation and animals. Successful completion of the course requires successful passage of a written examination.

B. Any governmental agency, corporation or other individual that conducts a training or educational course, or both, that is approved by the Arizona Game and Fish Department, the United States Bureau of Land Management or the United States Forest Service or that is approved or accepted by the All-Terrain Vehicle Safety Institute or the National Off-Highway Vehicle Conservation Council may collect a fee from the participant that is reasonable and commensurate for the training and that is determined by the director of the Arizona Game and Fish Department by rule.

§ 28-1176. Off-highway vehicle recreation fund

A. An Off-Highway Vehicle Recreation Fund is established. The Fund consists of:

1. Monies appropriated by the legislature.
2. Monies deposited pursuant to Sections 28-1177 and 28-5927.
3. Federal grants and private gifts.

B. Monies in the Off-Highway Vehicle Recreation Fund are appropriated to the Arizona State Parks Board solely for the purposes provided in this Article. Interest earned on monies in the Fund shall be credited to the Fund. Monies in the Off-Highway Vehicle Recreation Fund are exempt from the provisions of Section 35-190 relating to lapsing of appropriations.

C. The Arizona Game and Fish Department shall spend thirty-five per cent of the monies in the Off-Highway Vehicle Recreation Fund for informational and educational programs related to safety, the environment and responsible use with respect to off-highway vehicle recreation and law enforcement activities relating to this Article and for off-highway vehicle law enforcement pursuant to Title 17, Chapter 4, Article 3, including seven full-time employees to enforce this Article and Title 17, Chapter 4, Article 3.

D. The State Land Department shall spend five per cent of the monies in the Off-Highway Vehicle Recreation Fund to allow occupants of off-highway vehicles with user indicia to cross State Trust land on existing roads, trails and designated routes. The State Land Department shall use these monies for costs associated with off-highway vehicle use of lands within its jurisdiction, to mitigate damage to the land, for necessary environmental, historical and cultural clearance or compliance activities and to fund enforcement of off-highway vehicle laws.

E. The Arizona State Parks Board shall spend sixty per cent of the monies in the Off-Highway Vehicle Recreation Fund for the following purposes:

1. No more than twelve per cent to fund staff support to plan and administer the Off-Highway Vehicle Recreation Fund.
2. To establish an off-highway vehicle program based on the priorities established in the off-highway vehicle recreational plan.



3. To designate, construct, maintain, renovate, repair or connect off-highway vehicle routes and trails and to designate, manage and acquire land for access roads, off-highway vehicle recreation facilities and off-highway vehicle use areas. After expenditures pursuant to Paragraph 1 of this Subsection, the Arizona State Parks Board shall not spend more than thirty-five per cent of the remaining monies received pursuant to this Subsection for construction of new off-highway vehicle trails.

4. For enforcement of off-highway vehicle laws.

5. For off-highway vehicle related informational and environmental education programs, information, signage, maps and responsible use programs.

6. For the mitigation of damages to land, revegetation and the prevention and restoration of damages to natural and cultural resources, including the closure of existing access roads, off-highway vehicle use areas and off-highway vehicle routes and trails.

7. For necessary environmental, historical and cultural clearance or compliance activities.

F. The allocation of the monies in Subsection E, Paragraphs 3 through 7 of this Section and the percentages allocated to each of the purposes prescribed in Subsection E. Paragraphs 3 through 7 of this Section shall be based on an off-highway vehicle recreational plan.

G. Monies in the Off-Highway Vehicle Recreation Fund shall not be used to construct new off-highway vehicle trails or routes on environmentally or culturally sensitive land unless the appropriate land management agency determines that certain new trail construction would benefit or protect cultural or sensitive sites. For the purposes of this Subsection, "environmentally or culturally sensitive land" means areas of lands that are either:

1. Administratively or legislatively designated by the federal government as any of the following:

(a) a national monument.

(b) an area of critical environmental concern.

(c) a conservation area.

(d) an inventoried roadless area.

2. Determined by the applicable land management agency to contain significant natural or cultural resources or values.

H. The Arizona State Parks Board shall examine applications for eligible projects and determine the amount of funding, if any, for each project. In determining the amount of monies for eligible projects, the Arizona State Parks Board shall give preference to applications for projects with mitigation efforts and for projects that encompass a large number of purposes described in Subsection E, Paragraphs 3 through 7 of this Section.

I. Beginning September 1, 2011, and on or before September 1 of each subsequent year, each agency that receives monies from the Off-Highway Vehicle Recreation Fund shall submit an off-highway vehicle report to the President of the Senate, the Speaker of the House of Representatives, the chairperson of the Senate Natural Resources and Rural Affairs Committee, or its successor committee, and the chairperson of the House of Representatives Natural Resources and Public Safety Committee, or its successor committee. The report shall be made available to the public. The report shall include information on all of the following if applicable:

1. The amount of monies spent or encumbered in the Fund during the preceding fiscal year for the purposes of off-highway vehicle law enforcement activities.

2. The amount of monies spent from the Off-Highway Vehicle Recreation Fund during the preceding fiscal year for employee services.

3. The number of full-time employees employed in the preceding fiscal year in connection with off-highway vehicle law enforcement activities.

4. The amount of monies spent from the Off-Highway Vehicle Recreation Fund during the preceding fiscal year for information and education.

5. The number and specific location of verbal warnings, written warnings and citations given or issued during the preceding fiscal year.

6. A specific and detailed accounting for all monies spent in accordance with this section for construction of new off-highway vehicle trails, mitigation of damages to lands, revegetation, the prevention and restoration of damages to natural and cultural resources, signage, maps and necessary environmental, historical and cultural clearance or compliance activities.

J. For the purposes of this Section, "off-highway vehicle recreational plan" means a plan that is maintained by the Arizona State Parks Board pursuant to Section 41-511.04.

28-1177. Off-highway vehicle user fee; indicia; registration; state trust land recreational permit; exception

A. A person shall not operate OR ALLOW THE OPERATION OF an all-terrain vehicle or an off-highway vehicle in this state without an EITHER A RESIDENT OR NONRESIDENT off-highway vehicle user indicia issued by the department if the all-terrain vehicle or off-highway vehicle meets both of the following criteria:



1. Is designed by the manufacturer primarily for travel over unimproved terrain.
2. Has an unladen weight of eighteen hundred pounds or less.

B. A person shall apply to the department of transportation for the A RESIDENT OR NONRESIDENT off-highway vehicle user indicia by submitting an application prescribed by the department of transportation and a user fee for the indicia in an amount to be determined by the director of the department of transportation in cooperation with the director of the Arizona game and fish department and the Arizona state parks board. The RESIDENT OR NONRESIDENT OFF-HIGHWAY VEHICLE user indicia is valid for one year from the date of issuance and may be renewed. The department shall prescribe by rule the design and placement of the indicia.

