

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

IN THE MATTER OF:

**FORFEITURE OF COLLATERAL
IN LIEU OF APPEARANCE FOR
OFFENSE CITATIONS ISSUED BY
THE UNITED STATES FOREST
SERVICE**

)
)
)
)
)
)
)

STANDING ORDER

The United States Attorney has submitted on behalf of the United States Department of Agriculture, Forest Service, a proposed bond and forfeiture schedule to be applicable to lands administered by the United States Forest Service in the State of North Dakota. The Court has reviewed the proposed schedule and finds it is within a range of comparable schedules approved for other agencies for comparable offenses.

IT IS ORDERED that the Collateral Forfeiture Schedule of the Forest Service as set out in Exhibit 1, which is made part of this Order, is hereby adopted, effective the date of this Order.

IT IS FURTHER ORDERED that this Collateral Forfeiture Schedule supersedes any and all previous Collateral Forfeiture Schedules adopted in the District of North Dakota for petty offenses under the jurisdiction of the United States Forest Service.

IT IS FURTHER ORDERED that a copy of this Order be made a part of the record of standing orders of this Court and of the Central Violations Bureau pertaining to the clerical, administrative, and fiscal operations it maintains on behalf of this District.

Dated this 6th day of January, 2025.

/s/ Peter D. Welte
Peter D. Welte, Chief Judge
United States District Court

**PART 261 – PROHIBITIONS & COLLATERAL SCHEDULES
FOR VIOLATIONS OF TITLE 36 CFR, PART 261**

(FOR CFRs REVISED AS OF December 26, 2024)

**261.3 INTERFERING WITH A FOREST OFFICER, VOLUNTEER,
OR HUMAN RESOURCE PROGRAM ENROLLEE OR
GIVING FALSE REPORT TO A FOREST OFFICER**

The following are prohibited: ND

- | | | |
|------|---|--------------|
| 3(a) | Threatening, resisting, intimidating, or interfering with any Forest Officer engaged in or on account of the performance of his/her official duties in the protection, improvement, or administration of the National Forest System. | \$500 |
| 3(b) | Giving any false, fictitious, or fraudulent report or other information to any Forest Officer engaged in or on account of the performance of his official duties knowing that such report or other information contains false, fictitious, or fraudulent statement or entry. | \$200 |
| 3(c) | Threatening, intimidating, or intentionally interfering with any Forest Officer, volunteer, or human resource program enrollee while engaged in, or on account of, the performance of duties for the protection, improvement, or administration of the National Forest System or other duties assigned by the Forest Service. | \$500 |

[42 FR 2957, Jan. 14, 1977, as amended at 46 FR 33520, June 30, 1981; 49 FR 25450, June 21, 1984]

261.4 DISORDERLY CONDUCT

The following are prohibited when committed intentionally to cause, or recklessly to create a substantial risk of causing, public alarm, nuisance, jeopardy, or violence: ND

- | | | |
|------|--|---|
| 4(a) | Engaging in fighting or any threatening or other violent behavior. | \$200 |
| 4(b) | Making an utterance or performing an act that is obscene or threatening or
that is made or performed in a manner that is likely to inflict injury or incite an immediate breach of peace. | \$150 |
| 4(c) | Making noise that is unreasonable considering the nature and purpose of the conduct, location, and time. | \$125 for
1st
offense
\$200
for
2nd
Offense |

[89 FR 92815, November 25, 2024, 46 FR 33520, June 30, 1981]

261.5 FIRE

The following are prohibited:

