NOVA SCOTIA OFF-HIGHWAY VEHICLE PILOT PROJECT EVALUATION

2022

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Contents

1 INTRODUCTION

1.1 Context

In October 2018, Nova Scotia launched a Pilot Project to test whether four-wheeled off-highway vehicles[1] (OHVs) could safely use the shoulder and paved roadways. This Project enables OHVs at the selected sites to use provincial roadways to safely travel from one OHV trail to another, or to access amenities such as gas stations and restaurants.

The Pilot Project provides the opportunity to test and evaluate the integration of these four-wheeled OHVs on the province's roadways, for the purpose of connectivity and access to amenities. It will help inform whether a permanent solution is viable and under what conditions, to protect the safety of all road users as much as possible. Data from the Registry of Motor Vehicles (RMV) indicates the number of four-wheeled OHV registrations has been increasing an average of 9% annually since 2015, growing from 25,500 to more than 37,000 in 2020.[2] It is important to remember that OHVs are called off-highway vehicles for a reason. They are not designed for road use. For example, OHVs are equipped with very rugged, low-pressure tires which are designed for un-paved, loose surfaces and thus do not have the same handling characteristics on smooth pavement. Also, OHVs often lack the same road safety equipment as motor vehicles intended for the road (e.g. signal lights). Ensuring the safest use of the roadways for motorists and other users is critical.

An OHV Pilot Project Steering Committee composed of representatives from the Departments of Public Works (DPW), Natural Resources and Renewables (DNRR), and Environment and Climate Change (DECC) were selected to oversee the Pilot and its evaluation.

Pilot sites were selected based on a series of factors including proven benefit in trail connectivity as recommended by the ATV Association of Nova Scotia (ATVANS), distance needed for road access, average daily traffic on roadways, road speed, priorities of OHV riders, and opportunities for community economic benefit. Highway signage would be installed to indicate the possible use by OHVs of the roadway in the areas designated by DPW.

Seven established trails with designated public roadway access were identified for the OHV Pilot Project:

1. Porters Lake, Halifax Regional Municipality (110 meters of Myra Rd. crossing West Brook bridge)

[1] Pilot only included OHVs that have four or more wheels, the tires of which are all in contact with the ground, and either has a steering wheel or handlebar. It does not include dirt bikes or snowmobiles.

2. New Germany, Lunenburg County (Trunk 10 from Maple Dr. to Varner Rd.)
3. Weymouth, Digby County (Trunk 1 from railway trail near Sissiboo Rd. to railway trail near Riverside Rd.)
4. Walton, Hants County (Bancroft Rd. to Shore Rd. to Rte. 215, then either northwest on Rte. 215 to Odd Fellows Hall Rd. or northeast to Walton Woods Rd. and McBurney (Quarry) Rd.)
5. Sherbrooke, Guysborough County (Trunk 7 from near the west end of Bennett's Loop to Main St. and then either Trunk 7 to Old Road Hill, or Main St. to Court St.)
6. Gabarus, CBRM (Oceanview Rd. south of Gabarus Louisbourg Rd., to Rte. 327 and along Rte. 327 to near Mohawk Rd.; and
7. Ship Harbour, Halifax Regional Municipality (West Ship Harbour Rd. from near Ferry Rd. to Trunk 7 and then along Trunk 7 to Bruce Dr.).

Rules regarding the safe use of the roadway and shoulder of the roadway were established for the Pilot. This included requiring riders to have a valid motor vehicle driver's licence (i.e., not a learner's licence), and the OHV to be insured and have a valid off-highway vehicle permit. Requirements also included time of day restrictions, wearing helmets, keeping speeds to below 25 km/hr, using hand signals to make turns, as well as staying on the shoulder as much as possible and using the road portion only when needed. Passengers below the age of 9 were not permitted, among other considerations.

A full summary of the rules of the road for OHV Pilot sites is provided in **Appendix A**.

1.2 Objectives

The OHV Pilot Project gives government the ability to test and evaluate the integration of OHVs on the province's roadways for the purpose of connectivity and access to amenities. It will help inform whether a safe, permanent solution is viable and under what conditions, to protect the safety of all road users as much as possible.

The evaluation was undertaken to determine if four-wheeled OHVs:

- Can safely integrate with other vehicles
- Impact the roadway infrastructure
- Impact the local economy, and
- Whether the road safety rules of the Pilot are appropriate.

The evaluation will help inform decision-making regarding the rules and conditions associated with the continued access of public highways by four-wheeled OHVs. It will consider the site selection process along with the primacy of ensuring road safety, while giving due consideration to community concerns.