C. When a person pays for an A RESIDENT off-highway vehicle user indicia pursuant to this section, the person may request a motor vehicle registration if the vehicle meets all equipment requirements to be operated on a highway pursuant to article 16 of this chapter. If a person submits a signed affidavit to the department affirming that the vehicle meets all of the equipment requirements for highway use and that the vehicle will be operated primarily off of highways, the department shall register the vehicle for highway use and the vehicle owner is not required to pay the registration fee prescribed in section 28-2003. This subsection does not apply to vehicles that as produced by the manufacturer meet the equipment requirements to be operated on a highway pursuant to article 16 of this chapter.

D. The director shall deposit, pursuant to sections 35-146 and 35-147, seventy per cent PERCENT of the user fees collected pursuant to this section in the off-highway vehicle recreation fund established by section 28-1176 and thirty per cent PERCENT of the user fees collected pursuant to this section in the Arizona highway user revenue fund.

E. An occupant of an off-highway vehicle with a RESIDENT OR NONRESIDENT OFF-HIGHWAY VEHICLE user indicia issued pursuant to this section who crosses state trust lands must comply with all of the rules and requirements under a state trust land recreational permit. All occupants of an off-highway vehicle with a RESIDENT OR NONRESIDENT OFF-HIGHWAY VEHICLE user indicia shall obtain a state trust land recreational permit from the state land department for all other authorized recreational activities on state trust land.

F. This section does not apply to off-highway vehicles, all-terrain vehicles or off-road recreational motor vehicles that are used off-highway exclusively for agricultural, ranching, construction, mining or building trade purposes.

28-1178. Operation of off-highway vehicles; exceptions

A person may operate an all-terrain vehicle or an off-highway vehicle in this state without an A RESIDENT OR NONRESIDENT off-highway vehicle user indicia issued pursuant to section 28-1177 if any of the following applies:

1. The person is participating in an off-highway special event.
2. The person is operating an all-terrain vehicle or an off-highway vehicle on private land.
3. The person is loading or unloading an all-terrain vehicle or an off-highway vehicle from a vehicle.
4. During a period of emergency or if the operation is directed by a peace officer or other public authority.
5. All of the following apply:
 - (a) The person is not a resident of this state.
 - (b) The person owns the vehicle.
 - (c) The vehicle displays a current off-highway vehicle user indicia or registration from the person's state of residency.
 - (d) The vehicle is not in this state for more than thirty consecutive days
5. THE VEHICLE DISPLAYS A VALID DEALER LICENSE PLATE THAT THE DEPARTMENT ISSUES PURSUANT TO SECTION 28-4533.

§ 28-1179. Off-highway vehicle equipment requirements; rule making

A. An off-highway vehicle in operation in this state shall be equipped with all of the following:

1. Brakes adequate to control the movement of the vehicle and to stop and hold the vehicle under normal operating conditions.
2. Lighted headlights and taillights that meet or exceed original equipment manufacturer guidelines if operated between one-half hour after sunset and one-half hour before sunrise.
3. Except when operating on a closed course, either a muffler or other noise dissipative device that prevents sound above ninety-six decibels. The Director shall adopt the current sound measurement standard of the society of automotive engineers for all-terrain vehicles and motorcycles and the current sound measurement standard of the international organization for standardization for all other off-highway vehicles.
4. A spark arrestor device that is approved by the United States Department of Agriculture and that is in constant operation except if operating on a closed course.
5. A safety flag that is at least six by twelve inches and that is attached to the off-highway vehicle at least eight feet above the surface of level ground, if operated on sand dunes or areas designated by the managing agency.

B. A person who is under eighteen years of age may not operate or ride on an off-highway vehicle on public or state land unless the person is



wearing protective headgear that is properly fitted and fastened, that is designed for motorized vehicle use and that has a minimum United States Department of Transportation safety rating.

C. In consultation with the Department of Transportation, the Arizona Game and Fish Commission may:

1. Adopt rules necessary to implement this Section.
2. Prescribe additional equipment requirements not in conflict with federal laws.

D. This Section does not apply to a private landowner or lessee performing normal agricultural or ranching practices while operating an all-terrain vehicle or an off-highway vehicle on the private or leased land in accordance with the landowner's or lessee's lease.

§ 28-1180. Race or organized event; authorization required

No person may organize, promote or hold an off-highway vehicle race or other organized event on any land or highway in this state, except as authorized by the appropriate agency that has jurisdiction over the land or highway or the landowner.

§ 28-1181. Civil traffic violation

Unless otherwise specified in this Article, a violation of this Article is a civil traffic violation.

Title 28., Chapter 7. Certificate of Title and Registration

Article 1. General Provisions

§ 28-2003. Fees; vehicle title and registration; identification plate; definition

A. The following fees are required:

... 3. Except as provided in Section 28-1177, for the registration of a motor vehicle, eight dollars, except that the fee for motorcycles is nine dollars.

Title 28., Chapter 7. Certificate of Title and Registration

Article 2. Certificate of Title and Registration

§ 28-2061. New off-road recreational motor vehicle; certificate of title; exemption

A. On the retail sale of a new all-terrain vehicle, off-highway vehicle as defined in Section 28-1171 or off-road recreational motor vehicle, the dealer or person first receiving the motor vehicle from the manufacturer shall apply, on behalf of the purchaser, to the Department for a certificate of title to the motor vehicle in the name of the purchaser. If satisfied that the application is genuine and regular and that the applicant is entitled to a certificate, the Department shall issue a certificate of title to the motor vehicle without requiring registration for the motor vehicle.

B. A person who owns an all-terrain vehicle, off-highway vehicle as defined in Section 28-1171 or off-road recreational motor vehicle shall apply for and obtain a certificate of title required by this Section in the manner prescribed in this Chapter on or before July 1, 2009. On the transfer of ownership of an all-terrain vehicle, off-highway vehicle as defined in Section 28-1171 or off-road recreational motor vehicle for which a certificate of title is required by this Section, a person shall apply for and obtain a new certificate in the manner prescribed in this Chapter.

C. A person participating in an off-highway vehicle special event as defined in Section 28-1171 is exempt from the requirements of this Section.

Title 28., Chapter 7. Certificate of Title and Registration

Article 5. Registration Requirements Generally

§ 28-2153. Registration requirement; exceptions; assessment; violation; classification

D. This section does not apply to:

- ...9. An all-terrain vehicle or an off-road recreational motor vehicle operating on a dirt road that is located in an unincorporated area of this state. For the purposes of this Paragraph, "dirt road" means an unpaved or ungraveled road that is not maintained by this state or a city, town or county of this state.
10. A person operating an off-highway vehicle who is participating in an off-highway vehicle special event as defined in Section 28-1171.
11. An all-terrain vehicle, off-highway vehicle as defined in Section 28-1171 that is only incidentally operated or moved on a highway.