ND

- | | | |
|------|---|---|
| 5(a) | Carelessly or negligently throwing or placing any ignited substance or other substance that may cause a fire. | \$400 |
| 5(b) | Firing any tracer bullet or incendiary ammunition. | \$400 |
| 5(c) | Causing timber, trees, slash, brush or grass to burn except as authorized by permit. | \$250 |
| 5(d) | Leaving a fire without completely extinguishing it. | \$250 |
| 5(e) | Causing and failing to maintain control of a fire that is not a prescribed fire that damages the National Forest System. | \$250 |
| 5(f) | Building, attending, maintaining, or using a campfire without removing all flammable material from around the campfire adequate to prevent its escape. | \$150 |
| 5(g) | Negligently failing to maintain control of a prescribed fire on Non-National Forest System lands that damages the National Forest System. | \$250 |
| 5(h) | Possessing or using an exploding target or any kind of firework or other pyrotechnic device. | \$250
Possessing
\$500
Using |
| 5(i) | Violating any State law concerning burning or fires or any State law that is for the purpose of preventing or restricting the spread of fire. | \$350 |
| 5(j) | Operating or using any internal or external combustion engine without a spark arresting device that is properly installed, maintained, and in effective working order in accordance with USDA Forest Service Standard 5100-1. | \$100 |

[89 FR 92815, November 25, 2024; 42 FR 2957, Jan. 14, 1977, as amended at 46 FR 33520, June 30, 1981; 73 FR 30307, May 27, 2008]

261.6 TIMBER & OTHER FOREST PRODUCTS

The following are prohibited:

ND

- | | | |
|------|--|--------------|
| 6(a) | Cutting or otherwise damaging any timber, tree, or other forest product, except as authorized by special use authorization, timber sale contract, Federal Law or Reg | \$200 |
|------|--|--------------|

6(b)	Cutting any standing tree, under permit or timber sale contract, before a Forest Officer has marked it or has otherwise designated it for cutting.	\$250
6(c)	Removing any timber or other forest product cut under permit or timber sale contract, except to a place designated for scaling, or removing it from that place before it is scaled, measured, counted, or otherwise accounted for by a Forest Officer.	\$500
6(d)	Stamping, marking with paint, or otherwise identifying any tree or other forest product in a manner similar to that employed by Forest Officers to mark or designate a tree or any other forest product for cutting or removal.	\$500
6(e)	Loading, removing, or hauling timber or other forest product acquired under any permit or timber sale contract unless such product is identified as required in such permit or contract.	\$250 Comm. \$150 non- Comm.
6(f)	Selling or exchanging any timber or other forest product obtained under free use pursuant to Sec. 223.5 thru 223.11.	\$350
6(g)	Violating any timber export or substitution restriction in Sec. 223.160 thru 223.164.	\$500
6(h)	Removing any timber, tree, or other forest product, except as authorized by permit, timber sale contract, Federal Law, or Reg.	\$175
6(i)	Violating the Forest Resources Conservation and Shortage Relief Act of 1990 (16 U.S.C. 620, et seq.), or its implementing regulations at 36 CFR 223.185-223.203.	\$500

[42 FR 2957, Jan. 14, 1977; 42 FR 24739, May 16, 1977, as amended at 49 FR 25450, June 21, 1984; 51 FR 1250, Jan. 10, 1986; 60 FR 46934, Sept. 8, 1995]

261.7 LIVESTOCK

The following are prohibited:

		ND
7(a)	Placing or allowing unauthorized livestock to enter or be in the National Forest System or other lands under Forest Service control.	\$250 + \$50 per animal per day
7(b)	Not removing unauthorized livestock from the National Forest System or other lands under Forest Service control when requested by a Forest Officer.	\$250
7(c)	Failing to reclose any gate or other entry.	\$100

- | | | |
|------|---|--------------|
| 7(d) | Molesting, injuring, removing, or releasing any livestock impounded under 262.10 while in the custody of the Forest Service or its authorized agents. | \$200 |
|------|---|--------------|

[42 FR 35959, July 13, 1977, as amended at 51 FR 1251, Jan. 10, 1986]

261.8 FISH & WILDLIFE

The following are prohibited to the extent Federal or State Law is violated:

- | | | |
|------|--|---|
| 8(a) | Hunting, trapping, fishing, catching, molesting, killing, or having in possession any kind of wild animal, bird, or fish, or taking the eggs of any such bird. | Current State Bond Or \$200 if no State Bond Available |
| 8(b) | Possessing a firearm or other implement designed to discharge a missile capable of destroying animal life. | \$200 |
| 8(c) | Possessing equipment which could be used for hunting, fishing, or trapping. | \$200 |
| 8(d) | Possessing a dog not on a leash or otherwise confined. | \$50 |
| 8(e) | Curtail the free movement of any animal or plant life into or out of a cave, except as authorized to protect a cave resource. | \$100 |

42 FR 2957, Jan. 14, 1977; as amended at 46 FR 33520, June 30, 1981; 59 FR 31152, June 17, 1994]

261.9 PROPERTY

The following are prohibited:

- | | | |
|------|--|--------------|
| 9(a) | Damaging any natural feature or other property of the United States. | \$250 |
| 9(b) | Removing any natural feature or other property of the United States. | \$250 |
| 9(c) | Damaging any plant that is classified as a threatened, endangered, sensitive, rare, or unique species. | \$200 |
| 9(d) | Removing any plant that is classified as a threatened, endangered, sensitive, rare, or unique species. | \$200 |
| 9(e) | Entering any building, structure, or enclosed area owned or controlled by the United States when such building, structure, or enclosed area is not open to the public. | \$300 |

9(f)	Using any pesticide except for personal use as an insect repellent or as provided by special use authorization for other minor uses.	\$200
9(g)	Digging in, excavating, disturbing, injuring, destroying, or in any way damaging any prehistoric, historic, or archaeological resource, structure, site, artifact, or property.	\$500
9(h)	Removing any prehistoric, historic, or archaeological resource, structure, site, artifact, property.	\$500
9(i)	Excavating, damaging, or removing any cave resource from a cave without a special use authorization, or removing any cave resource for commercial purposes.	\$300
9(j)	Damaging or removing without authorization any personal property that belongs to another person.	\$250

[89 FR 92815, November 25, 2024; 46 FR 33520, June 30, 1981, as amended at 49 FR 25450, June 21, 1984; 51 FR 30356, Aug. 26, 1986; 59 FR 31152, June 17, 1994; 80 FR 21629, Apr. 17, 2015]

261.10 OCCUPANCY & USE

The following are prohibited:

ND

10(a)	Constructing, placing, or maintaining any kind of road, trail, structure, fence, enclosure, communications equipment, sign, or other improvement on National Forest System lands or facilities or making a significant surface disturbance on National Forest System lands without a special use authorization, contract, approved plan of operations, or other written authorization when that written authorization is required.	\$300
10(b)	Construction, reconstructing, improving, maintaining, occupying, or using a residence on National Forest System lands unless authorized by a special-use authorization or approved operating plan when such authorization is required.	\$200
10(c)	Selling or offering for sale any merchandise or conducting any kind of work activity or service unless authorized by Federal law, regulation, or special-use auth	\$300
10(d)	Discharging a firearm or any other implement capable of taking human life, causing injury, or damaging property as follows: (1) In or within 150 yards of a residence, building, campsite, developed recreation site or occupied area, or (2) Across or on a National Forest System road or a body of water adjacent thereto, or in any manner or place whereby any person or property is exposed to in-jury or damage as a result in such discharge. (3) Into or within any cave.	\$300