The OHV Pilot Project Evaluation encompasses significant research and multiple lines of evidence supporting the full engagement of stakeholders and community members. The evaluation methodology aligned with the working evaluation plan approved by DPW Senior Management and the OHV Steering Committee. The approach included both secondary data analysis and primary research, including two dedicated surveys (i.e., OHV riders and community members) as well as bilateral interviews with key stakeholders (identified by DPW officials) and business operators in the vicinity of the OHV Pilot sites (identified by DPW officials and additional leads generated through this research).

1.3 Methodology

This study employed several research modalities – both quantitative and qualitative – as part of the multiple lines of evidence approach GATN utilized evaluating the OHV Pilot Project. The various research methods are outlined below.

1.3.1 Primary Quantitative Research and Analysis

Three surveys, each targeting specific stakeholder groups were developed and activated as part of this project.

OHV Rider Survey

The link to the OHV rider online survey was shared on social media by Communications Nova Scotia in January and February 2021. The link was also distributed to the members of:

- ATVANS
- Snowmobile Association of Nova Scotia (SANS)
- Nova Scotia Federation of Hunters and Anglers
- NS Trails; and
- Members of the Legislative Assembly.

The survey generated a total of 2,761 responses from OHV riders, which is believed to be predominantly ATVANS members as they have been active supporters of the Pilot Project and who pushed the survey links out to their membership.

Community Survey

A Community Survey was also posted online, specifically intended for residents of Nova Scotian communities with OHV Pilot sites. Community members were asked to provide details about their recent experiences with OHVs, especially in the vicinity of the Pilot sites. Respondents were recruited through a variety of channels including:

- Social media via Communications Nova Scotia
- Email to individuals the interdepartmental OHV Pilot evaluation project team believed live near the Pilot sites.

- Email to Municipal councillors and members of the legislature for distribution to residents through their community networks; and
- Promoting the survey on multiple Facebook pages, including trail associations, ATV clubs and communities.

Community outreach efforts generated 297 responses in total. As hoped, seven in ten (68%) of community respondents reported living in or near a Pilot community. It should be noted however, that three quarters (74%) of the respondents described themselves as OHV riders. Thus, community responses are somewhat swayed to rider's opinions. However, effort was made to illustrate any differences in the data between community members who were riders from those who were not.

Business Survey

The business survey was conducted through telephone interviews in March 2021. Google Maps and stakeholder interviews identified 45 businesses in the vicinity of the seven Pilot sites. Business contact information was assembled through an online search and each operator was contacted a minimum of three times over a two-week period with the following outcome:

- 18 businesses completed the survey (40%)
- 10 businesses declined to participate (22%)
- 12 businesses were not reached after multiple attempts (27%); and
- 5 businesses could not be contacted due to closure or insufficient contact information available through online and supplementary sources (11%).

1.3.2 Secondary Quantitative Data Research and Analysis

OHV related data from Department of Environment and Climate Change (DECC), Department of Justice (DOJ), Department of Health and Wellness (DHW), and DPW were collected and analyzed as part of the evaluation. Data from these departments, however, include information on all off-road vehicle types, including snowmobiles and dirt bikes. Some of these vehicle types were not included in the Pilot Project, but their data cannot be separated from OHV data. Hence, in the administrative data report, references are typically to the broader inclusion of all off-**r**oad vehicles (O**R**V) rather than the more limited type of OHVs involved in the Pilot. Administrative data from these departments was used to infer the effects of the Pilot Project on the safe operation of OHVs on the highways.

The OHV Pilot Project regulations created penalties under the Motor Vehicle Act (MVA) pertaining to improper driving of an OHV at the Pilot site, such as not wearing a helmet, not using hand signals before turning, and child passengers under 9 years of age. Further

penalties already existed under the Off-Highway Vehicle Act (OHVA), such as operating without appropriate registration, permits or insurance; not displaying an identification number; failing to wear a helmet; being underage and/or without supervision and/or safety training as required, among many others.

For the purposes of the Pilot, offences pertaining largely to the safe operation of OHVs were selected for analysis in both the data provided by DECC and DOJ. The complete list is provided in the Administrative Data Analysis Report.

Conservation officers with DECC patrol the roads and trails for violators under the OHVA. RCMP and municipal police officers are also able to charge violators under the OHVA, as well as the MVA. However, it is noteworthy that in 2020, COVID-19 health protocols and related redeployment hampered the ability of officers to patrol as they typically would and enforce the MVA or OHVA with regards to all ORVs. There were also times ORV riders were not permitted to ride the trails, or at least not as they might normally do so. Hence, data from 2020 was not incorporated in the evaluation analysis.

