

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

In Re: Forfeiture of Collateral  
U.S. Department of Agriculture  
Forest Service  
White Mountain National Forest

No.

**MOTION TO SUPERSEDE PREVIOUS ORDER FIXING PENALTIES**

The United States of America, pursuant to Federal Rule of Criminal Procedure 58(d)(1), hereby requests that the Court supersede its previous Order Fixing Penalties for Offenses Committed Within the National Forest System, dated March 30, 2006,<sup>1</sup> to incorporate the U.S. Department of Agriculture Forest Service’s newly updated forfeiture of collateral fine schedule for violations of Section 261 of Title 36 of the Code of Federal Regulations (attached as **Exhibit 1**).

With respect to petty offenses and other misdemeanors, the Court “may accept a fixed-sum payment in lieu of the defendant’s appearance and end the case,” so long as “the fixed sum [does] not exceed the maximum fine allowed by law.” All updated forfeiture amounts proposed herein do not exceed the \$500 fine limit imposed under 36 C.F.R. § 261.1b. The updated forfeiture of collateral fine schedule has also recently been entered in identical form by the United States District Court for the District of New Hampshire on March 7, 2023 (attached as **Exhibit 2**). Accordingly, because the White Mountain National Forest land encompasses both Maine and New Hampshire, an updated forfeiture of collateral fine schedule common to both jurisdictions will promote uniformity and fairness by avoiding disparities among Central Violation Bureau

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<sup>1</sup> See “CVB Information,” U.S. DISTRICT COURT FOR THE DISTRICT OF MAINE, *available at* [https://www.med.uscourts.gov/sites/med/files/CVB\\_White\\_Mountain\\_National\\_Forest\\_Maine.pdf](https://www.med.uscourts.gov/sites/med/files/CVB_White_Mountain_National_Forest_Maine.pdf) (last visited May 10, 2023).

defendants who resolve their cases through fixed-sum payments in our contiguous jurisdictions.

Changes from the prior 2006 Order Fixing Penalties for Offenses Committed Within the National Forest System and the newly proposed schedule are as follows:

<b>PROVISION</b>	<b>CHANGE / ADDITION</b>
36 C.F.R. § 261.3(b)	Fixed-sum payment increased from \$150 to \$200
36 C.F.R. § 261.5(g)	Newly-added; fixed-sum payment \$150
36 C.F.R. § 261.9(a)	Fixed-sum payment increased from \$200 to \$250
36 C.F.R. § 261.9(b)	Fixed-sum payment increased from \$250 to \$300
36 C.F.R. § 261.9(c)	Fixed-sum payment increased from \$250 to \$300
36 C.F.R. § 261.9(d)	Fixed-sum payment increased from \$250 to \$300
36 C.F.R. § 261.10(k)	Fixed-sum payment increased from \$150 to \$200
36 C.F.R. § 261.10(m)	Fixed-sum payment increased from \$250 to \$300
36 C.F.R. § 261.10(p)	Newly-added; fixed-sum payment \$150
36 C.F.R. § 261.13	Fixed-sum payment increased from \$150 to \$200
36 C.F.R. § 261.14	Fixed-sum payment increased from \$150 to \$200
36 C.F.R. § 261.15(i)	Fixed-sum payment increased from \$150 to \$200
36 C.F.R. § 261.18(c)	Fixed-sum payment increased from \$200 to \$300
36 C.F.R. § 261.53(e)	Newly-added for FS Order (controlled substances)
36 C.F.R. § 261.53(g)	Newly-added; fixed-sum payment \$200
36 C.F.R. § 261.54(a)	Fixed-sum payment increased from \$150 to \$200
36 C.F.R. § 261.54(b)	Fixed-sum payment increased from \$150 to \$200
36 C.F.R. § 261.54(d)	Newly-added for FS Order (motor vehicles)

<b>PROVISION</b>	<b>CHANGE / ADDITION</b>
36 C.F.R. § 261.54(f)	Fixed-sum payment increased from \$350 to \$400
36 C.F.R. § 261.55(b)	Fixed-sum payment increased from \$150 to \$200
36 C.F.R. § 261.55(c)	Fixed-sum payment increased from \$150 to \$200
36 C.F.R. § 261.56	Fixed-sum payment increased from \$150 to \$200
36 C.F.R. § 261.58(e)	Fixed-sum payment increased from \$75 to \$100
36 C.F.R. § 261.58(g)	Newly-added for FS Order (parking in handicapped space)
36 C.F.R. § 261.58(t)	Newly-added for FS Order (possession of cannabis)
36 C.F.R. § 261.58(y)	Newly-added for FS Order (unmanned drones)
36 C.F.R. § 261.58(dd)	Newly-added for FS Order (active bear alerts)

WHEREFORE, the United States requests that the relief sought herein be granted and the collateral fine schedule entered fixing the applicable penalties for offenses committed within the National Forest System.