Title 28., Chapter 7. Certificate of Title and Registration

Article 15. Distinctive Vehicles

§ 28-2512. Off-road recreational motor vehicle license plate; fee

A. Every owner of an all-terrain vehicle, off-highway vehicle as defined in Section 28-1171 or off-road recreational motor vehicle shall apply to the Department for a license plate.

B. The Department shall furnish to an owner of an all-terrain vehicle, off-highway vehicle as defined in Section 28-1171 or off-road recreational motor vehicle one license plate for each vehicle. C. The fee for a plate issued pursuant to this Section is eight dollars.

D. The license plate assigned to a motor vehicle pursuant to this Section shall be:

1. Attached to the rear of the vehicle.
2. Securely fastened to the vehicle in a clearly visible position.

E. An owner of an off-highway vehicle as defined in Section 28-1171 participating in an off-highway vehicle special event as defined in Section 28-1171 is exempt from the requirements of this Section.

F. On or before July 1, 2009, the Director shall establish procedures to systematically replace license plates issued for all-terrain vehicles, off-highway vehicles and off-road recreational motor vehicles before January 1, 2009 with the license plate prescribed in this Section.

G. In consultation with the Arizona Game and Fish Department and the Arizona State Parks Board, the director shall design the license plate prescribed by this Section.

Title 28., Chapter 16. Taxes

Article 3. Vehicle License Tax

§ 28-5801. Vehicle license tax rate

...E. The vehicle license tax for an all-terrain vehicle or off-highway vehicle as defined in Section 28-1171 is three dollars if the all-terrain vehicle or off-highway vehicle meets both of the following criteria:

1. Is designed by the manufacturer primarily for travel over unimproved terrain.
2. Has an unladen weight of eighteen hundred pounds or less.

Title 28., Chapter 16. Taxes

Article 5. Tax Administration

§ 28-5927. Transfer; off-highway vehicle recreation fund

Fifty-five one hundredths of one per cent of the total taxes on motor vehicle fuel shall be transferred from the monies collected pursuant to Section 28-5606 to the Off-Highway Vehicle Recreation Fund established by Section 28-1176 on a monthly basis.

Title 28., Chapter 18. Distribution of Highway User Revenues

Article 1. General Provisions

§ 28-6501. Definition of highway user revenues

In this Article, unless the context otherwise requires or except as otherwise provided by statute, "highway user revenues" means all monies received in this state from licenses, taxes, penalties, interest and fees authorized by the following:

1. Chapters 2, 7, 8 and 15 of this Title, except for:
 - (a) The special plate administration fees prescribed in Sections 28-2404, 28-2412 through 28-2451 and 28-2514.
 - (b) The donations prescribed in Sections 28-2404, 28-2412 through 28-2415, 28-2417 through 28-2451, 28-2473, 28-2474 and 28-2475.
2. Section 28-1177.
3. Chapters 10 and 11 of this Title.
4. Chapter 16, Articles 1, 2 and 4 of this Title, except as provided in Sections 28-5926 and 28-5927.

Title 28., Chapter 20. State Highways and Routes

Article 4. State Highway Fund and Budget



§ 28-6991. State highway fund; sources

A state highway fund is established that consists of:

...12. Except as provided in Section 28-5101, the following monies:

(b) One dollar of each registration fee and one dollar of each title fee collected pursuant to Section 28-2003 (Fees; vehicle title and registration; identification plate; definition).

Title 41., Chapter 3. Administrative Boards and Commissions

Article 1.1 Arizona State Parks Board

In May 24, 2019 Senate Bill 1241 was sent to Governor Ducey for his signature. This bill reestablished the Arizona State Parks Heritage Fund, but without dedicated funding. Ten percent of heritage funds are earmarked for non-motorized trail projects.

§ 41-502. 41-502. Arizona state parks heritage fund; exemption

A. The Arizona state parks heritage fund is established consisting of legislative appropriations, grants and donations.

B. The Arizona state parks board shall administer the fund. Monies in the fund are continuously appropriated. On notice from the Arizona state parks board, the state treasurer shall invest and divest monies in the fund as provided by section 35-313, and monies earned from investment shall be credited to the fund. Monies in the fund are exempt from the provisions of section 35-190 relating to lapsing of appropriations.

§ 41-511.04. Duties; board; partnership fund; state historic preservation officer

A. The board shall:

1. Select areas of scenic beauty, natural features and historical properties now owned by the state, except properties in the care and custody of other agencies by virtue of agreement with the state or as established by law, for management, operation and further development as state parks and historical monuments.

2. Manage, develop and operate state parks, monuments or trails established or acquired pursuant to law, or previously granted to the state for park or recreation purposes, except those falling under the jurisdiction of other state agencies as established by law.

3. Investigate lands owned by the state to determine in cooperation with the agency that manages the land which tracts should be set aside and dedicated for use as state parks, monuments or trails.

4. Investigate federally owned lands to determine their desirability for use as state parks, monuments or trails and negotiate with the federal agency having jurisdiction over such lands for the transfer of title to the Arizona state parks board.

5. Investigate privately owned lands to determine their desirability as state parks, monuments or trails and negotiate with private owners for the transfer of title to the Arizona state parks board.

6. Enter into agreements with the United States, other states or local governmental units, private societies or persons for the development and protection of state parks, monuments and trails.

14. Plan and administer a statewide parks and recreation program, including the programs established pursuant to the land and water conservation fund act of 1965 (P.L. 88-578; 78 Stat. 897).

15. Prepare, maintain and update a comprehensive plan for the development of the outdoor recreation resources of this state.

16. Initiate and carry out studies to determine the recreational needs of this state and the counties, cities and towns.

17. Coordinate recreational plans and developments of federal, state, county, city, town and private agencies.

20. Maintain a statewide off-highway vehicle recreational plan. The plan shall be updated at least once every five years and shall be used by all participating agencies to guide distribution and expenditure of monies under section 28-1176. The plan shall be open to public input and shall include the priority recommendations for allocating available monies in the off-highway vehicle recreation fund established by section 28-1176.

