

HIAWATHA NATIONAL FOREST

ORDER OF THE FOREST SUPERVISOR RESTRICTING THE USE OF VEHICLES ON ROADS AND TRAILS

Under the authority of the Act of Congress of June 4, 1897, as amended (16 USC 551), and the Secretary of Agriculture's Regulations 36 CFR 261.50(a), the following acts and omissions are prohibited within the boundary of a designated wilderness area of the Hiawatha National Forest.

Under the authority of the Act of Congress of June 4, 1897, as amended (16 USC 551), and the Secretary of Agriculture's Regulations 36 CFR 261.50(a) and or (b), the following acts and omissions are prohibited on the Roads and Trails within the Hiawatha National Forest:

1. **Commercial hauling without a permit or written authorization. 36 CFR 261.54c**
2. **Operating a vehicle on Forest Roads in violation of posted speed, load, weight, height, length, width or other limitations specified by Michigan State Law. 36 CFR 261.54d**
3. **Operation of a vehicle 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 261.54f**
4. **Being on the National Forest System Road or Trail while operating a motorized vehicle without a valid operator's license in your possession. 36 CFR 261.54d & 261.54f (roads) and 261.55a (trails)**
5. **Operation or possession of vehicles, trailers or motor homes without a valid vehicle license. 36 CFR 261.54a (roads) and 36 CFR 261.55b (trails)**
6. **Operation of an unsafe motor vehicle as defined by Michigan Motor Vehicle Code, MSA section 9.2385, et seq. (equipment) or Michigan Motor Vehicle Code 257.683 through 257.14B, on Forest Roads. 36 CFR 261.54d & 261.54f**
7. **Operating a motor vehicle while intoxicated as defined by Michigan Motor Vehicle Code section 257.625 or MSA 9.2325 et seq. (driving while intoxicated and reckless driving) on Forest Roads. 36 CFR 261.54d & 261.54f**
8. **Operating on a forest road, former road or trail, which has physical barriers in place, such as: a gate, signage, berm, trench, posts, logs, rocks or natural vegetation, which blocks or impedes passage. 36 CFR 261.54e (roads) and 36 CFR 261.55a (trails)**

Definitions for the purpose of this order:

Forest Road or Trail means a road or trail wholly or partly within or adjacent to and serving part of the National Forest System that the Forest Service determines is necessary for the protection, administration, and utilizations of the National Forest System and the use and development of its resources.

National Forest System Road or Trail means a forest road or trail other than a road or trail which has been authorized by a legally documented right-of-way held by a State, county, or other local public road authority.

Motor Vehicle means any vehicle which is self-propelled, other than (1) a vehicle operated on rails; and (2) Any wheelchair or mobility device, that is designed solely for use by a mobility-impaired person for locomotion, and that is suitable for use in an indoor pedestrian area.

Vehicle means any device in, upon, or by which any person or property is or may be transported, including any frame, chassis, or body or any motor vehicle, except devices used exclusively upon stationary trails or tracks.

Commercial Hauling means any vehicle engaged in transportation of heavy cargo where the primary purpose is the sale of a good or service, and in either case, regardless of whether the use or activity is intended to produce profit.

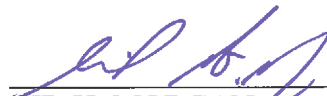
These prohibitions are in addition to the general prohibitions in 36 CFR 261, Sub-part A.

1. Pursuant to 36 CFR 261.50 (e) the following person (s) will be exempt. Any Federal, State, or Local Officer, or members of an organized rescue or firefighting force in the performance of an official duty.
2. Persons with a valid permit in their possession signed by the District Ranger or Forest Supervisor specifically authorizing the otherwise prohibited act or omission.

These prohibitions are in addition to the general prohibitions set forth in 36 CFR 261, Subpart A. This order will be reviewed every five years to determine if the regulations are still applicable for proper management of the area described. The prohibitions will be in effect from the date of this order until specifically withdrawn by termination order of the Forest Supervisor.

Violation of these prohibitions is punishable by a fine of not more than \$5,000 and imprisonment for not more than six (6) months, or both under the authority of Title 16 USC 551, Title 18 USC 3559 and 3571.

Executed this 3 day of June, 2016, at Gladstone, Michigan.



CID H. MORGAN
Forest Supervisor
Hiawatha National Forest