10(e)	Leaving personal property unattended for longer than 72 hours, except in locations where longer periods have been designated.	\$200
10(f)	Placing a vehicle or other object in such a manner that it is an impediment or hazard to the safety or convenience of any person.	\$100
10(g)	Commercial distribution of printed material without a special-use authorization	\$75
10(h)	When commercially distributing printed material, delaying, halting, or preventing administrative use of an area by the Forest Service or other scheduled or existing uses or activities on National Forest System lands; misrepresenting the purposes or affiliations of those selling or distributing the material; or misrepresenting the availability of the material without cost.	\$100
10(i)	Operating or using in or near a campsite, developed recreation site, or over an adjacent body of water without a permit, any device which produces noise, such as a radio, television, musical instrument, motor or engine, in such a manner and at such a time so as to unreasonably disturb any person.	\$75- 1st offense \$150 2nd offense
10(j)	Operating or using a public address system, whether fixed, portable, or vehicle mounted, in or near a campsite or developed recreation site or over an adjacent body of water without a special-use authorization.	\$100
10(k)	Use or occupancy of National Forest System land or facilities without special-use authorization when such authorization is required.	\$250
10(l)	Violating any term or condition of a special-use authorization, contract or approved operating plan.	\$150
10(m)	Failing to stop a vehicle when directed to do so by a Forest Officer.	\$175
10(n)	Failing to pay any special-use fee or other charges as required.	\$100
10(o)	Use or occupancy of National Forest System lands or facilities without a special use authorization, contract, approved plan of operations, or other written authorization when that written authorization is required.	\$500 1st offense \$1000 2nd offense
10(p)	Knowingly or intentionally possessing any controlled substance in violation of Federal law.	\$500
10(q)	Knowingly or intentionally possessing any drug paraphernalia in violation of State law.	\$250
10(r)	Possessing any alcoholic beverage in violation of State law.	\$150

10(s)	Providing any alcoholic beverage to a minor in violation of State law.	\$400
-------	--	--------------

[89 FR 92815-92816, November 25, 2024; 42 FR 2957, Jan. 14, 1977, as amended at 46 FR 33520, June 30, 1981; 49 FR 25450, June 21, 1984; 53 FR 16550, May 10, 1988; 59 FR 31152, June 17, 1994; 60 FR 45295, Aug. 30, 1995; 66 FR 3218, Jan. 12, 2001; 69 FR 41965, July 13, 2004; 73 FR 65999, Nov. 6, 2008]

261.11 SANITATION

The following are prohibited:	ND
--------------------------------------	-----------

11(a)	Depositing in any toilet, toilet vault, or plumbing fixture, any substance which could damage or interfere with the operation or maintenance of the fixture.	\$200
-------	--	--------------

11(b)	Possessing or leaving refuse, debris, or litter in an exposed or unsanitary condition.	\$150
-------	--	--------------

11(c)	Placing in or near a stream, lake, or other water any substance which does or may pollute a stream, lake, or other water.	\$300
-------	---	--------------

11(d)	Failing to dispose of all garbage, including any paper, can, bottle, sewage, wastewater, or material, or rubbish either by removal from the site or area, or by depositing it into receptacles or at places provided for such purposes.	\$200
-------	---	--------------

11(e)	Dumping of any refuse, debris, trash, or litter brought as such from private property or from land occupied under permit, except where a container, dump, or similar facility has been provided and is identified as such, to receive trash generated from private lands or lands occupied under permit.	\$500
-------	--	--------------

[42 FR 2957, Jan. 14, 1977, as amended at 46 FR 33520, June 30, 1981]

261.12 NATIONAL FOREST SYSTEM ROADS & TRAILS

The following are prohibited:	ND
--------------------------------------	-----------

12(a)	Violating the load, weight, height, length, or width limitations prescribed by State law except by special-use authorization or written agreement or by order issued under Sec. 261.54 of this Chapter.	\$100
-------	---	--------------

12(b)	Failing to have a vehicle weighed at a Forest Service weighing station, if required by a sign.	\$100
-------	--	--------------

12(c)	Damaging and leaving in a damaged condition any such road, trail, or segment thereof.	\$300
-------	---	--------------

12(d)	Blocking, restricting, or otherwise interfering with the use of a road, trail, or gate.	\$150
-------	---	--------------

12(e)	Operating a motor vehicle without a valid license as required by State law.	Current State Bond Or \$100 if no
-------	---	--

		State Bond Available
12(f)	Operating a motor vehicle while under the influence of an alcoholic beverage or a controlled substance in violation of State law.	MA
12(g)	Operating a motor vehicle in violation of any State law other than those described in paragraph (e) or (f) of this section.	Current State Bond Or \$100 if no State Bond Available
12(h)	Operating a vehicle or motor vehicle carelessly, recklessly, or in a manner or at a speed that would endanger or be likely to endanger any person or property.	200 Careless 350 Reckless, or in a manner or at a speed...
12(i)	Operating a motor vehicle in violation of a posted sign or traffic control device.	\$100 Speed as follows: 1-10 over \$100 11-20 over \$200 20+ over \$500