Title 41., Chapter 3. Administrative Boards and Commissions

Article 1.1 Arizona State Parks Board

§ 41-511.15. Arizona trail; fund; definition

A. The Arizona trail is designated as a state scenic trail to memorialize former United States congressman Bob Stump for his significant contributions to the trails and people of this state. B. The Arizona state parks board shall:

1. Participate in planning, establishing, developing, maintaining and preserving the trail.



2. Provide information to any person involved in planning, establishing, developing or maintaining the trail regarding the design, corridors, signs, interpretive markers highlighting special areas and historic uses and any other aspect of the trail to promote uniformity of development, maintenance and preservation.
3. Encourage counties, cities and towns to adapt their general and comprehensive plans to preserve the trail right-of-way and to acquire property or legal interests in property to ensure the trail's continued existence in a permanent location.
4. In cooperation with federal and state land management agencies, prepare a trail management plan and a plan for interpretive markers for the trail.
5. Coordinate the board's trail plan with federal, state and local activities and land uses that may affect the trail and with private nonprofit support organizations to assist in planning, developing, promoting and preserving the trail.
6. Accept gifts and grants of private and public monies for the purposes of this section. Monies received pursuant to this paragraph shall be deposited in the Arizona trail fund.

C. The trail shall be planned and designed for all non-motorized recreational uses, including hiking, biking, horseback and pack stock use, cross country skiing, snowshoeing and camping.

D. An agency of this state or of a county, city or town may not refuse to permit construction of the trail on property or rights-of-way owned or managed by the agency if the trail does not conflict with existing or proposed uses of the property. Each such agency shall:

1. Support the construction of the trail in the agency's long-term plans for its property.
2. Support the designation of the trail as a part of the national trail system.
3. Accommodate facilities for the safe trail crossing of highway rights-of-way.
4. Not infringe on existing land uses, such as cattle grazing or mineral development, that are near to or adjoin the trail. This paragraph does not authorize any person using public lands under a permit or lease to interfere with the use, maintenance or operation of the Arizona trail.

E. The Arizona trail fund is established consisting of legislative appropriations and donations to the fund. The Arizona state parks board shall administer the fund. The monies in the fund are continuously appropriated for the sole purpose of maintaining and preserving the Arizona trail.

F. For the purposes of this section, "Arizona trail" means a state scenic trail that extends approximately eight hundred miles between the southern border and the northern border of this state.

§ 41-511.22. Trail systems plan; deposit of monies; definition

A. The Board shall prepare a trail systems plan that:

1. Identifies on a statewide basis the general location and extent of significant trail routes, areas and complementary facilities.
2. Assesses the physical condition of the systems.
3. Assesses usage of trails.
4. Describes specific policies, standards and criteria to be followed in adopting, developing, operating and maintaining trails in the systems.
5. Recommends to federal, state, regional, local and tribal agencies and to the private sector actions which will enhance the trail systems.

systems.

B. The plan shall be revised at least once every five years.

C. Monies from gifts, grants and other donations received by the Board for the trail systems plan shall be deposited in a separate account of the State Parks Fund established by Section 41-511.11 and may be allocated by the Board for special trail project priorities established annually by the Board.

D. Monies deposited in the State Parks Fund account shall be used for providing state monies up to an amount equal to the amount of cash, materials and labor from any other source for the planning, acquisition, maintenance or operation of the trails and for administrative expenses of not more than twenty per cent of total account monies.

E. For purposes of this Section, "trail systems" means coordinated systems of trails in this state.

Title 41., Chapter 3. Administrative Boards and Commissions

Article 1.2 Arizona Outdoor Recreation Coordinating Commission

§ 41-511.25. Arizona outdoor recreation coordinating commission; members; powers and duties

A. The Arizona Outdoor Recreation Coordinating Commission is established. The Commission shall be composed of seven members consisting of the director of the Arizona Game and Fish Department, the director of the Arizona State Parks Board and five members appointed by the governor.



The ex officio members may not serve as officers of the Commission. Of the members appointed by the governor three shall be professional full-time parks and recreation department directors of a county, city, or town and no two shall reside in the same county. Two members appointed by the governor shall be from the general public and each shall have broad experience in outdoor recreation. Of the five appointed members, no more than two shall reside in the same county. Each appointed member shall be appointed for a term of three years. Appointed members shall be reimbursed for expenses incurred while attending meetings called by the Commission as prescribed by Section 38-624.

B. The Commission shall:

1. Review statewide outdoor recreation and lake improvement plans and provide comments to the Arizona State Parks Board.
2. Review budget proposals for the use of Land and Water Conservation Fund surcharges and the State Lake Improvement Fund for planning and administration and provide recommendations to the Arizona State Parks Board.
3. Establish criteria and policies for the equitable distribution of funding, review applications for eligible projects and determine the amount of funding, if any, for each project to be funded from the Land and Water Conservation Fund, the State Lake Improvement Fund, the Law Enforcement and Boating Safety Fund and the Off-Highway Vehicle Recreation Fund.

RECREATIONAL LIABILITY STATUTE

TITLE 33 – PROPERTY

Chapter 12. Liabilities and Duties on Property Used for Education and Recreation

Article. 1 General Provisions

§ 33-1551. Duty of Owner, lessee or occupant of premises to recreational or educational users; liability; definitions

A. A public or private owner, easement holder, lessee or occupant of premises is not liable to a recreational or educational user except upon a showing that the owner, easement holder, lessee or occupant was guilty of willful, malicious or grossly negligent conduct which was a direct cause of the injury to the recreational or educational user.

B. This Section does not limit the liability which otherwise exists for maintaining an attractive nuisance, except with respect to dams, channels, canals and lateral ditches used for flood control, agricultural, industrial, metallurgical or municipal purposes.

C. As used in this Section:

1. “Educational user” means a person to whom permission has been granted or implied without the payment of an admission fee or any other consideration to enter upon premises to participate in an educational program, including but not limited to, the viewing of historical, natural, archaeological or scientific sights. A nominal fee that is charged by a public entity or a nonprofit corporation to offset the cost of providing the educational or recreational premises and associated services does not constitute an admission fee or any other consideration as prescribed by this Section.
2. “Grossly negligent” means a knowing or reckless indifference to the health and safety of others.
3. “Premises” means agricultural, range, open space, park, flood control, mining, forest or railroad lands, and any other similar lands, wherever located, which are available to a recreational or educational user, including, but not limited to, paved or unpaved multi-use trails and special purpose roads or trails not open to automotive use by the public and any building, improvement, fixture, water conveyance system, body of water, channel, canal or lateral, road, trail or structure on such lands.
4. “Recreational user” means a person to whom permission has been granted or implied without the payment of an admission fee or any other consideration to travel across or to enter upon premises to hunt, fish, trap, camp, hike, ride, exercise, swim or engage in similar pursuits. The purchase of a state hunting, trapping or fishing license is not the payment of an admission fee or any other consideration as provided in this Section. A nominal fee that is charged by a public entity or a nonprofit corporation to offset the cost of providing the educational or recreational premises and associated services does not constitute an admission fee or any other consideration as prescribed by this Section.



