

April 07, 2025

# **Testimony to the Senate Transportation Committee Regarding S.4, Municipal Legal Trails, 4/4/25**





## Testimony to Senate Committee on Transportation

### Regarding S.4, Municipal Legal Trails

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April 4, 2025

## What is a Legal Trail?

Legal trails are a **public right of way** that is not a highway and that previously was a designated town highway OR a new public right-of-way laid out as a trail by the municipal legislative body to provide access to abutting properties or for recreational use.

- [Act 178 of 2006](#) required all municipalities to map all class 1, 2, 3 and 4 town highways and legal trails by 2015 and allowed for the mass discontinuation of town highways between 2006 and 2011.



- This process of researching, identifying, planning, and mapping Ancient Roads established hundreds of new miles of legal trail and Class 4 road throughout Vermont.
- [According to VTrans](#), 248 miles of legal trail were established 2006-2011, 148 miles of Class 4.
- ACCD provided grants for research and mapping for 89 municipalities for this work

## **Protect Access to Legal Trails and Conserved Public Lands**

Legal trails provide critical access to state, municipal, and federal public lands throughout Vermont. Many legal trails connect to larger multi-use trail networks that are the backbone of our rural outdoor recreation economy.

According to the Vermont Agency of Transportation, municipalities currently maintain authority over 547.22 miles of mapped Legal Trails:

- Stowe 10.8 miles
- Strafford 10.45 miles
- Cabot 18.2 miles
- Rockingham 23.42 miles
- Chittenden 41.82 miles
- Rochester 6.65 miles

## **Municipalities Currently Maintain Trails for a Variety of Uses**

Municipalities invest public resources in maintaining legal trails to clear brush and trees, provide signage, grading, ditching, and more.



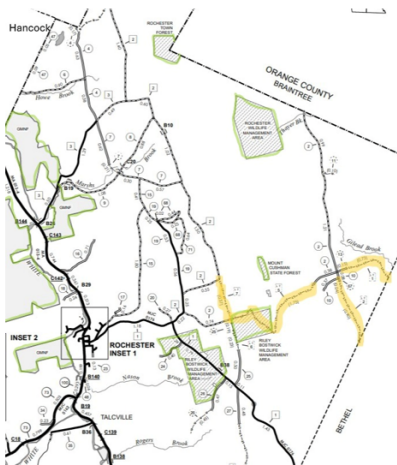
- 45 Municipalities responded to a survey"
- 44 actively maintain trails for public use
- 33 coordinate maintenance with volunteer groups
- 70% are open to bikes, 60% to snowmobiles, 40% to ATV's
- Costs are shared by municipalities, non-profits, landowners, and businesses

## **S.4 Would Clarify Municipal Authority to Maintain Trails**

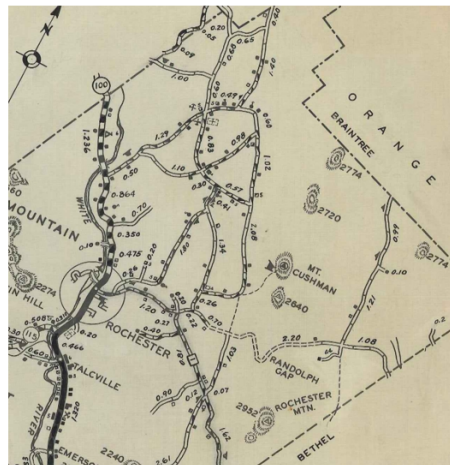
- It is VLCT's position that municipalities have the exclusive authority to maintain the legal trails they are explicitly authorized to regulate.
- Municipal legislative bodies implicitly retain control over all municipal property through their powers under Title 24 over the "general supervision of the affairs of the town".
- Municipalities that want to permit hiking, hunting, cross-country skiing, biking, or ATV use on their legal trails would be powerless to do so if a trail falls into disrepair.
- 70% of all public trails in Vermont are located on private land and are available to the public only by permission of the land owner, unlike Municipal Legal Trails which are a public right of way.



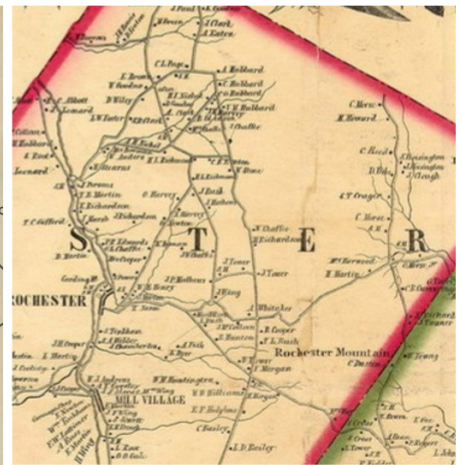
2004



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## Attachments

[Presentation used by Josh Hanford and Samantha Sheehan during their testimony](#)