[89 FR 92816, November 25, 2024; 42 FR 2957, Jan. 14, 1977, as amended at 46 FR 33520, June 30, 1981; 49 FR 25450, June 21, 1984; 55 FR 25832, June 25, 1990]

261.13 MOTOR VEHICLE USE

		ND
13	After National Forest System roads, National Forest System trails, and areas on National Forest System lands have been designated pursuant to 36 CFR 212.51 on an administrative unit or a Ranger District of the National Forest System, and these designations have been identified on a motor vehicle use map, it is prohibited to possess or operate a motor vehicle on National Forest System lands in that administrative unit or Ranger District other than in accordance with those designations, provided that the following vehicles and uses are exempted from this prohibition: (a) Aircraft;	\$250

- (b) Watercraft;
 - (c) Over-snow vehicles;
 - (d) Limited administrative use by the Forest Service;
 - (e) Use of any fire, military, emergency, or law enforcement vehicle for emergency purposes;
 - (f) Authorized use of any combat or combat support vehicle for national defense purposes;
 - (g) Law enforcement response to violations of law, including pursuit;
 - (h) Motor vehicle use that is specifically authorized under a written authorization issued under Federal law or regulations; and
- Use of a road or trail that is authorized by a legally documented right-of-way held by a State, county, or other local public road authority.

[70 FR 68291, Nov. 09, 2005]

261.14 USE BY OVER SNOW VEHICLE

ND

- 14 After National Forest System roads, National Forest System trails, and areas on National Forest System lands have been designated for over-snow vehicle use pursuant to 36 CFR 212.81 on an administrative unit or a Ranger District of the National Forest System, and these designations have been identified on an over-snow vehicle use map, it is prohibited to possess or operate an over-snow vehicle on National Forest System lands in that administrative unit or Ranger District other than in accordance with those designations, provided that the following vehicles and uses are exempted from this prohibition: **\$250**
- (a) Limited administrative use by the Forest Service;
 - (b) Use of any fire, military, emergency, or law enforcement vehicle for emergency purposes;
 - (c) Authorized use of any combat or combat support vehicle for national defense purposes;
 - (d) Law enforcement response to violations of law, including pursuit;
 - (e) Use by over-snow vehicles that is specifically authorized under a written authorization issued under Federal law or regulations; and
- Use of a road or trail that is authorized by a legally documented right-of-way held by a State, county, or other local public road authority.

[80 FR 4512, Jan. 28, 2015]

261.15 USE OF VEHICLES OFF ROAD**It is prohibited to operate any vehicle off National Forest System,
State or County roads:****ND**

- | | | |
|-------|--|---|
| 15(a) | Without a valid license as required by State law. | \$75 |
| 15(b) | Without an operable braking system. | \$75 |
| 15(c) | From 1/2 hour after sunset to 1/2 hour before sunrise unless equipped with working head & taillights. | \$100 |
| 15(d) | In violation of any applicable noise emission standard established by any Federal or State agency. | \$50 |
| 15(e) | While under the influence of an alcoholic beverage or a controlled substance in violation of State law. | \$500 |
| 15(f) | Creating excessive or unusual smoke. | \$75 |
| 15(g) | Carelessly, recklessly, or in a manner or at a speed that endangers or is likely to endanger any person or property. | \$200
Careless
\$350
Reckless,
or speed |
| 15(h) | In a manner which damages or unreasonably disturbs the land, wildlife, or vegetative resources. | \$350 |
| 15(i) | In violation of State law established for vehicles used off roads. | Current
State
Bond
Or \$100 if
no State
Bond
Available |