It should also be noted that serious injuries and deaths due to ORV collisions reported in this evaluation has two sources. DPW collects and tracts data specific to ORV collisions "on" public roadways, while DHW collects information for both "on" and "off" public road collisions resulting in serious injury or death.

1.3.3 Qualitative Research and Analysis

Qualitative outreach and engagement involved eleven bilateral interviews with key stakeholders as outlined below. The interviews provided stakeholders with an opportunity to share feedback on various aspects of the OHV Pilot Project including rules of the road, site selections, and future considerations. The confidential interviews lasted between 45 and 60 minutes.

Key Stakeholders and Staff Interviewed as Part of OHV Pilot Project Evaluation	
Organization	**Representative**
ATV Association of Nova Scotia (ATVANS)	Corey Robar, Trails Coordinator
Snowmobile Association of Nova Scotia (SANS)	Mike Eddy, General Manger
Nova Scotia Federation of Anglers and Hunters (NSFAH)	Harley Conrad, OHV Committee Chair
Nova Scotia Kayak and ATV Outside Adventure Tours (NSOA)	Chris White, Proprietor
Government Department	**Staff**

Nova Scotia Department of Public Works	Michael Balsom, Area Manager Basil Pitts, Area Manager Tony Harvey, Area Manager Cody Roland, Area Manager
Nova Scotia Department of Natural Resources and Renewables	Lori Blackburn, Senior Strategist Meagan Mahoney, Senior Strategist
Nova Scotia Department of Environment and Climate Change	Jason Cleaves, Regional Enforcement Manager

2 RESEARCH FINDINGS

2.1 Jurisdictional Review

A jurisdictional review conducted by DPW provides valuable context for the evaluation of Nova Scotia's OHV Pilot Project. Nova Scotia and Newfoundland and Labrador are the only Canadian provinces that do not allow some road access for OHV operators. PEI is currently conducting an OHV Pilot similar to Nova Scotia's but only on unpaved, seasonal roads with low traffic volumes and few private residences. Quebec allows OHVs to be operated on roadways where marked by a road sign or signal for a maximum distance of 1 km to reach a trail or service station. British Columbia has a permitting system in place where OHV riders must apply to the RCMP detachment closest to the area they are interested in accessing. Ontario's legislation grants access on all roads unless the road is specifically excluded. Ontario also permits local municipalities to enact by-laws to further outline the operational requirements for OHV riders. New Brunswick, Alberta and Saskatchewan have a process where municipalities can enact a by-law permitting travel for off-road vehicles.

2.2 Outreach & Engagement

Phone interviews were held with 11 key stakeholders knowledgeable about the implementation of the OHV Pilot. Officials from each of the government departments involved, three associations representing OHV riders and one outdoor tour operator were selected. Discussions followed several themes including safety, infrastructure and signage, enhancement opportunities, and next steps regarding OHV use of the roadways.

Safety

The stakeholders generally viewed the Pilot as enhancing safety for both OHV riders and the general public. Safety related protocols set by the Pilot regulations made sense when viewed through a risk management and harm reduction lens as suggested by some stakeholders. OHV riders indicated legalizing risky activities (e.g., using the roadways illegally) was seen to "elevate expectations" and create "positive peer pressure". As noted by

one government official - with the increase in legal riders associated with the Pilot, illegal practices are decreasing. This view was also shared by enforcement officials. ATVANS and SANS were recognized for their efforts to promote compliance and responsible behavior through their membership and chapter activities. Among the OHV stakeholders, the Pilot was acknowledged to be a privilege and to be respected through responsible behavior. It was suggested that the predominance of legal and responsible OHV behavior means that illegal behavior "is conspicuous as an outlier", elevating the standard. The thoroughness and clarity of DPW's OHV permitting, licensing, and registration rules were credited by several stakeholders for contributing to the success of the Pilot.

Interestingly, the DECC officials noted the Pilot facilitated enforcement. Since much of the surveillance is conducted through patrols on OHVs, the Pilot sites also permitted officers to use the road to connect to the next trail.

Stakeholders were unaware of any collisions or safety incidents associated with the Pilot sites. The only safety related concern raised by one stakeholder regarded the optics of a Pilot site providing OHV riders access to a licensed pub.

