

FOREST DEVELOPED ROADS

USDA - FOREST SERVICE

BLACK HILLS NATIONAL FOREST

Pursuant to 36 CFR 261.50 (a) and (b), the following acts are prohibited on all Forest Developed Roads located within the, BLACK HILLS NATIONAL FOREST, until rescinded.

USING ANY TYPE OF MOTORIZED VEHICLE IN VIOLATION OF STATE LAW.
36 CFR 261.54(a)

Pursuant to 36 CFR 261.50(e), the following are EXEMPT from this order:

1. Person(s) with a permit specifically authorizing this prohibited act.
2. Any Federal, State, or local officer, or member of an organized rescue or fire fighting force in the performance of an official duty.

Done at Custer, South Dakota, this 22 day of July 1997.

/s/ John C. Twiss
JOHN C. TWISS
Forest Supervisor

Violation of this prohibition is punishable by a fine of not more than \$5000.00 or imprisonment for not more than six(6) months or both. Title 16 USC, Section 551.

**** JUSTIFICATION ****

To allow Forest Service Law Enforcement Officers to respond and react to incidents involving the violation of motor vehicle operation as defined by state law.

SUBMIT THE FOLLOWING INFORMATION.

1. STATE THE DESIRED PROHIBITED ACT: To allow Forest Service LE&I personnel the ability to effectively respond and react to incidents involving the violation of motor vehicle operation as defined by state law.

2. REASON FOR THE ORDER: At this time LE&I personnel do not have the ability to effectively respond and react to incidents involving the violation of motor vehicle operation as defined by state law, without the presence of state officials who can enforce state laws. The presence of state is not always practical and present authority has a subversive effect on the professional image of Forest Service LE&I personnel.

3. HAVE OTHER METHODS BEEN TRIED TO RESOLVE THIS PROBLEM? Yes
DESCRIBE: Voluntary compliance, education.

4. PERIOD OF TIME THE ORDER WILL BE IN EFFECT: Until Rescinded

5. LIST THOSE EXEMPT FROM THE ORDER: Persons with a valid state drivers licenses in their possession and who are operating a properly licensed and equipped motorized vehicle for use on public roads as defined by state law.

6. HAS AN ENFORCEMENT PLAN AND A SIGN PLAN BEEN ESTABLISHED?: Yes
Who will enforce the order?: Law Enforcement & Investigations
Who will ensure proper signing?: Recreation and LE&I Personnel

7. WILL THIS ORDER BE REVIEWED ANNUALLY FOR NEED AND PROPER ENFORCEMENT?: Yes

8. COMPLETE THE ORDER USING THIS CHECKLIST. When complete, forward the original request to the SO, Attn.: Law Enforcement. The request will be routed to the appropriate staff officer, Public Information Officer, and Forest Supervisor.

Reviewed: _____
District Ranger, CU/EM Date

Reviewed: _____
District Ranger, PA/HA Date

Reviewed: _____
District Ranger, SP/NE Date

Reviewed: _____
District Ranger, BL Date

Reviewed: _____
So. Zone Law Enforcement Officer Date

Reviewed: _____
No. Zone Law Enforcement Officer Date

Reviewed: _____
Supervisory LEO Date

Reviewed: _____
Public Information Officer Date

Reviewed: _____
Forest Staff Officer Date