[89 FR 92816, November 25, 2024; 42 FR 2957, Jan. 14, 1977, as amended at 42 FR 35959, July 13, 1977; 66 FR 3218, Jan. 12, 2001. Re-designated at 70 FR 68291, Nov. 9, 2005]

261.16 DEVELOPED RECREATION SITES**The following are prohibited:****ND**

- | | | |
|-------|--|-------------|
| 16(a) | Occupying any portion of the site for other than recreation purposes. | \$75 |
| 16(b) | Building, attending, maintaining, or using a fire outside of a fire ring provided by the Forest Service for such purpose or outside of a stove, grill, or fireplace. | \$75 |
| 16(c) | Cleaning or washing any personal property, fish, animal, or food or bathing or washing at a hydrant or water faucet not provided for that purpose. | \$50 |

16(d)	Discharging or igniting a firecracker, rocket, or other firework, or explosive.	\$300
16(e)	Occupying between 10 p.m. & 6 a.m. a place designated for Day Use Only	\$75
16(f)	Failing to remove all camping equipment or personal property when vacating the area or site.	\$150
16(g)	Placing, maintaining, or using camping equipment except in a place specifically designated or provided for such equipment.	\$75
16(h)	Without permission, failing to have at least one person occupy a camping area during the first night after camping equipment has been set up.	\$75
16(i)	Leaving camping equipment unattended for more than 24 hours without permission.	\$75
16(j)	Bringing in or possessing an animal, other than a service animal, unless it is crated, caged, or upon a leash not longer than six feet, or otherwise under physical restrictive control.	\$50
16(k)	Bringing in or possessing in a swimming area an animal, other than a service animal.	\$50
16(l)	Bringing in or possessing a saddle, pack, or draft animal except as authorized by posted instructions.	\$50
16(m)	Operating or parking a motor vehicle or trailer except in places developed or designated for this purpose.	\$50
16(n)	Operating a bicycle, motorbike, or motorcycle on a trail unless designated for this use.	\$75
16(o)	Operating a motorbike, motorcycle, or other motor vehicle for any purpose other than entering or leaving the site.	1st \$75 2nd \$150
16 (p)	Depositing any bodily waste except into receptacles provided for that purpose.	\$250

261.17 RECREATION FEES

ND

17	Failure to pay any recreation fee is prohibited. Notwithstanding 18 U.S.C. 3571(e), the fine imposed for the first offense of nonpayment shall not exceed \$100.	\$50
----	--	-------------

261.18	NATIONAL FOREST WILDERNESS	ND
	The following are prohibited in a National Forest Wilderness:	ND
18(a)	Possessing or using a motor vehicle, motorboat, or motorized equipment except as authorized by Federal Law or regulation.	\$500
18(b)	Possessing or using a hang glider or bicycle.	\$300
18(c)	Landing of aircraft, or dropping or picking up of any material, supplies, or person by means of aircraft including a helicopter.	\$500
261.21	NATIONAL FOREST PRIMITIVE AREAS	ND
	The following are prohibited in any area classified as a National Forest Primitive Area on Sep 3, 1964:	ND
21(a)	Landing of aircraft or using a motorboat unless such use had become well established before September 3, 1964.	\$500
21(b)	Possessing or using a motor or motorized equipment, except small battery powered, hand-held devices, such as cameras, shavers, flashlights, and Geiger-counters.	\$300
261.22	UNAUTHORIZED USE OF “SMOKEY BEAR” & “WOODSY OWL” SYMBOL	ND
	The following are prohibited:	ND
22(a)	Manufacture, importation, reproduction, or use of “Smokey Bear” except as provided under Sec. 271.2, 21.3, or 271.4, is prohibited	\$100
22(b)	Manufacture, importation, reproduction, or use of “Woodsy Owl” except as provided under Sec. 271.2, 21.3, or 271.4, is prohibited	\$100
261.23	WILD FREE ROAMING HORSES & BURROS	ND
	The following are prohibited:	ND
23(a)	Removing or attempting to remove a wild free-roaming horse or burro from the National Forest System unless authorized by law or regulation.	\$250
23(b)	Causing or allowing the inhumane treatment or harassment of a wild free-roaming horse or burro.	\$250
23(c)	Removing or attempting to remove, alter or destroy any official mark used to identify a wild horse or burro or its remains unless authorized or permitted by law or regulation.	\$250