Infrastructure and Pilot Site Signage

There were no reports from DPW stakeholders of OHV related wear and tear on the shoulder or asphalt at the Pilot sites. However, one submission from a DOT winter maintenance operator noted evidence of OHVs "rutting out the shoulder". Hence, while the road shoulders may experience some degradation, concerns raised prior to the Pilot related to OHV damage of the road surface was largely alleviated.

Most stakeholders indicated that Pilot signage was adequate, However, a couple of association representatives noted opportunities to improve the signage for both safety and navigation. It was observed that the beginning and end of a Pilot zone was not always signed, and in some cases, it was not clear to OHV drivers where they are to reenter the next trail.

Enhancements for OHV Road Use

Several suggestions to enhance OHV road use rules going forward arose from the interviews with associations representing OHV riders. This included allowing OHVs to exceed 25 km/hr. as they are slowing traffic behind them, and it would reduce the potential frustration of motor vehicle drivers. Also, it was proposed to expand the hours beyond sunrise to sunset to provide consistency and predictability, by setting fixed beginning and end times that remain unchanged year-round. There was also a request to launch a snowmobile pilot. These options were offered in the context of opportunities to enhance the next phase.

It should be noted that there are other references in provincial legislation and regulation using sunrise and sunset as time markers. The OHVA and laws around hunting to name two. Sunrise and sunset references make allowances for the seasonal changes in the amount of daylight, which specifying set hours would not do.

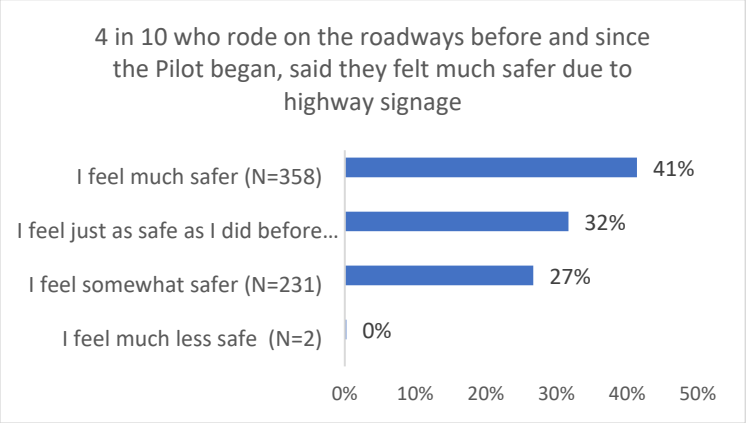
Association representatives suggested that the Pilot facilitated additional organized group rides – including those operated and sanctioned by local clubs/chapters. They also speculated that outdoor tour operator businesses would be bolstered because the Pilot enables them to comply with liability and insurance requirements. One stakeholder offered examples of OHV destinations such as the Hatfield and McCoy Trail system in West Virginia that the Pilot could help Nova Scotia communities aspire to.

Considerations for Next Steps Regarding OHV Use of the Roadways

In the context of next steps, both government and association stakeholders offered many suggestions to expand and allow other trails to have use of the roadways. A sample of these suggestions included permitting use in Yarmouth (Water Street), Digby (George St.) and "all secondary roads"; as well as extending the areas of existing sites being piloted, such as in Gabarus and New Germany to include more businesses. Similarly, both government and association stakeholders believed that OHV use of more roadways could be done safely. As one government official suggested "the Province's large network of trails, combined with our low-density population means the Pilot sites are generally not overused"

2.3 OHV Rider Survey

Pilot feedback via the OHV rider survey was very positive. Many riders (41%) who admitted to riding on the road both prior to and since the Pilot began, indicated they felt much safer due to addition of highway signage warning motorists of OHVs at the Pilot area. According to the survey, most OHV riders feel very safe using the public roadway/shoulder at Pilot areas, although several noted that the significantly slower speed they were to travel when on the roads (25 km/hr.) made them feel vulnerable. Many riders also noted that they are currently driving on or along a public roadway that are not part of as Pilot site (83%).