Dated: May 11, 2023  
Bangor, Maine

Respectfully submitted,

DARCIE N. MCELWEE  
United States Attorney

/s/ Andrew K. Lizotte, AUSA  
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**SO ORDERED.**

Date and time issued: 3:22 pm, May 15 2023

City and state: Portland, Maine

  
\_\_\_\_\_  
*Judge's Signature*  
Jon D. Levy Chief U.S District Judge  
\_\_\_\_\_  
*Printed name and title*



# EXHIBIT 1

## 36 - CODE OF FEDERAL REGULATIONS- PART 261 SUBPART A – GENERAL PROHIBITIONS

Title	Section	Section Description	Level
<b>INTERFERING WITH OR GIVING FALSE INFORMATION</b>			
36CFR	261.3a	Threatening, resisting, intimidating, or interfering with any Forest Officer engaged in or on account of the official duties in the protection, improvement or administration of the National Forest System.	MA
36CFR	261.3b	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 a report or other information contains false, fictitious or fraudulent statement or entry.	200
36CFR	261.3c	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.	MA

<b>DISORDERLY CONDUCT</b>			
36CFR	261.4a	Engaging in fighting.	250
36CFR	261.4b	Addressing any offensive, derisive or annoying communication to any other person who is lawfully present when such communication has a direct tendency to cause acts of violence by the person to whom, individually the remark is made.	150
36CFR	261.4c	Making statement or other actions directed toward inciting or producing imminent lawless action and likely to incite or produce such action.	150
36CFR	261.4d	Causing public inconvenience, annoyance or alarm by making unreasonably loud noise.	150

<b>FIRE</b>			
36CFR	261.5a	Carelessly or negligently throwing or placing any ignited substance or other substance that may cause a fire.	250
36CFR	261.5b	Firing any tracer bullet or incendiary ammunition.	200
36CFR	261.5c	Causing timber, trees, slash, brush or grass to burn except as authorized by permit.	250
36CFR	261.5d	Leaving a fire without completely extinguishing it.	150
36CFR	261.5e	Causing and failing to maintain control of a fire that is not a prescribed fire that damages the National Forest System.	150
36CFR	261.5f	Building, attending, maintaining or using a campfire without removing all flammable material from around the campfire adequate to prevent its escape.	150
36 CFR	261.5g	Negligently failing to maintain control of a prescribed fire on Non-National Forest System lands that damages the National Forest System.	150

<b>TIMBER AND OTHER FOREST PRODUCTS</b>			
36CFR	261.6a	Cutting or otherwise damaging any timber, tree or other forest product, except as authorized by permit, timber sale contract, Federal law or regulation.	200
36CFR	261.6b	Cutting any standing tree, under permit or timber sale contract, before a forest officer has marked it or has otherwise designated it for cutting.	200
36CFR	261.6c	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.	200
36CFR	261.6d	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
36CFR	261.6e	Loading, removing or hauling any timber or other forest product acquired under any permit or timber sale contract unless such product is identified as required in such a permit or contract.	200
36CFR	261.6f	Selling or exchanging timber or other forest product obtained under free use pursuant to 223.5 through 223.11.	100
36CFR	261.6g	Violating any timber export or substitution restriction in 223.11 through 223.164.	100
36CFR	261.6h	Removing any timber, tree or other forest product, except as authorized by a special use authorization, timber sale contract, or Federal law or regulation.	250
36CFR	261.6i	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	250

<b>LIVESTOCK</b>			
36CFR	261.7a	Placing or allowing unauthorized livestock to enter or be in the National Forest System or other lands under Forest Service control.	50
36CFR	261.7b	Not removing unauthorized livestock from National Forest System or other lands under Forest Service control when requested by forest officer.	100
36CFR	261.7c	Failing to reclose any gate or other entry.	50

# EXHIBIT 1

36CFR	261.7d	Molesting, injuring, removing or releasing any livestock impounded under 262.10 while in the custody of the Forest Service or its authorized agents.	150
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<b>FISH AND WILDLIFE</b>			
<b>THE FOLLOWING ARE PROHIBITED TO THE EXTENT FEDERAL OR STATE LAW IS VIOLATED</b>			
36CFR	261.8a	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.	150
36CFR	261.8b	Possessing a firearm or other implement designed to discharge a missile capable of destroying animal life.	150
36CFR	261.8c	Possessing equipment which could be used for hunting, fishing or trapping.	150
36CFR	261.8d	Possessing a dog not on a leash or otherwise confined.	50
36CFR	261.8e	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

<b>PROPERTY</b>			
36CFR	261.9a	Damaging any natural feature or other property of the United States.	250
36CFR	261.9b	Removing any natural feature or other property of the United States.	300
36CFR	261.9c	Damaging any plant that is classified as a threatened, endangered, sensitive, rare or unique species.	300
36CFR	261.9d	Removing any plant that is classified as a threatened, endangered, sensitive, rare or unique species.	300
36CFR	261.9e	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.	200
36CFR	261.9f	Using any pesticide except for personal use as an insect repellent or as provided by special-use authorization for other minor uses.	150
36CFR	261.9g	Digging in, excavating, disturbing, injuring, destroying or in any way damaging any prehistoric, historic or archaeological resource, structure, site, artifact or property.	500
36CFR	261.9h	Removing any prehistoric, historic or archaeological resource, structure, site, artifact or property.	500
36CFR	261.9i	Excavating, damaging or removing any cave resource from a cave without a special-use authorization, or removing any cave resource for commercial purposes.	500