23(d)	Violating any terms or conditions specified in a care and maintenance agreement or permit.	\$200
-------	--	--------------

261.52 FIRE

When provided by an order, the following are prohibited:

ND

52(a)	Building, maintaining, attending, or using a fire, campfire, or stove fire.	\$250 Or \$350 When in Fire Restrictions
52(b)	Using an explosive.	\$500
52(c)	Smoking.	\$150
52(d)	Smoking, except within an enclosed vehicle or building, at a recreation site, or while stopped in an area at least 3 feet in diameter that is barren or cleared of all flammable material.	\$200
52(e)	Entering or being in an area.	\$300
52(f)	Entering an area without any firefighting tool prescribed by the order.	\$100
52(g)	Operating an internal combustion engine.	\$100
52(h)	Welding, or operating an acetylene or other torch with open flame.	\$250

261.53 SPECIAL CLOSURES

When provided by an order, it is prohibited to go into or be in any area which is closed or restricted for the protection of:

ND

53(a)	Threatened, endangered, rare, unique, or vanishing species of plants, animals, birds, or fish.	\$200
53(b)	Special biological communities.	\$150
53(c)	Objects or areas of historical, archaeological, geological, or paleontological interest.	\$300
53(d)	Scientific experiments or investigations.	\$300
53(e)	Public health or safety.	\$150
53(f)	Property.	\$100
53(g)	The privacy of tribal activities for traditional and cultural purposes. Closure to protect the privacy of tribal activities for traditional and cultural purposes must be requested by an Indian tribe; is subject to approval by the Forest Service; shall be temporary; and shall affect the smallest practicable area for the minimum period necessary for activities of the requesting Indian tribe.	MA

**261.54 NATIONAL FOREST SYSTEM
ROADS**

	When provided by an order, the following are prohibited:	ND
54(a)	Using any type of vehicle prohibited by the order.	\$200
54(b)	Use by any type of traffic prohibited by the order.	\$200
54(c)	Using a road for commercial hauling without a permit or written authorization.	\$200
54(d)	Operating a vehicle in violation of the speed, load, weight, height, length, width, or other limitations specified by the order.	Current State Bond Or \$100 if no

		State Bond Available
54(e)	Being on the road.	\$200
261.55	NATIONAL FOREST SYSTEM TRAIL	
	When provided by an order issued in accordance with Sec. 261.50 of this subpart, the following are prohibited on a National Forest System Trail:	ND
55(a)	Being on the trail.	\$200
55(b)	Using any type of vehicle prohibited by the order.	\$200
55(c)	Use by any type of traffic or mode of transport prohibited by the order.	\$200
55(d)	Operating a vehicle in violation of the width, weight, height, length, or other limitations specified by the order.	Current State Bond or \$75 if no State Bond Available
55(e)	Shortcutting a switchback in a trail.	\$150
261.56	USE OF VEHICLES OFF NATIONAL FOREST SYSTEM ROADS	ND
56	When provided by an order, it is prohibited to possess or use a vehicle off National Forest System roads.	\$200
261.57	NATIONAL FOREST WILDERNESS	
	When provided by an order, the following are prohibited:	ND
57(a)	Entering or being in the area.	\$100
57(b)	Possessing camping or pack outfitting equipment, as specified in the order.	\$100
57(c)	Possessing a firearm or firework.	\$150 Firearm 300 Firework

57(d)	Possessing any non-burnable food or beverage containers, including deposit bottles, except for non-burnable containers designed and intended for repeated use.	\$100
57(e)	Grazing.	\$100
57(f)	Storing equipment, personal property or supplies.	\$250
57(g)	Disposing of debris, garbage, or other waste.	\$200
57(h)	Possessing or using a wagon, cart, or other vehicle.	\$300