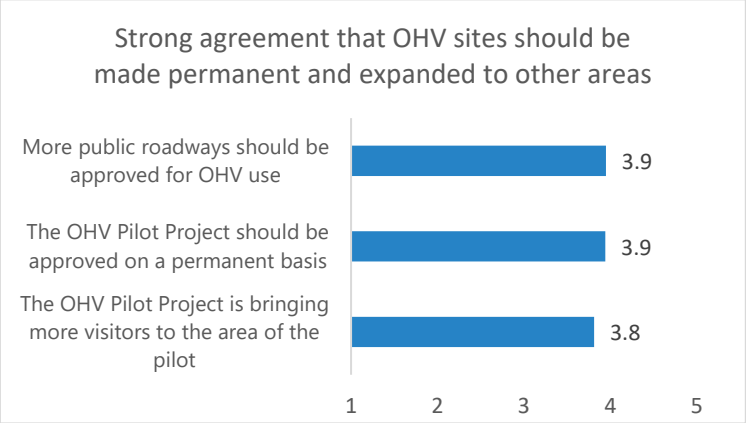


Riders who indicated they did not feel safe using the public roadway/shoulder at Pilot areas cited high traffic volumes, blind crests/bends in the road, poor shoulder conditions, that

sometimes it is not well known that OHVs are allowed on the highway, and the speed at which some OHV riders use the roadways is unsafe (i.e., too fast).

Although half of the riders reported not seeing any OHV highway warning signage for the Pilot, signage at the Pilot sites was considered adequate by riders (ranging from 84% to 94%). Many of the suggestions to improve the highway signage involved improving the visibility of signage by increasing the size and the number of signs. Some respondents commented that signage was inadequate but seemed to be referring to wayfinding issues on the trail instead of the highway. It is possible that there was some confusion as to what signs the riders were assessing.

With regards to the other safety rules, riders noted being aware of the requirements of using a hand signal before turning (90%), and that the maximum speed limit was 25 km/hr. (82%); fewer were aware that children under the age of 9 were not permitted to be passengers when on the roadway (65%).



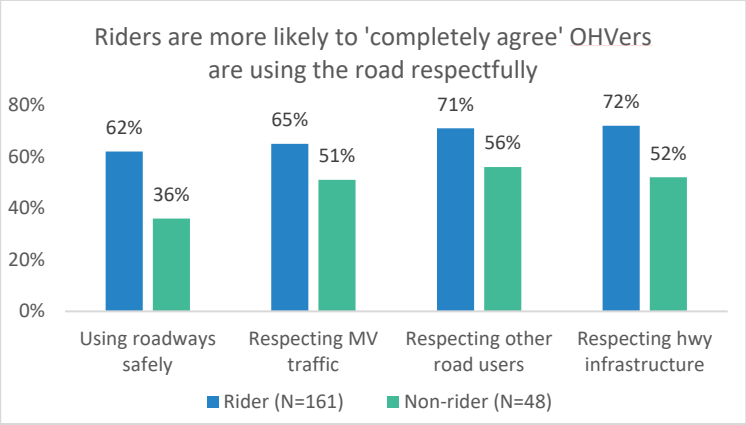
Average scores on a scale of 1 to 5 indicate there was broad agreement by riders that Pilot areas do create valuable connections to other trails and local amenities. Similarly, there was a strong agreement that the Pilot Project should be made permanent and expanded.

Concerns raised by the riders involved improved signage needed in some areas and the low speed limit while on the roadways being a concern.

2.4 Community Survey

The community survey was developed to capture input from the general public living near the Pilot sites. Despite outreach efforts through established networks, there was only modest survey uptake among non-OHV rider community members. The survey attracted mostly riders (74% vs 26% non-riders) so there may be some overlap between the respondents of the community survey and the OHV rider survey. Two thirds (68%) of the respondents lived near one of the Pilot communities, and almost half of these lived in or near the Porter's Lake site specifically. The local municipal councillor's support in promoting the OHV surveys (e.g., posting on 24 Facebook pages) likely contributed to the geographic concentration of responses.

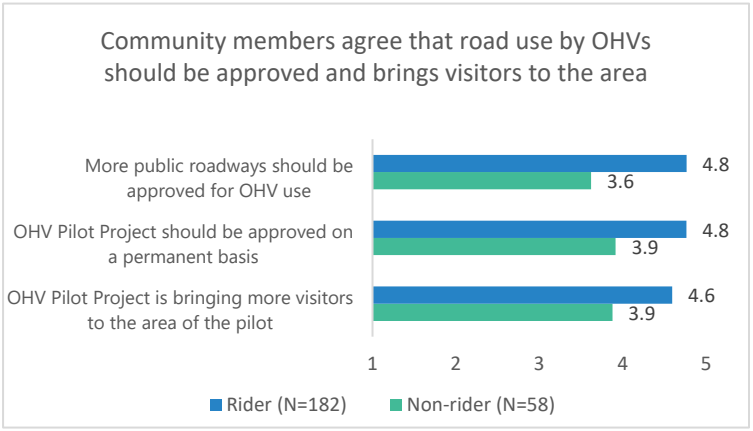
Overall, there was strong support for the Pilot in the community survey. Both riders and non-riders reported that the Pilot created valuable connections to other trails (97% and 83% respectively) and to local amenities (91% and 75%).