<b>OCCUPANCY AND USE</b>			
36CFR	261.10a	Constructing, placing or maintaining any kind of road, trail, structure, fence, enclosure, communication equipment, significant surface disturbance, or other improvements on National Forest System land or facilities without a special-use authorization, contract or approved operating plan.	250
36CFR	261.10b	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.	250
36CFR	261.10c	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 authorization.	250
36CFR	261.10d	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 injury or damage as a result of such discharge, or (3) Into or within any cave.	350
36CFR	261.10e	Abandoning any personal property.	250
36CFR	261.10f	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.	150
36CFR	261.10g	Commercial distribution of printed material without a special-use authorization.	150
36CFR	261.10h	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 material; or misrepresenting the availability of the material without cost.	150
36CFR	261.10i	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.	100
36CFR	261.10j	Operating or using a public address system, whether fixed, portable or vehicle mounted, in or near a campsite, developed recreation site, or over an adjacent body of water without a special-use authorization.	150
36CFR	261.10k	Use or occupancy of National Forest System land or facilities without special-use authorization when such authorization is required. Gold panning without a permit.	200 100

# EXHIBIT 1

36CFR	261.10l	Violating any term or condition of a special-use authorization, contract or approved operating plan	250
36CFR	261.10m	Failing to stop a vehicle when directed to do so by a Forest Officer.	300
36CFR	261.10n	Failing to pay any special use fee or other charges as required.	250
36CFR	261.10o	Discharging or igniting a firecracker, rocket or any other firework, or explosive into or within any cave.	250
36CFR	261.10p	Use or occupancy of National Forest System lands or facilities without an approved operation plan when such authorization is required.	150

## SANITATION

36CFR	261.11a	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
36CFR	261.11b	Possessing or leaving refuse, debris or litter in an exposed or unsanitary condition.	200
36CFR	261.11c	Placing in or near a stream, lake or other water any substance which does or may pollute a stream, lake or other waterway.	250
36CFR	261.11d	Failing to dispose of all garbage, including any paper, can, bottle, sewage, waste water 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
36CFR	261.11e	Dumping of any refuse, debris, trash or litter brought as such from private property or from other 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 occupied under permit.	250

## NATIONAL FOREST SYSTEM ROADS AND TRAILS

36CFR	261.12a	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 261.54 of this Chapter.	100
36CFR	261.12b	Failing to have a vehicle weighed at a Forest Service weighing station, if required by a sign.	100
36CFR	261.12c	Damaging and leaving in a damaged condition any such road, trail, or segment thereof.	250
36CFR	261.12d	Blocking, restricting or otherwise interfering with the use of a road, trail or gate.	150

## MOTOR VEHICLE USE

36CFR	261.13	After National Forest System roads, National System trails, and area 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: <ul style="list-style-type: none"> <li>a. Aircraft</li> <li>b. Watercraft</li> <li>c. Over-snow vehicles</li> <li>d. Limited administrative use by Forest Service</li> <li>e. Use of any fire, military, emergency, or law enforcement vehicle for emergency purposes</li> <li>f. Authorized use of any combat or combat support vehicle for national defense purposes</li> <li>g. Law Enforcement response to violations of law, including pursuit</li> <li>h. Motor vehicle use that is specifically authorized under a written authorization issued under Federal law or regulations; and</li> <li>i. Use of a road or trail that is authorized by a legally documented right-of-way held by State, county, or other local public road authority.</li> </ul>	200
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## USE BY OVER-SNOW VEHICLES

36CFR	261.14	It is prohibited to possess or operate an over-snow vehicle on National Forest System lands in violation of a restriction or prohibition established pursuant to 36 CFR 212, subpart C, provided that the following uses are exempt from this section: <ul style="list-style-type: none"> <li>a. Limited administrative use by Forest Service;</li> <li>b. Use of any fire, military, emergency, or law enforcement vehicle for emergency purposes;</li> <li>c. Authorized use of any combat or combat support vehicle for national defense purposes;</li> <li>d. Law enforcement response to violations of law, including pursuit;</li> <li>e. Use by over-snow vehicle that is specifically authorized under a written authorization issued under Federal law or regulations; and;</li> <li>f. 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.</li> </ul>	200
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## USE OF VEHICLES OFF ROADS

36CFR	261.15a	Operating any vehicles off National Forest System, State or County roads without a valid license as required by State law.	150
36CFR	261.15b	Operating any vehicles off Forest System, State or County roads without an operable braking system.	150

# EXHIBIT 1

36CFR	261.15c	Operating any vehicles off Forest System, State or County roads from one-half hour after sunset to one-half hour before sunrise unless equipped with working head and tail lights.	100
36CFR	261.15d	Operating any vehicles off Forest System, State or County roads in violation of any applicable noise emission standard established by any Federal or State agency.	100
36CFR	261.15e	Operating any vehicles off Forest System, State or County roads while under the influence of alcohol or other drug.	350
36CFR	261.15f	Operating any vehicles off Forest System, State or County roads creating excessive or unusual smoke.	100
36CFR	261.15g	Operating any vehicles off Forest System, State or County roads carelessly, recklessly or without regard for the safety of any person, or in a manner that endangers or is likely to endanger, any person or property.	350
36CFR	261.15h	Operating any vehicles off Forest System, State or County roads in a manner which damages or unreasonably disturbs the land, wildlife or vegetative resources.	250
36CFR	261.15i	Operating any vehicles off Forest System, State or County roads in violation of State law established for vehicles used off roads.	200