APPENDIX E: RANDOM SAMPLE SURVEY QUESTIONNAIRE

2020 Trails Plan Survey Random Sample Survey

Q0_1

Do you prefer to continue this survey in English or Spanish? Please select one.

- English
- Spanish

First we need to ask you just a few questions to find out whether you qualify to participate in the survey.

S1. Do you live in Arizona, either year-round or for part of the year? Please select one.

- Yes, year-round *[Continue with S2, then skip to S4]*
- Yes, for part of the year—for example, as a winter visitor *[Continue with S2]*
- No, do not live in Arizona **[TERMINATE]**

NOTE: Current termination message reads: *Thank you for taking time out of your day to participate in our survey. Unfortunately, you do not meet the qualifications to participate. .*

S2. Which Arizona zip code do you live in, either year-round or for part of the year? Please type in your response. *[If invalid AZ zip, ask respondent to verify Arizona home zip code; if an invalid zip is again entered, allow and code as Other Zip]*

S3. When not living in Arizona for part of the year, where do you reside?

- U.S. state or territory *[If selected, present QS3a]*
- Canada
- Mexico
- Other country (please specify: _____)

S3a. Which U.S. state or territory do you live in? *[Present drop-down list; alphabetical listing of U.S. states and territories]*

S4. What is your age? Please select one.

- Under 18 **[TERMINATE]**
- 18–24
- 25–34
- 35–44
- 45–54



- 55–64
- 65–74
- 75 and older

Q1 Intro

During this survey, you will be asked if you have ever used trails in Arizona and if you have used trails during the past 12 months.

A trail is a recreation pathway, **on land or through water**, used for either non-motorized or motorized recreational purposes. Trails are located on public and private lands throughout the state. Trails do not include sidewalks, city streets, or rural highways.

Q1. Have you **ever** used trails on public or private lands in Arizona for **non-motorized recreation**? This includes activities such as trail hiking, jogging, mountain biking, backpacking, horseback riding, and viewing wildlife. Non-motorized water trail use includes activities such as canoeing kayaking, and stand-up paddle boarding. Please select one.

- Yes [*Continue to Q1a*]
- No [*Skip to Q2*]

Q1a: Have you used trails during the **past 12 months** for non-motorized recreation?

- Yes [Continue to Q2]
- No

Q2. Have you **ever** used trails on public or private lands in Arizona for **motorized recreation**? This includes activities such as driving a quad or all-terrain vehicle (ATV), driving a 4x4 on trails, and riding a dirt bike. Please select one.

- Yes [*Continue to Q2a*]
- No

Q2a: Have you used trails during the **past 12 months** for motorized recreation?

- Yes
- No

We are no longer doing this.



Q3. You stated that during the past 12 months you have used Arizona trails for **both motorized and non-motorized** recreational activities. As best as you can recall, did you use trails more for motorized activities, for non-motorized activities, or did you spend about the same amount of time doing each? Please select one.

- More for motorized activities
- More for non-motorized activities
- About the same amount of time for each – motorized and non-motorized activities

The next few questions will ask you about your experiences in using Arizona trails for **motorized** recreational activities.

Q4.

During the past 12 months, how often have you used trails on public or private lands in Arizona for the following types of motorized recreational activities? Please select one in each row.	Not at all	Once	A few times	Every couple of months	Once a month	Every few weeks	Once a week	More often than once a week
a. Riding a dirt bike								
b. Riding an e-bike – bicycle that runs on electric power as well as by pedaling, including electric-assist mountain bike (eMTB)								
c. Driving a quad / side-by-side / all-terrain vehicle (ATV) / utility terrain vehicle (UTV)								
d. Driving a 4x4								
e. Other motorized recreation activities								

Q4.e.1. What other types of motorized recreation activities have you used Arizona trails for in the past 12 months? _____

Q5. **In total**, how many **times** during the past 12 months have you used trails for **motorized recreation** in Arizona? Would you say ... Please select one.

- Once or a few times (approximately 1–3 times)
- Every couple of months (approximately 4–8 times)
- Once a month (approximately 9–14 times)
- Every few weeks (approximately 15–35 times)
- Once a week (approximately 36–52 times)
- More than once a week (approximately 52+ times)



Q6. Looking ahead to the next 12 months, do you think your use of Arizona trails for **motorized recreation** will probably be less, the same as, or more than in the past 12 months? Please select one.

- Less than in the past 12 months
- About the same as in the past 12 months
- More than in the past 12 months

NOTE: Q7a & Q7b appear on same screen page.

Q7a. How many people **age 18 and older** do you typically ride with when using trails in Arizona for motorized recreation activities? _____ # of people age 18 and older

Q7b. How many people **under age 18** do you typically ride with when using trails in Arizona for motorized recreation activities? _____ # of people under age 18

Q8. When you use trails in Arizona for **motorized** activities, which of these ride lengths do you like most? Please select one.

- Shorter than 25 miles
- 25 to 49 miles
- 50 to 74 miles
- 75 to 100 miles
- Longer than 100 miles

Q9a. Which town or city is closest to where you access each of the following? Please select one in each row.
[Drop-down list of Arizona towns & cities provided for each row]

Your **favorite** Arizona trail for **motorized** recreational activities

The Arizona trail that you **most frequently use** for **motorized** recreational activities

The Arizona trail that you **traveled furthest to** for **motorized** recreational activities



Q9b

Approximately how long does it take you to get from your home to where you access each of the following? <i>Please select one in each row.</i>	Less than 5 minutes	5–15 minutes	16–30 minutes	31 minutes to 1 hour	1–2 hours	2–4 hours	4 hours or more
Your favorite trail for motorized recreational activities, in or near XXX?							
The trail that you most frequently use for motorized recreational activities, in or near XXX?							
The trail that you traveled furthest to for motorized recreational activities, in or near XXX?							

Q9c

During the past 12 months, how often did you use each of the following? <i>Please select one in each row.</i>	Not at all	Once during the year	A few times during the year	Every couple of months	Once a month	Every few weeks	Once a week	More than once a week
Your favorite trail for motorized recreational activities, in or near XXX?								
The trail that you most frequently use for motorized recreational activities, in or near XXX?								
The trail that you traveled furthest to for motorized recreational activities, in/near XXX?								

Q12. Overall, how satisfied are you with **motorized trails** in Arizona? Would you say that you are ... [NOTE: To simplify programming in the online survey, question numbering remains unchanged after questions are deleted; this is transparent for respondents since they do not see question numbers]

- Very dissatisfied
- Somewhat dissatisfied
- Somewhat satisfied
- Very satisfied



Q13. In the past **5 years**, do you think that access to trails for **motorized recreation** has gotten better, stayed the same, or gotten worse?