The majority of riders that responded to the community survey completely agree they are using the roadways safely (62%); and are respecting motor vehicle traffic (65%), other road users such as pedestrians and cyclists (71%), and highway infrastructure (72%). While non-riders do not feel as strongly that OHVers ride safely (36%), more than half still completely agree OHVers are respectful of other traffic (51% motor vehicles, 56% other road users) and the infrastructure (52%).

Some community members expressed concerns about safety, property damage, substance use and a lack of enforcement. Suggestions for improvement included increasing the visibility of OHV signage, a better public awareness campaign, adding safety features on OHVs, and stronger enforcement of regulations. A small percentage of community survey respondents (6%) revealed they experienced a 'close call' within a Pilot area.

Average scores on a scale of 1 to 5 indicate there was overall community agreement that the Pilot is bringing visitors to the area; and should be approved on a permanent basis and expanded for more roads by both riders and non-riders.

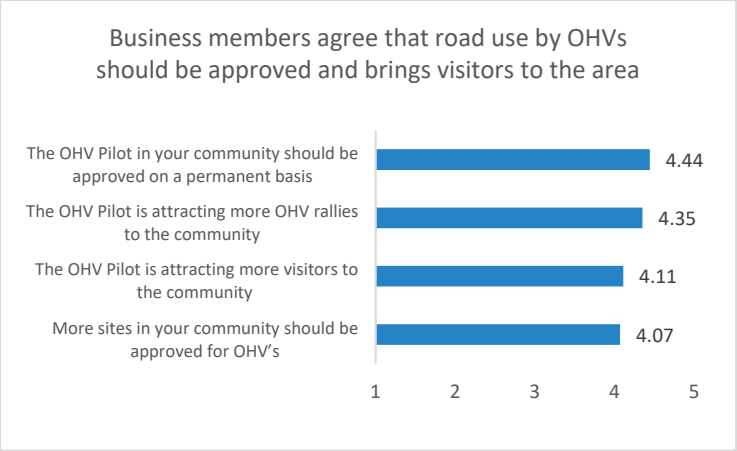


Concerns raised by community members were related to driver behaviour and attitude regarding respect for private property by a minority of riders.

2.5 Business Survey

Overall, representatives of local businesses rated OHV drivers and the Pilot Project positively. While most businesses did not report a change in sales, one grocery retailer speculated that the lack of change in sales might be attributed to the fact that OHVers have always been riding their vehicles in the Pilot areas, even before the Pilot was in place.

There was strong support for the Pilot and OHV drivers as noted by businesses approving the OHV Pilot on a permanent and expanded basis (average score of 4.4 and 4.07 respectively on a five-point scale). Businesses found the Pilot to be beneficial because it attracts visitors and rallies to their communities.

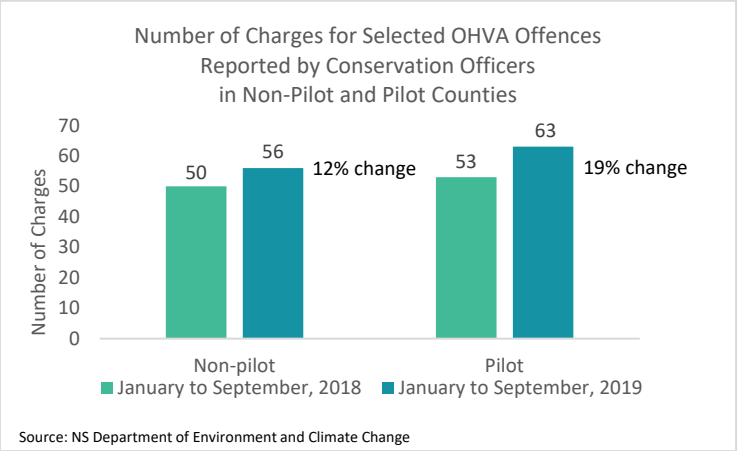


While overall feedback on the Pilot from businesses was very positive, a couple of areas of improvement were noted. Although most businesses did not believe that there were any challenges resulting from the Pilot, 28% were concerned that OHV drivers do not drive safely and 11% wanted to see better enforcement of regulations.