## DEVELOPED RECREATION SITES

36CFR	261.16a	Occupying any portion of the site for other than recreation purposes.	50
36CFR	261.16b	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.	150
36CFR	261.16c	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
36CFR	261.16d	Discharging or igniting a firecracker, rocket or other firework or explosive.	150
36CFR	261.16e	Occupying between 10 p.m. and 6 a.m. a place designated for day use only.	50
36CFR	261.16f	Failing to remove all camping equipment or personal property when vacating the area or site.	50
36CFR	261.16g	Placing, maintaining or using camping equipment except in a place specifically designated or provided for such equipment.	50
36CFR	261.16h	Without permission, failing to have at least one person occupy a camping area during the first night after camping equipment has been set up.	50
36CFR	261.16i	Leaving camping equipment unattended for more than 24 hours without permission.	50
36CFR	261.16j	Bringing in or possessing an animal, other than a seeing eye dog, unless it is crated, caged or upon a leash not longer than six feet, or otherwise under physical restrictive control.	50
36CFR	261.16k	Bringing in or possessing in a swimming area an animal, other than a seeing eye dog.	50
36CFR	261.16l	Bringing in or possessing a saddle, pack or draft animal, except as authorized by posted instructions.	50
36CFR	261.16m	Operating or parking a motor vehicle or trailer except in places developed or designated for this purpose.	50
36CFR	261.16n	Operating a bicycle, motorbike or motorcycle on a trail unless designated for this use.	50
36CFR	261.16o	Operating a motorbike, motorcycle or other motor vehicle for any purpose other than entering or leaving the site.	50
36CFR	261.16p	Depositing any body waste except into receptacles provided for that purpose.	100

## ADMISSION, RECREATION USE AND SPECIAL RECREATION PERMIT FEES

36CFR	261.17	Failing to pay any recreation fee is prohibited. Notwithstanding 18 USC 3571(e), the fine imposed for the first offense of nonpayment shall not exceed \$100.	50
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## NATIONAL FOREST WILDERNESS

36CFR	261.18a	Possessing or using a motor vehicle, motorboat, or motorized equipment except as authorized by Federal law or regulation.	200
36CFR	261.18b	Possessing or using a hang glider or bicycle	200
36CFR	261.18c	Landing of aircraft, or dropping or picking up any material, supplies, or person by means of aircraft including a helicopter	300

## UNAUTHORIZED USE OF "SMOKEY BEAR" AND WOODSEY OWL" SYMBOLS

36CFR	261.22a	Manufacture, importation, reproduction or use of "Smokey Bear" except as provided under 272.2, 272.3 or 272.4 is prohibited.	MA
36CFR	261.22b	Manufacture, importation, reproduction or use of "Woodsy Owl" except as provided under 272.2, 272.3 or 272.4 is prohibited.	MA

## SUBPART B – PROHIBITIONS PROVIDED BY ORDER

Title	Section	Section Description	Level
<b>FIRE</b>			
36CFR	261.52a	Building, maintaining, attending or using a fire, campfire or stove fire.	150



# EXHIBIT 1

36CFR	261.52b	Using an explosive	150
36CFR	261.52c	Smoking	100
36CFR	261.52d	Smoking, except within an enclosed vehicle or building, developed recreation site, or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable material.	100
36CFR	261.52e	Going in or being upon an area	100
36CFR	261.52f	Possessing, discharging or using any kind of fireworks or other pyrotechnic device.	150
36CFR	261.52g	Entering an area without any fire fighting tool prescribed by the order.	100
36CFR	261.52h	Operating an internal combustion engine.	100
36CFR	261.52i	Welding, or operating an acetlene or other torch with open flame.	100
36CFR	261.52j	Operating or using any internal or external combustion engine without a spark arresting device properly installed, maintained and in effective working order meeting (1) Department of Agriculture, Forest Service Standard 5100-1a; or (2) appropriate Society of Automotive Engineer (SAE) recommened pratice J335(b) and J350(a).	100
36CFR	261.52k	Violating any state law specified in the order concerning burning, fires or which is for the purpose of preventing, or restricting the spread of fires.	200

## SPECIAL CLOSURES

36CFR	261.53a	Threatened, endangered, rare unque or vanishing species of plants, animals, birds or fish.	200
36CFR	261.53b	Special biological communties	200
36CFR	261.53c	Objects or areas of historical, archaeological, geological, or paleontological interest.	200
36CFR	261.53d	Scientific experiments or investigations.	200
36CFR	261.53e	Public health or safety.	200
		Possession of controlled substance (Forest Order):	
		Drug paraphernalia	100
		Butane Honey Oil	200
		Controlled substances other than cannabis	500
36CFR	261.53f	Property	200
36 CFR	261.53g	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 request 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.	200