- Gotten worse
- Stayed the same
- Gotten better
- Unable to answer—have not lived in Arizona for 5 years or longer

The next few questions will ask you about your experiences in using Arizona trails for **non-motorized** recreational activities.

Q14.

During the past 12 months, how often have you used trails on public or private lands in Arizona for the following types of non-motorized recreational activities? Please select one in each row.	Not at all	Once	A few times	Every couple of months	Once a month	Every few weeks	Once a week	More often than once a week
Trail hiking, jogging, running, or backpacking								
Mountain biking								
Horseback riding								
Canoeing, kayaking, or stand-up paddle boarding on a water trail								
Viewing wildlife, including bird-watching								
Other non-motorized recreational activity								

[Programming: If respondent selects Q14f and selects an answer choice other than "Not at all," present this follow-up open-end question, Q14.f.1]:

Q14.f.1. What other types of non-motorized recreation activities have you used Arizona trails for in the past 12 months? _____

Q15. **In total**, how many **times** during the past 12 months have you used trails for **non-motorized recreation** in Arizona? Would you say . . . Please select one.

- Once or a few times (approximately 1–3 times)
- Every couple of months (approximately 4–8 times)
- Once a month (approximately 9-14 times)
- Every few weeks or a few times a month (approximately 15-35 times)
- Once a week (approximately 36-52 times)
- More than once a week (approximately 52+ times)



Q16. Looking ahead to the next 12 months, do you think your use of Arizona trails for **non-motorized recreation** will probably be less, the same as, or more than in the past 12 months? Please select one.

- Less than in the past 12 months
- About the same as in the past 12 months
- More than in the past 12 months

NOTE: Q17a & Q17b appear on same screen page.

Q17a. How many people **age 18 and older** are typically with you when you use trails in Arizona for non-motorized recreation activities? _____ # of people age 18 and older

Q17b. How many people **under age 18** are typically with you when you use trails in Arizona for non-motorized recreation activities? _____ # of people under age 18

Q18. When you use trails in Arizona for **non-motorized** activities, which of these trail lengths do you like most? Please select one.

- Shorter than 1 mile
- 1 to 5 miles
- 6 to 15 miles
- 16 to 30 miles
- Longer than 30 miles

Q19a. Which town or city is closest to where you access each of the following? Please select one in each row.
[Drop-down list of Arizona towns & cities provided for each row]

Your **favorite Arizona** trail for **non-motorized** recreational activities

The Arizona trail that you **most frequently use** for non-**motorized** recreational activities

The Arizona trail that you **traveled furthest to** for non-**motorized** recreational activities



Q19b

Approximately how long does it take you to get from your home to where you access each of the following? <i>Please select one in each row.</i>	Less than 5 minutes	5-15 minutes	16-30 minutes	31 minutes to 1 hour	1-2 hours	2-4 hours	4 hours or more
your favorite trail for non-motorized recreational activities, in or near XXX?							
The trail that you most frequently use for non-motorized recreational activities, in or near XXX?							
The trail that you traveled furthest to for non-motorized recreational activities, in or near XXX?							

Q19c

During the past 12 months, how often did you use each of the following? <i>Please select one in each row.</i>	Not at all	Once during the year	A few times during the year	Every couple of months	Once a month	Every few weeks	Once a week	More than once a week
Your favorite trail for non-motorized recreational activities, in or near XXX?								
The trail that you most frequently use for non-motorized recreational activities, in or near XXX?								
The trail that you traveled furthest to for non-motorized recreational activities, in or near XXX?								

Q22. Overall, how satisfied are you with **non-motorized trails** in Arizona? Would you say that you are . . . [NOTE: To simplify programming in the online survey, question numbering remains unchanged after questions are deleted; this is transparent for respondents since they do not see question numbers]

- Very dissatisfied
- Somewhat dissatisfied
- Somewhat satisfied
- Very satisfied



Q23. In the past **5 years**, do you think that access to trails for **non-motorized recreation** has gotten better, stayed the same, or gotten worse?

- Gotten worse
- Stayed the same
- Gotten better
- Unable to answer—have not lived in Arizona for 5 years or longer

The next few questions will ask your opinions on various topics related to Arizona trails generally.

Q24.

How important is it to have trails nearby.... Please select one in each row.	Not at all important	Not very important	Somewhat important	Very important
If you were deciding where to live in Arizona?				
When choosing a destination for vacation or leisure travel in Arizona?				

We are no longer doing this.

Q26. Which of the following tools do you use to find and use trails in Arizona? Please select all that apply.

- GPS
- Smartphone apps
- Guidebooks
- Online interactive guides
- Paper maps
- Digital maps
- Agency or organization websites (e.g., Arizona State Parks & Trails, Arizona State Land Department, U.S. Bureau of Land Management, U.S. Forest Service, Arizona Game & Fish, etc.)
- Websites with suggestions, recommendations, tips, etc. from other people who use trails in Arizona
- Social media
- Trail signs
- Word of mouth (e.g., friends, family, other trail users)
- Other (please specify) _____
- None of the above – I do not use any specific tools



Q27. Thinking about possible environmental and cultural conditions that **might negatively affect** your trail experience, how much of a problem is each of the following on the Arizona **trails you use most for recreation activities**? Please select one in each row.

	Not a problem	Slight problem	Moderate problem	Serious problem
Erosion of trails				
Loss of scenic quality				
Litter or trash dumping				
Amount of dust in the air				
Damage to vegetation				
Damage to historical or archaeological sites				

Q28. Thinking about possible social conditions that **might negatively affect** your trail experience, how much of a problem is each of the following on the Arizona **trails you use most for recreation activities**? Please select one in each row.

	Not a problem	Slight problem	Moderate problem	Serious problem
Too many people				
Poor trail etiquette by other users				
Conflict between users				
Closure of trails				
Target shooting				
Vandalism				
Unsafe off-highway vehicle use				
Noise (e.g., vehicle noise, loud music)				
Urban development limiting trail access or use				
Pets				



Q29. How important to you are the following trail management priorities?

	Not at all important	Not very important	Somewhat important	Very important
Obtain land for trails and trail access				
Provide facilities, like restrooms, parking, and campsites, near trails				
Provide trail signs				
Provide trail maps and information				
Enforce existing rules and regulations in trail areas				
Maintain existing trails				
Prevent or repair damage to environmental & cultural sites near trails				
Promote safe and responsible recreation programs				
Construct new trails				
Develop trails and facilities to increase accessibility for people with disabilities				
Connect trails to other trails, parks, and communities				

Q30. In general, which of the following statements best represents your opinion of how recreation on Arizona **trails** should be managed? Recreation on Arizona trails should be managed for ...