2.6 Administrative Data

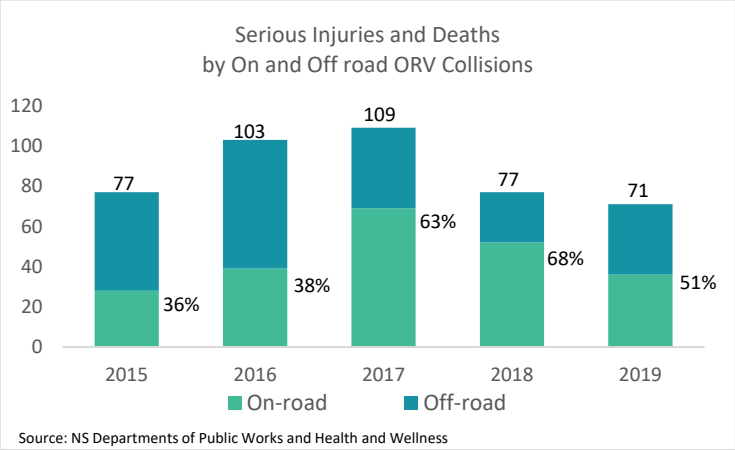
Government's administrative data provided insights into several trends in OHVA offences and ORV-related serious injuries or deaths.

While warnings issued by Conservation Officers across the provinces decreased by 18%, the number of charges issued increased by 16% when comparing the first nine months of 2018 to same time in 2019. Counties with Pilot sites were more likely to experience a higher increase in the number of charges issued (19%). Data from the Department of Justice reflecting select OHVA charges issued by both RCMP, and the Conservation Officers also increased more in counties with Pilot sites, as compared to counties without a Pilot site (84% vs. 36%).



Source: NS Department of Environment and Climate Change

Whether warnings or charges, the top offences of ORV drivers for January to September of 2018 and 2019 were operating on a highway, shoulder or median; not wearing a helmet; driving without a permit; driving without appropriate insurance; and not displaying an identification number.



Although the number of serious injuries and deaths caused by ORV collisions has decreased in the past couple of years, the proportion that are occurring on-roads has increased. On average over the past five years, 62 serious injuries or deaths occurred annually in Nova Scotia. On average, 45 of these occurred on-roads. Riders in the 36 to 55 age group were most likely to experience serious injury or death overall, while those 16 to 25 were slightly more likely than the other age groups to have serious injuries or death when the ORV collision occurred on-roads.

In summary, the correlation between government's administrative data and the OHV Pilot is inconclusive. For example, while more charges tended to be issued in counties with a Pilot site and for illegally using the shoulder/road, data constraints preclude directly connecting this to the Pilot. The steady increase in the number of OHVs registered in the province is also a consideration. However, it can be definitively stated that there were no serious collisions at the Pilot sites. This positive outcome could be the combined result of Pilot highway warning signs and road safety conditions related to Pilot site selection criteria and the roadway driving rules set by Public Works.

3 SUMMARY OF FINDINGS

Keeping in mind the data nuances previously noted in the methodology section, the Pilot was largely viewed positively by field staff, businesses, riders and community members. It was seen to enhance trail connectivity and access to services for OHV riders without significant degradation of the pavement surface in most locations.

The Pilot was viewed by many stakeholders to alleviate major safety concerns. The Pilot sites were used appropriately by most OHV riders. Criteria for site selection, highway signage at the Pilot sites, and road safety rules were seen to contribute to the Pilot's success. Also, there were no charges for road safety violations, or serious injuries or deaths at a Pilot site.

The Pilot was largely endorsed by local businesses. In general, businesses at the sites designed to permit access to amenities, reported benefiting from OHVers visiting their establishments, as did other businesses in the vicinity of all the sites. However, it is challenging to quantify the economic impact on communities through this evaluation due to respondent difficulty in providing precise estimates of changes in business levels.

Although not immediately in the vicinity of the Pilot sites, some tourism businesses in the Province have a strong niche with OHV riders. Further development of OHV activity would enhance tourism business opportunities (e.g. OHV tour companies, accommodations, campgrounds, restaurants, outfitters, etc.). An example of a destination that has more fully developed this niche was noted in the research and provides a reference point for possible outdoor tourism growth.

Overall, the evaluation evidence suggests that, under the conditions of the Pilot Project:

- The criteria for site selection is appropriate for these four-wheeled OHVs
- There was not significant degradation of the roadway at the Pilot sites
- Although not economically quantifiable, most businesses interviewed benefitted and were supportive of OHV use of public highways in their area
- Under the road safety rules of the Pilot OHVs safely integrated with other road users, and
- There is support for creating additional opportunities for road access. Potential options for future sites were raised by stakeholders and survey participants.