## NATIONAL FOREST SYSTEM ROADS

36CFR	261.54a	Using any type of motor vehicle prohibited by the order.	200
36CFR	261.54b	Use by any type of traffic prohibited by the order.	200
36CFR	261.54c	Using a road for commercial hauling without a permit or written authorization.	250
36CFR	261.54d	Operating a vehicle on forest development roads in violation of posted speed, load, weight, height, length and width limitations specified by the order	100
		Speeding over posted limit:	
		1-20 mph over	100
		20-25 mph over	200
		Over 25 mph	350
		1-25 mph over in construction zone	300
		Over 25 mph in construction zone	400
		Other offenses:	
		Driving under the influence of alcohol or drugs	MA
		Misuse, loaning, and/or failure to display plates	150
		Open alcohol container	150
		Open alcohol container 2 <sup>nd</sup> or additional offenses	MA
		Operating with suspended or revoked license	MA
		Conduct after an accident / failure to report accident or leaving the scene of an accident in violation of state law	MA
		Equipment violations	50
		Uninspected vehicle	50
		Failure to use required turn signal	50
36CFR	261.54e	Being on the road	100
36CFR	261.54f	Operating 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.	400

## FOREST DEVELOPMENT TRAILS

36CFR	261.55a	Being on the trail	150
36CFR	261.55b	Using any type of vehicle prohibited by the order.	200
36CFR	261.55c	Use by any type of traffic or mode or transportation prohibited by the order.	200



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36CFR	261.55d	Operating a vehicle in violation of width, weight, height, or other limitations specified by the order.	150
36CFR	261.55e	Shortcutting a switchback trail	100

## USE OF VEHICLES OFF NATIONAL FOREST SYSTEM ROADS

36CFR	261.56	Possessing or using a motor vehicle off National Forest System roads.	200
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## NATIONAL FOREST WILDERNESS

36CFR	261.57a	Entering or being in the area.	100
36CFR	261.57b	Possessing camping or pack outfitting equipment, as specified in the order.	100
36CFR	261.57c	Possessing a firearm or fireworks	150
36CFR	261.57d	Possessing any non-burnable food or beverage containers, including deposit bottles, except for non-burnable containers designed and intended for repeated use.	100
36CFR	261.57e	Grazing	100
36CFR	261.57f	Storing equipment, personal property or supplies.	200
36CFR	261.57g	Disposing of debris, garbage, or other waste.	200
36CFR	261.57h	Possessing or using a bicycle, wagon, cart, or other vehicle.	100

## OCCUPANCY AND USE

36CFR	261.58a	Camping for a period longer than allowed by the order	100
36CFR	261.58b	Entering or using a developed recreation site or portion thereof.	75
36CFR	261.58c	Entering or remaining in a campground during night periods prescribed in the order except for persons who are occupying such campgrounds.	75
36CFR	261.58d	Occupying a developed recreation site with prohibited camping equipment prescribed by the order.	50
36CFR	261.58e	Camping	100
36CFR	261.58f	Using a campsite or other area described in the order by more than the number of users allowed by the order.	100
36CFR	261.58g	Parking or leaving a vehicle in violation of posted instructions. Parking in handicapped space without proper authorization	50 250
36CFR	261.58h	Parking or leaving a vehicle outside a parking space assigned to one's own camp unit.	50
36CFR	261.58i	Possessing, parking or leaving more than two vehicles, except motorcycles and bicycles, per camp unit.	50
36CFR	261.58j	Being publicly nude.	100
36CFR	261.58k	Entering or being in a body of water.	100
36CFR	261.58l	Being in the area after sundown or before sunrise.	100
36CFR	261.58m	Discharging a firearm, air rifle, or gas gun.	200
36CFR	261.58n	Possessing or operating a motorboat.	200
36CFR	261.58o	Water skiing	50
36CFR	261.58p	Storing or leaving a boat or raft.	200
36CFR	261.58q	Operating any watercraft in excess of posted speed limit.	100
36CFR	261.58r	Launching a boat except at the designated launching ramp.	50
36CFR	261.58s	Possessing, storing, or transporting any bird, fish or other animal or parts thereof, as specified in the order.	200
36CFR	261.58t	Possessing, storing or transporting any tree or plant as specified in the order. Possession of cannabis	200 100
36CFR	261.58u	Being in the area between 10:00 p.m. and 6 a.m., except for a person who is camping or who is visiting a person in that area.	100
36CFR	261.58v	Hunting or fishing	200
36CFR	261.58w	Possessing or transporting any motor or mechanical device capable of propelling a watercraft through water by any means.	200
36CFR	261.58x	Using any wheel, roller or other mechanical device for the overland transportation of any watercraft.	100
36CFR	261.58y	Landing of aircraft, or dropping or picking up of any material, supplies, or person by means of an aircraft, including a helicopter Landing unmanned aircraft or drone	300 150
36CFR	261.58z	Entering or being on lands or water within the boundaries of a component of the National Wild and Scenic Rivers System.	100
36CFR	261.58aa	Riding, hitching, tethering or hobbling a horse or other saddle or pack animal in violation of posted instructions.	50
36CFR	261.58bb	Possessing a beverage which is defined as an alcoholic beverage by State law.	200
36CFR	261.58cc	Possessing or storing any food or refuse, as specified in the order When active bear alert is posted	100 250
36CFR	261.58dd	Reserved	
36CFR	261.58ee	Depositing any body waste in caves except into receptacles provided for that purpose.	200

# Exhibit 2

## UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW HAMPSHIRE

In Re: Forfeiture of Collateral            )  
      U.S. Department of Agriculture        )  
      Forest Service                            )

### MOTION TO SUPERSEDE PREVIOUS STANDING ORDERS

The United States of America hereby requests that the Court supersede its previous standing order of May 6, 2014 to incorporate the U.S. Department of Agriculture Forest Service's forfeiture of collateral fine schedule for violations of Title 36 CFR §261 (herein attached as Exhibit A).

