

**UNITED STATES DEPARTMENT OF AGRICULTURE
UNITED STATES FOREST SERVICE
CHATTAHOOCHEE – OCONEE NATIONAL FORESTS**

ORDER NUMBER CO-07-02

FOREST-WIDE CLOSURE

MOTOR VEHICLE REGULATIONS

Pursuant to the provisions of Title 16 U.S.C., Section 551 and Title 36 C.F.R, Section 261.50(a) and (b), the following prohibitions apply to “Motor Vehicle Operations” within the boundaries of the Chattahoochee – Oconee National Forests. “Motor Vehicle” means any vehicle which is self-propelled or any vehicle which is propelled by electric power obtained from batteries, but not operated on rails (36 CFR 261.2).

What this Order Does:

*** This Order sets forth prohibitions applicable to the operation of motor vehicles on National Forest System (NFS) lands and NFS Roads except as designated.

*** All State laws apply to NFS lands. State and County law enforcement officials are not bound by the provisions contained in this Order. The enforcement of State laws which are adopted by this Order is only performed by law enforcement personnel of the USDA Forest Service (FS).

*** The Order prohibits the operation of any motor vehicle (including Off-Road Vehicles) **off of a road** on NFS lands within the Chattahoochee-Oconee National Forests, unless the area off of a road is designated for motor vehicle operation, such as a designated Off-Road Vehicle Area (Prohibition 1, below).

*** The Order prohibits the operation of any Off-Road Vehicle **on a NFS Road**, unless the road is designated for such use. All NFS Roads are open to properly registered and licensed vehicular traffic unless gated or otherwise closed. FS law enforcement personnel will not enforce the provisions pursuant to Title 40, Chapter 2, Registration and Licensing of Motor Vehicles of the Official Code of Georgia Annotated (O.C.G.A. 40-2-1 through 40-2-136), on either State or County roads that traverse NFS lands. FS law enforcement personnel will enforce all other applicable provisions of the Georgia State Motor Vehicle and Traffic laws found in Title 40, O.C.G.A. on these same roads. This includes the requirement to possess a valid Class C Georgia State Driver’s License when operating an Off-Highway Vehicle on any NFS Road as set forth at O.C.G.A. 40-5-20 and 40-5-23 (c) (Prohibitions 2 and 7, below).

*** The Order prohibits the operation of any motor vehicle (including Off-Road Vehicles) **on a NFS Trail**, unless the trail is designated for such use (Prohibition 3, below).

*** The Order prohibits the operation of any motor vehicle (including Off-Road Vehicles) **on a NFS Road**, when it is operated carelessly, recklessly, or at an unsafe

speed. State and County roads that traverse NFS lands on the Chattahoochee-Oconee National Forests are also NFS roads (Prohibition 4, below).

*** The Order sets forth further limitations on the operation of motor vehicles on NFS lands as defined in Prohibitions 5 and 6, below.

This closure is effective from May 23, 2007, through May 23, 2012.

Prohibitions

1. Possession or use of any motor vehicle in any area off of a National Forest System Road which has not been specifically designated for such use (36 CFR 261.56).
2. Possession or use of any motor vehicle on any National Forest System Road (other than State or County roads that traverse National Forest System lands) which has not been specifically designated for such use (36 CFR 261.54(e)).
3. Possession or use of any motor vehicle on any National Forest System Trail which has not been specifically designated for such use (36 CFR 261.55(a)).
4. Operating a motor vehicle on a National Forest System Road carelessly, recklessly, or without regard for the rights or safety of other persons or in a manner or at a speed that would endanger or be likely to endanger any person or property (36 CFR 261.54(f)).
5. Shortcutting a switchback on a National Forest System Trail (36 CFR 261.55(e)).
6. Operation of any motor vehicle in a designated Off-Road Vehicle Area or trail by a person who is not of legal age to obtain a State Drivers License, without being accompanied by a legally licensed driver (36 CFR 261.53(e)).
7. Operating or using any motor vehicle in violation of the Official Code of Georgia Annotated (O.C.G.A.) Title 40, Motor Vehicles and Traffic laws, on a National Forest System Road. Chapter 2, Registration and Licensing of Motor Vehicles of the Official Code of Georgia Annotated (O.C.G.A. 40-2-1 through 40-2-136), shall not apply to either State or County Roads that traverse National Forest System lands. However, State and County law enforcement officials may choose to enforce these provisions (36 CFR 251.54(d)).

Pursuant to the provisions of Title 36 C.F.R, Section 261.50(e), the following persons are exempt from the above prohibition:

- (1) Persons with a permit specifically authorizing the otherwise prohibited act or omission; and,
- (2) Any Federal, State, or Local Law Enforcement Officer or firefighter or organized rescue, or Military personnel engaged in the official performance of their duties.

Prepared at Gainesville, Georgia this 23 day of May, 2007.



Kathleen Atkinson
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Chattahoochee-Oconee National Forests

Violations of the above prohibition are punishable by a fine of not more than \$5000.00 for an individual and \$10,000 for an organization or imprisonment for not more than six (6) months or both. Title 16 U.S.C. 551 and Title 18 U.S.C. 3559 and 3571.

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