- Multiple activities, with motorized and non-motorized activities COMBINED.
- Multiple activities, with motorized and non-motorized activities SEPARATED.
- A single motorized or non-motorized activity only.

Q31. If you were able to make one recommendation or suggestion to improve Arizona trails in general, what would it be?

Survey Questions: Demographics

Finally, we need some basic information about you to help us better understand who is using and not using trails in Arizona and to better provide for everyone's needs. This information will remain strictly confidential and will be used for statistical purposes only.

Q32. What is your gender?

- Male
- Female
- Other (please specify) _____
- Prefer not to answer



Q33. Are there any individuals in your household with a disability who require accommodations related to their use of Arizona trails?

- Yes [Programming: Present Q33a]
- No [Continue to Q34]
- Prefer not to answer [Continue to Q34]

Q33a. If yes, please identify the type of disability. Select all that apply.

- Hearing
- Speech
- Cognitive
- Visual
- Mobility
- Chemical or electrical sensitivity
- Other (please specify) _____
- Prefer not to answer

Q34. How long have you lived in Arizona, either year-round or for part of the year? Please select one.

- Less than 6 months
- 6 months through 1 year
- 1 year through 5 years
- 5 through 10 years
- Longer than 10 years
- Prefer not to answer

Q35a. Are you of Hispanic, Latino, or Spanish origin? Please select one.

- Yes
- No
- Prefer not to answer

Q35b. Which of the following racial groups do you most identify with? Please select one.

- White
- Black/ African American
- American Indian/ Alaskan Native
- Asian
- Native Hawaiian/Other Pacific Islander
- Prefer not to answer



Q36. What is the highest level of education you have completed? Please select one.

- Less than 9th grade
- Some high school (9th to 12th grade, no diploma)
- High school graduate (includes GED)
- Some college, no degree
- Associate's degree or technical/vocational program graduate
- Bachelor's degree
- Graduate or professional degree
- Prefer not to answer

Q37. What is your current employment status? Please select one.

- Employed
- Unemployed
- In the U.S. Armed Forces
- Student *[Programming: present Q37a]*
- Retired *[Programming: present Q37a]*
- Full-time homemaker, stay-at-home parent, or caregiver
- Disabled, not currently working
- Prefer not to answer

Q37a. You stated that you were a *[Programming: auto-populate with student or retiree.]* Are you also...
Please select one.

- Employed full-time
- Employed part-time
- Not employed

Q38. Which category best describes your total annual household income before taxes? Please select one.

- Less than \$10,000
- \$10,000 to \$14,999
- \$15,000 to \$24,999
- \$25,000 to \$34,999
- \$35,000 to \$49,999
- \$50,000 to \$74,999



- \$75,000 to \$99,999
- \$100,000 to \$149,999
- \$150,000 to \$199,999
- \$200,000 or more
- Prefer not to answer



APPENDIX F: LAND MANAGER QUESTIONNAIRE

Arizona 2020 Trails Plan Land Manager Survey

Welcome to the Arizona 2020 Trails Plan Land Manager Survey - Your experience and input is needed!

Arizona State Parks completes a state trails plan every five years. The survey findings will be used to prepare "Arizona Trails 2020: Statewide Motorized and Non-motorized Trails Plan" which will guide trails grant funding allocation and provide priorities and recommended actions for trail management statewide.

The purpose of this study is to assess both motorized and non-motorized trail usage and needs from the perspective of Arizona trail managers.

You have the option to include your contact information at the end of the survey. If you would like to see a copy of the draft plan document, we would be happy to send you a link to the document when it is ready for public review.

Arizona 2020 Trails Plan Land Manager Survey

1. Which type of agency or organization do you work for?

- Federal agency
- Tribe
- State agency
- City or County agency
- Non-profit organization
- Other (please specify)



2. In which county or counties do you work? (Check all that apply)

- Apache, Gila or Navajo counties
- Cochise, Graham, Greenlee or Santa Cruz counties
- Coconino
- La Paz or Mojave counties
- Maricopa
- Pima
- Pinal
- Yavapai
- Statewide

3. Which category best classifies your current position? (Check all that apply)

- Trails management
- Recreation management
- Land/resource management
- Other (please specify)

* 4. What types of trails do you and/or your agency manage in Arizona? (Check all that apply)

Definition of low speed electric bike: a two- or three-wheeled vehicle with fully operable pedals and an electric motor of less than 750 watts (1 h.p.), whose maximum speed on a paved level surface, when powered solely by such a motor while ridden by an operator who weighs 170 pounds, is less than 20 mph.

- Non-motorized trails (including water trails, trails for hiking, backpacking, equestrian use, mountain biking, etc)
- Motorized trails and routes (including those used by low speed electric bikes, dirt bikes, ATVs, UTVs, 4x4s, etc)
- None.

Arizona 2020 Trails Plan Land Manager Survey

The following set of questions is regarding NONMOTORIZED trails that you manage.



5. For NONMOTORIZED trails, how important are each of the trail management topics to your agency.
 (Click on one option for each statement)

	Not at all important 1	2	Neutral 3	4	Extremely Important 5
Obtain land for trails and trail access	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Construct new trails	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Provide facilities, like restrooms, parking, campsites near trails	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Provide trail signs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Provide trail maps and information	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Enforce existing rules and regulations in trail areas	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Maintain existing trails	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Prevent or restore damage to environmental & cultural sites by trails	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Complete environmental/cultural clearance and compliance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Promote safe and responsible recreation programs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Develop trails and facilities to increase accessibility for people with disabilities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Connect trails to points of interest, including other trails, parks and communities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Arizona 2020 Trails Plan Land Manager Survey



6. How much do you, as a representative of your agency, agree or disagree with the statements below about the need for new NONMOTORIZED trails (Click on one option for each statement)

	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
There is high visitor demand for more trails in the area I manage	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lands that I manage can not withstand more trails or trail use	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
There is not enough staff to manage more trails	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
My agency/organization would need to acquire more land/easements to build more trails in the area I manage	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>



7. For NONMOTORIZED trails, how much of a problem are the following social concerns for your agency
(Click on one option for each statement)

	Not a problem	A slight problem	A moderate problem	A serious problem
Poor trail etiquette by users	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Unsafe or unprepared trail users	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Users not staying on designated trails	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Overcrowding on trails	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
User conflicts on trails	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Destruction/removal of signs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Vandalism	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Conflicts between users and residents	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Pets	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Drones	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Impacts of social media on trail use/information sharing	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Litter or trash dumping	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Noise (for example, vehicle noise, loud music, etc)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Damage to historical or archaeological sites surrounding trails	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Arizona 2020 Trails Plan Land Manager Survey