No memorandum of law is necessary.

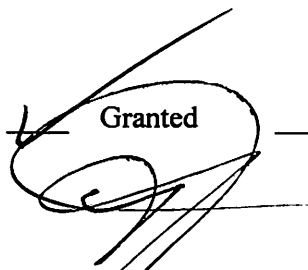
WHEREFORE, the United States requests that the motion be granted.

Respectfully submitted,

JANE E. YOUNG  
UNITED STATES ATTORNEY

February 27, 2023

By: /s/ John J. McCormack  
John J. McCormack  
First Assistant United States Attorney  
United States Attorney's Office  
53 Pleasant St, 4<sup>th</sup> floor  
Concord, NH 03301

         Granted     Denied  


\_\_\_\_\_  
Landya B. McCafferty  
Chief United States District Judge  
Date: 3-7-23

# EXHIBIT A

**36 - CODE OF FEDERAL REGULATIONS- PART 261  
SUBPART A – GENERAL PROHIBITIONS**

Title	Section	Section Description	Level
<b>INTERFERING WITH OR GIVING FALSE INFORMATION</b>			
36CFR	261.3a	Threatening, resisting, intimidating, or interfering with any Forest Officer engaged in or on account of the official duties in the protection, improvement or administration of the National Forest System.	MA
36CFR	261.3b	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 a report or other information contains false, fictitious or fraudulent statement or entry.	200
36CFR	261.3c	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.	MA

<b>DISORDERLY CONDUCT</b>			
36CFR	261.4a	Engaging in fighting.	250
36CFR	261.4b	Addressing any offensive, derisive or annoying communication to any other person who is lawfully present when such communication has a direct tendency to cause acts of violence by the person to whom, individually the remark is made.	150
36CFR	261.4c	Making statement or other actions directed toward inciting or producing imminent lawless action and likely to incite or produce such action.	150
36CFR	261.4d	Causing public inconvenience, annoyance or alarm by making unreasonably loud noise.	150

<b>FIRE</b>			
36CFR	261.5a	Carelessly or negligently throwing or placing any ignited substance or other substance that may cause a fire.	250
36CFR	261.5b	Firing any tracer bullet or incendiary ammunition.	200
36CFR	261.5c	Causing timber, trees, slash, brush or grass to burn except as authorized by permit.	250
36CFR	261.5d	Leaving a fire without completely extinguishing it.	150
36CFR	261.5e	Causing and failing to maintain control of a fire that is not a prescribed fire that damages the National Forest System.	150
36CFR	261.5f	Building, attending, maintaining or using a campfire without removing all flammable material from around the campfire adequate to prevent its escape.	150
36 CFR	261.5g	Negligently failing to maintain control of a prescribed fire on Non-National Forest System lands that damages the National Forest System.	150

<b>TIMBER AND OTHER FOREST PRODUCTS</b>			
36CFR	261.6a	Cutting or otherwise damaging any timber, tree or other forest product, except as authorized by permit, timber sale contract, Federal law or regulation.	200
36CFR	261.6b	Cutting any standing tree, under permit or timber sale contract, before a forest officer has marked it or has otherwise designated it for cutting.	200
36CFR	261.6c	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.	200
36CFR	261.6d	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
36CFR	261.6e	Loading, removing or hauling any timber or other forest product acquired under any permit or timber sale contract unless such product is identified as required in such a permit or contract.	200
36CFR	261.6f	Selling or exchanging timber or other forest product obtained under free use pursuant to 223.5 through 223.11.	100
36CFR	261.6g	Violating any timber export or substitution restriction in 223.11 through 223.164.	100
36CFR	261.6h	Removing any timber, tree or other forest product, except as authorized by a special use authorization, timber sale contract, or Federal law or regulation.	250
36CFR	261.6i	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	250

<b>LIVESTOCK</b>			
36CFR	261.7a	Placing or allowing unauthorized livestock to enter or be in the National Forest System or other lands under Forest Service control.	50
36CFR	261.7b	Not removing unauthorized livestock from National Forest System or other lands under Forest Service control when requested by forest officer.	100
36CFR	261.7c	Failing to reclose any gate or other entry.	50

36CFR	261.7d	Molesting, injuring, removing or releasing any livestock impounded under 262.10 while in the custody of the Forest Service or its authorized agents.	150
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FISH AND WILDLIFE			
THE FOLLOWING ARE PROHIBITED TO THE EXTENT FEDERAL OR STATE LAW IS VIOLATED			
36CFR	261.8a	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.	150
36CFR	261.8b	Possessing a firearm or other implement designed to discharge a missile capable of destroying animal life.	150
36CFR	261.8c	Possessing equipment which could be used for hunting, fishing or trapping.	150
36CFR	261.8d	Possessing a dog not on a leash or otherwise confined.	50
36CFR	261.8e	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