261.58 OCCUPANCY & USE

	When provided by an order, the following are prohibited:	ND
58(a)	Camping for a period longer than allowed by the order.	\$200
58(b)	Entering or using a recreation site or portion thereof.	\$75
58(c)	Entering or remaining in a campground during night periods prescribed in the order except for persons who are occupying such campgrounds.	\$75
58(d)	Occupying a recreation site with prohibited camping equipment prescribed by the order.	\$50
58(e)	Camping.	\$75
58(f)	Using a campsite or other area described in the order by more than the number of users allowed by the order.	\$150
58(g)	Parking or leaving a vehicle in violation of posted instructions.	\$150
58(h)	Parking or leaving a vehicle outside a parking space assigned to one's own camp unit.	\$25
58(i)	Possessing, parking, or leaving more than two vehicles, except motorcycles or bicycles per camp unit.	\$25
58(j)	Being publicly nude.	\$100
58(k)	Entering or being in a body of water.	\$100
58(l)	Being in the area after sundown or before sunrise.	\$75

58(m)	Discharging a firearm, air rifle, or gas gun.	\$300
58(n)	Possessing or operating a motorboat.	\$100
58(o)	Water skiing.	\$75
58(p)	Storing or leaving a boat or raft.	\$50
58(q)	Operating any watercraft in excess of a posted speed limit.	\$75
58(r)	Launching a boat except at a designated launching ramp.	\$75
58(s)	Possessing, storing, or transporting any bird, fish, or other animal or parts thereof, as specified in the order.	1st offense \$150 2nd offense \$400
58(t)	Possessing, storing, or transporting any part of a tree or other plant, as specified in the order.	\$100
58(u)	Being in the area between 10 p.m. and 6 a.m. except a person who is camping or who is visiting a person camping in that area.	\$150
58(v)	Hunting or fishing.	\$150
58(w)	Possessing or transporting any motor or mechanical device capable of propelling a watercraft through water by any means.	\$75
58(x)	Using any wheel, roller, or other mechanical device for the overland transportation of any watercraft.	\$75
58(y)	Landing of aircraft, or dropping or picking up any material, supplies, or person by means of an aircraft, including a helicopter.	\$500
58(z)	Entering or being on lands or waters within the boundaries of a component of the National Wild and Scenic Rivers System.	\$200
58(aa)	Riding, hitching, tethering, or hobbling a horse or other saddle or pack animal in violation of posted instructions.	\$50
58(bb)	Possessing an alcoholic beverage.	\$200
58(cc)	Possessing or storing any food or refuse, as specified in the order.	1st offense \$150

		2nd offense \$400
58(dd)	[Reserved]	-
58(ee)	Depositing any body waste in caves except into receptacles provided for that purpose.	\$150

[89 FR 92816, November 25, 2024; 42 FR 2597, Jan. 14, 1977, as amended at 42 FR 35959, July 13, 1977; 43 FR 32136, July 25, 1978; 46 FR 33521, June 30, 1981; 52 FR 19347, May 22, 1987; 59 FR 31152, June 17, 1994]

NOTE In the presence of aggravated circumstances, i.e. where the result of a person's actions exceeds the bond, when it can be shown that the person had been fully informed of the prohibition prior to the violation or when a serious threat exists to forest property, resources or personnel, an enhanced bond forfeiture of up to \$1000 may be established on any violation of preceding Subpart A or B Prohibitions. Special Agent or Patrol Captain approval is required for enhancing bond on a Notice of Violation, form FS-5300-4. An analysis of the violation and circumstances, including recidivism, must be conducted prior to the issuance of any Notice of Violation with enhanced bond. Justification, including name of authorizing Officer or Agent must be included in the probable cause statement on such Notice of Violation, form FS-5300-4. Inappropriate demeanor by itself will not necessarily constitute aggravated circumstances. **Mandatory Appearances:** may only be required after consultation with and approval of a Patrol Captain, Special Agent, or an Assistant U.S. Attorney.