4 FOR FUTURE CONSIDERATION

The OHV evaluation analysis offers the following for future consideration.

Designate the Pilot sites with permanent status.

This option was largely supported by the various evaluation participants. While one stakeholder suggested that OHV driver standards may relax if road access at specific sites becomes permanent, others countered that the Pilot has provided adequate time for the "bar to be raised" for responsible OHV use. Considerations, however, include the legislative effort and timeline to amend the *Motor Vehicle Act* and the *Off-Highway Vehicle Act*.

Designate additional sites.

Similar to the above this option was unanimously supported by stakeholders. This approach would scale the benefits – including economic, social, recreational, and quality of life - associated with the initial Pilot sites. Furthermore, expansion would potentially extend the array of businesses in the network to include accommodation and recreation enterprises while increasing the number of fuel and food related businesses. This would enhance the OHV user experience, attract more tourists and elevate the province's OHV destination status. The outreach and engagement process offered numerous options for expansion consideration. Discontinuance of road access attracted little support through the outreach and engagement discussions.

Support Enhanced Business Measurement.

As noted above, business representatives were unable to attribute quantifiable changes in their business activity to the OHV Pilot. Measuring business impact could be enhanced, if a future study was conducted, by providing businesses with the opportunity to establish a baseline measure of OHV related activity and impacts, along with a tracking tool to capture activity in real time. This would help address feedback where respondents generally found it difficult to quantify their responses, while more precisely connecting business activity with the Pilot. Data collection of this nature could also be configured to enable economic impact measurement of the Pilot specifically, or the OHV sector generally.

APPENDIX A: SUMMARY OF THE RULES OF THE ROAD FOR OHV PILOT AREAS ONLY

Vehicles Permitted – Four Wheeled OHVs

- All-Terrain Vehicles
- Multi-Purpose Off-Highway Utility Vehicle (i.e., utility side by sides); and
- Recreational Off-Highway Vehicle (i.e., recreational side by sides).

Licensing and Registration

- Registration fees and application processes apply as outlined in the Off-Highway Vehicle Act.
- To operate an OHV on the right of way, the operator must hold a valid driver's license under the Motor Vehicle Act. Drivers holding a learner's licence will not be permitted to take part in the Pilot. For non-residents of Nova Scotia, the equivalent of a Class 5 in their jurisdiction of residence will be required.
- Any OHV accessing Pilot areas must have a number plate affixed to the vehicle; and
- OHVs shall be insured in accordance with Section 15B of the Off-Highway Vehicles Act.

Operation

- When operating in Pilot areas OHVS will be operated at speeds of no more than 25km/h.
- OHVs will only be permitted to travel in Pilot areas from the hours of one-half hour before sunrise to one half hour after sunset; and
- OHVs will be permitted to be driven on the shoulder of the designated highway only in the same direction as traffic using the same side of the highway.

OHVs will be permitted to be driven on roadways in the same direction as traffic using the same side of the highway if:

- One or more of the following exists:
    - There is no shoulder.
    - The shoulder is obstructed.
    - They are preparing to make a left turn across the roadway.
    - The shoulder is not wide enough to be driven with all tires completely off the roadway, or
    - When being driven across a level railway crossing.

- When entering the shoulder or roadway of a designated highway OHVs will be required to yield the right of way to any traffic already using the shoulder or roadway. OHVs will be permitted to enter shoulder only when safe to do so.
- Before commencing a left turn the OHV will be required to (without interfering with traffic) move away from the shoulder or right edge of the roadway and be positioned on the roadway in the position to make a left turn. Upon completing a left turn, the OHV will be required to (without interfering with traffic) move back to the right edge of the roadway or shoulder.
- The Off-Highway Vehicle Act prohibits OHVs from being equipped with turn signals. Therefore, prior to commencing any turn OHVs will be required to indicate the intention to turn following the hand signalling instructions provided in the Motor Vehicle Act.
- OHVs will be required to travel in single file on the shoulders and roadways and are not permitted to pass when riding in Pilot areas; and
- The operation of an OHV on the shoulder or roadway with a passenger younger than 9 years old is prohibited in Pilot areas.

Equipment

- OHVs may only carry passengers aged 9 or older in Pilot areas if the OHV is designed by the original equipment manufacturer to carry both a driver and a passenger; and
- In addition to any other provision in the Pilot regulations, no person will be permitted to operate an OHV in a Pilot area unless it meets all equipment requirements in accordance with the Nova Scotia's Off-Highway Vehicle Act and general regulations.