PROPERTY			
36CFR	261.9a	Damaging any natural feature or other property of the United States.	250
36CFR	261.9b	Removing any natural feature or other property of the United States.	300
36CFR	261.9c	Damaging any plant that is classified as a threatened, endangered, sensitive, rare or unique species.	300
36CFR	261.9d	Removing any plant that is classified as a threatened, endangered, sensitive, rare or unique species.	300
36CFR	261.9e	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.	200
36CFR	261.9f	Using any pesticide except for personal use as an insect repellent or as provided by special-use authorization for other minor uses.	150
36CFR	261.9g	Digging in, excavating, disturbing, injuring, destroying or in any way damaging any prehistoric, historic or archaeological resource, structure, site, artifact or property.	500
36CFR	261.9h	Removing any prehistoric, historic or archaeological resource, structure, site, artifact or property.	500
36CFR	261.9i	Excavating, damaging or removing any cave resource from a cave without a special-use authorization, or removing any cave resource for commercial purposes.	500

OCCUPANCY AND USE			
36CFR	261.10a	Constructing, placing or maintaining any kind of road, trail, structure, fence, enclosure, communication equipment, significant surface disturbance, or other improvements on National Forest System land or facilities without a special-use authorization, contract or approved operating plan.	250
36CFR	261.10b	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.	250
36CFR	261.10c	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 authorization.	250
36CFR	261.10d	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 injury or damage as a result of such discharge, or (3) Into or within any cave.	350
36CFR	261.10e	Abandoning any personal property.	250
36CFR	261.10f	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.	150
36CFR	261.10g	Commercial distribution of printed material without a special-use authorization.	150
36CFR	261.10h	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 material: or misrepresenting the availability of the material without cost.	150
36CFR	261.10i	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.	100
36CFR	261.10j	Operating or using a public address system, whether fixed, portable or vehicle mounted, in or near a campsite, developed recreation site, or over an adjacent body of water without a special-use authorization.	150
36CFR	261.10k	Use or occupancy of National Forest System land or facilities without special-use authorization when such authorization is required. Gold panning without a permit.	200 100

36CFR	261.10l	Violating any term or condition of a special-use authorization, contract or approved operating plan	250
36CFR	261.10m	Failing to stop a vehicle when directed to do so by a Forest Officer.	300
36CFR	261.10n	Failing to pay any special use fee or other charges as required.	250
36CFR	261.10o	Discharging or igniting a firecracker, rocket or any other firework, or explosive into or within any cave.	250
36CFR	261.10p	Use or occupancy of National Forest System lands or facilities without an approved operation plan when such authorization is required.	150

#### SANITATION

36CFR	261.11a	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
36CFR	261.11b	Possessing or leaving refuse, debris or litter in an exposed or unsanitary condition.	200
36CFR	261.11c	Placing in or near a stream, lake or other water any substance which does or may pollute a stream, lake or other waterway.	250
36CFR	261.11d	Failing to dispose of all garbage, including any paper, can, bottle, sewage, waste water 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
36CFR	261.11e	Dumping of any refuse, debris, trash or litter brought as such from private property or from other 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 occupied under permit.	250

#### NATIONAL FOREST SYSTEM ROADS AND TRAILS

36CFR	261.12a	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 261.54 of this Chapter.	100
36CFR	261.12b	Failing to have a vehicle weighed at a Forest Service weighing station, if required by a sign.	100
36CFR	261.12c	Damaging and leaving in a damaged condition any such road, trail, or segment thereof.	250
36CFR	261.12d	Blocking, restricting or otherwise interfering with the use of a road, trail or gate.	150

#### MOTOR VEHICLE USE

36CFR	261.13	After National Forest System roads, National System trails, and area 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 b. Watercraft c. Over-snow vehicles d. Limited administrative use by 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 i. Use of a road or trail that is authorized by a legally documented right-of-way held by State, county, or other local public road authority.	200
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#### USE BY OVER-SNOW VEHICLES

36CFR	261.14	It is prohibited to possess or operate an over-snow vehicle on National Forest System lands in violation of a restriction or prohibition established pursuant to 36 CFR 212, subpart C, provided that the following uses are exempt from this section: a. Limited administrative use by 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 vehicle that is specifically authorized under a written authorization issued under Federal law or regulations; and; f. 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.	200
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#### USE OF VEHICLES OFF ROADS

36CFR	261.15a	Operating any vehicles off National Forest System, State or County roads without a valid license as required by State law.	150
36CFR	261.15b	Operating any vehicles off Forest System, State or County roads without an operable braking system.	150

36CFR	261.15c	Operating any vehicles off Forest System, State or County roads from one-half hour after sunset to one-half hour before sunrise unless equipped with working head and tail lights.	100
36CFR	261.15d	Operating any vehicles off Forest System, State or County roads in violation of any applicable noise emission standard established by any Federal or State agency.	100
36CFR	261.15e	Operating any vehicles off Forest System, State or County roads while under the influence of alcohol or other drug.	350
36CFR	261.15f	Operating any vehicles off Forest System, State or County roads creating excessive or unusual smoke.	100
36CFR	261.15g	Operating any vehicles off Forest System, State or County roads carelessly, recklessly or without regard for the safety of any person, or in a manner that endangers or is likely to endanger, any person or property.	350
36CFR	261.15h	Operating any vehicles off Forest System, State or County roads in a manner which damages or unreasonably disturbs the land, wildlife or vegetative resources.	250
36CFR	261.15i	Operating any vehicles off Forest System, State or County roads in violation of State law established for vehicles used off roads.	200