8. For NONMOTORIZED trails, how much of a problem are the following environmental concerns for your agency. (Check one box for each statement)

	Not a problem	A slight problem	A moderate problem	A serious problem
Damage to vegetation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increase in invasive species	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Erosion of trails	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Impacts to habitat	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Decreases in wildlife sightings	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Impacts to water quality	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Dust in the air	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

9. For NONMOTORIZED trails, how much of a problem are the following safety concerns for your agency (Click on one option for each statement)

	Not a problem	A slight problem	A moderate problem	A serious problem
Personal safety due to theft, bodily injury, etc	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Natural factors such as rough terrain, users getting lost, extreme weather, etc.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lack of law enforcement	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lack of user education about rules and regulations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

10. Do you also manage MOTORIZED trails?

- Yes
- No

Arizona 2020 Trails Plan Land Manager Survey

The following set of questions is regarding MOTORIZED trails.



11. For MOTORIZED trails, how important are each of the trail management topics to your agency. (Click on one option for each statement)

	Not at all important		Neutral		Extremely Important
	1	2	3	4	5
Obtain land for trails and trail access	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Construct new trails	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Provide facilities like restrooms, parking, campsites near trails	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Provide trail signs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Provide trail maps and information	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Enforce existing rules and regulations in trail areas	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Maintain existing trails	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Prevent or restore damage to environmental and cultural sites by trails	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Complete environmental/cultural clearance and compliance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Promote safe and responsible recreation programs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Develop trails and facilities to increase accessibility for people with disabilities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Connect trails to points of interest, including other trails, parks and communities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Arizona 2020 Trails Plan Land Manager Survey



12. How much do you, as a representative of your agency, agree or disagree with the statements below about the need for new **MOTORIZED** trails (Check one box for each statement).

	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
There is a high visitor demand for more trails in the area I manage	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lands that I manage can not withstand more trails or trail use	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
There is not enough staff to manage more trails	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The agency/organization would need to acquire more land/easements to build more trails in the area I manage	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>



13. For MOTORIZED trails or routes, how much of a problem are the following social concerns for your agency (Click on one option for each statement)

	Not a problem	A slight problem	A moderate problem	A serious problem
Poor trail etiquette by users	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Unsafe or unprepared trail users	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Users not staying on designated trails	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Overcrowding on trails	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
User conflicts on trails	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Destruction / removal of signs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Vandalism	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Conflict between users and residents	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Pets	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Drones	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Impacts of social media on trail use/information sharing	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Litter or trash dumping	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Noise (for example, vehicle noise, loud music, etc)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Damage to historical or archaeological sites surrounding trails	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Arizona 2020 Trails Plan Land Manager Survey



14. For MOTORIZED trails or routes, how much of a problem are the following environmental concerns for your agency (Click on one option for each statement)

	Not a problem	A slight problem	A moderate problem	A serious problem
Damage to vegetation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increase in invasive species	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Erosion of trails	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Impacts to habitat	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Decreases in wildlife sightings	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Impacts to water quality	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Dust in the air	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

15. For MOTORIZED trails or routes, how much of a problem are the following safety concerns for your agency (Click on one option for each statement)

	Not a problem	A slight problem	A moderate problem	A serious problem
Personal safety due to theft, bodily injury, etc.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Natural factors such as rough terrain, users getting lost, extreme weather	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lack of law enforcement	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lack of user education about rules and regulations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Arizona 2020 Trails Plan Land Manager Survey

For ALL Trail Managers (Non-motorized and Motorized)



16. To what extent are the following barriers to interagency coordination for your agency. (Click on one option per statement)

	Not a barrier	Somewhat of a barrier	A moderate barrier	An extreme barrier
Agency staff turnover	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Unfamiliar with potential partners	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lack of time to develop and maintain relationships	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I am in a remote area	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Unaware of other agency and organizations plans and projects	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other priorities, high workload	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lack of agency support	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Other (please specify)

17. Please indicate how many of your agency's trail projects were initiated for the following reasons. (Click on one option for each statement)

	No projects	Some projects	Most projects
Part of the implementation of a developed trail plan	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
As a result of public demand	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
In response to impacted areas needing renovation or protection	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Dictated from federal strategies	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Professional discretion	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Arizona 2020 Trails Plan Land Manager Survey



18. My agency has applied for Arizona State Parks and Trails administered grant funds for the following types of trails (Check all that apply):

- For non-motorized trails
- For motorized trails
- My agency has not applied for Arizona State Parks and Trails administered grant funds.

Arizona 2020 Trails Plan Land Manager Survey

19. Please rate the difficulty of each of the grant administration tasks below for grants managed by Arizona State Parks and Trails (Click on one option for each statement)

	Very difficult	Somewhat difficult	Neutral	Somewhat easy	Very easy
Understanding the grant manual	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Answering the grant rating criteria questions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Completing the cost estimate forms	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Providing control and tenure	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Providing the signed resolution	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Providing the third party agreement	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Completing the cultural component/SHPO clearance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Completing the environmental clearance/National Environment Policy Act (NEPA) compliance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Administering the grant (quarterly reports, invoicing, timely close out).	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>



20. What specific recommendations or suggested changes do you have for the federal Recreational Trails Program Grant Program?

21. What specific recommendation or changes do you have for the OHV Recreation Fund Grant Program?

Arizona 2020 Trails Plan Land Manager Survey

22. To what extent are the following barriers to applying for grants for your agency? (Click on one option per statement)

	Not a barrier	Somewhat of a barrier	A moderate barrier	An extreme barrier
Staff time not available to <u>prepare</u> a grant application	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The grant process is too complicated	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Staff time not available to <u>administer</u> a grant project	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Leadership does not support grants and/or the project	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Cost of cultural and environmental clearances	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lack of matching funds	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Other (please specify)



23. Optional: Your contact information

Note: If you provide your email address we would be happy to send you a copy of the draft plan for review during the public comment period.

Name, Title	<input type="text"/>
Agency/Organization	<input type="text"/>
Email Address	<input type="text"/>

24. I am interested in receiving a link to the draft 2020 Trails Plan document when it is available for public review.

Yes

No

Arizona 2020 Trails Plan Land Manager Survey

Thank you for your participation!

The Draft Arizona Trails 2020 : Statewide Motorized and Nonmotorized Trails Plan will be available by winter of 2019.

If you have provided an email address and have indicated that you would like to see a copy of the document, we will notify you when the document is available to review and provide comment.

If you did not provide an email address, you can check the Arizona State Parks website (www.azstateparks.com) to see if the draft Trails Plan is available for review.