<b>DEVELOPED RECREATION SITES</b>			
36CFR	261.16a	Occupying any portion of the site for other than recreation purposes.	50
36CFR	261.16b	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.	150
36CFR	261.16c	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
36CFR	261.16d	Discharging or igniting a firecracker, rocket or other firework or explosive.	150
36CFR	261.16e	Occupying between 10 p.m. and 6 a.m. a place designated for day use only.	50
36CFR	261.16f	Failing to remove all camping equipment or personal property when vacating the area or site.	50
36CFR	261.16g	Placing, maintaining or using camping equipment except in a place specifically designated or provided for such equipment.	50
36CFR	261.16h	Without permission, failing to have at least one person occupy a camping area during the first night after camping equipment has been set up.	50
36CFR	261.16i	Leaving camping equipment unattended for more than 24 hours without permission.	50
36CFR	261.16j	Bringing in or possessing an animal, other than a seeing eye dog, unless it is crated, caged or upon a leash not longer than six feet, or otherwise under physical restrictive control.	50
36CFR	261.16k	Bringing in or possessing in a swimming area an animal, other than a seeing eye dog.	50
36CFR	261.16l	Bringing in or possessing a saddle, pack or draft animal, except as authorized by posted instructions.	50
36CFR	261.16m	Operating or parking a motor vehicle or trailer except in places developed or designated for this purpose.	50
36CFR	261.16n	Operating a bicycle, motorbike or motorcycle on a trail unless designated for this use.	50
36CFR	261.16o	Operating a motorbike, motorcycle or other motor vehicle for any purpose other than entering or leaving the site.	50
36CFR	261.16p	Depositing any body waste except into receptacles provided for that purpose.	100

<b>ADMISSION, RECREATION USE AND SPECIAL RECREATION PERMIT FEES</b>			
36CFR	261.17	Failing to pay any recreation fee is prohibited. Notwithstanding 18 USC 3571(e), the fine imposed for the first offense of nonpayment shall not exceed \$100.	50

<b>NATIONAL FOREST WILDERNESS</b>			
36CFR	261.18a	Possessing or using a motor vehicle, motorboat, or motorized equipment except as authorized by Federal law or regulation.	200
36CFR	261.18b	Possessing or using a hang glider or bicycle	200
36CFR	261.18c	Landing of aircraft, or dropping or picking up any material, supplies, or person by means of aircraft including a helicopter	300

<b>UNAUTHORIZED USE OF "SMOKEY BEAR" AND WOODSEY OWL" SYMBOLS</b>			
36CFR	261.22a	Manufacture, importation, reproduction or use of "Smokey Bear" except as provided under 272.2, 272.3 or 272.4 is prohibited.	MA
36CFR	261.22b	Manufacture, importation, reproduction or use of "Woodsy Owl" except as provided under 272.2, 272.3 or 272.4 is prohibited.	MA

**SUBPART B – PROHIBITIONS PROVIDED BY ORDER**

Title	Section	Section Description	Level
<b>FIRE</b>			
36CFR	261.52a	Building, maintaining, attending or using a fire, campfire or stove fire.	150



36CFR	261.52b	Using an explosive	150
36CFR	261.52c	Smoking	100
36CFR	261.52d	Smoking, except within an enclosed vehicle or building, developed recreation site, or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable material.	100
36CFR	261.52e	Going in or being upon an area	100
36CFR	261.52f	Possessing, discharging or using any kind of fireworks or other pyrotechnic device.	150
36CFR	261.52g	Entering an area without any fire fighting tool prescribed by the order.	100
36CFR	261.52h	Operating an internal combustion engine.	100
36CFR	261.52i	Welding, or operating an acetlene or other torch with open flame.	100
36CFR	261.52j	Operating or using any internal or external combustion engine without a spark arresting device properly installed, maintained and in effective working order meeting (1) Department of Agriculture, Forest Service Standard 5100-1a; or (2) appropriate Society of Automotive Engineer (SAE) recommened prattice J335(b) and J350(a).	100
36CFR	261.52k	Violating any state law specified in the order concerning burning, fires or which is for the purpose of preventing, or restricting the spread of fires.	200

#### SPECIAL CLOSURES

36CFR	261.53a	Threatened, endangered, rare unque or vanishing species of plants, animals, birds or fish.	200
36CFR	261.53b	Special biological communties	200
36CFR	261.53c	Objects or areas of historical, archaeological, geological, or paleontological interest.	200
36CFR	261.53d	Scientific experiments or investigations.	200
36CFR	261.53e	Public health or safety.	200
		Possession of controlled substance (Forest Order):	
		Drug paraphernalia	100
		Butane Honey Oil	200
		Controlled substances other than cannabis	500
36CFR	261.53f	Property	200
36 CFR	261.53g	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 request 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.	200

#### NATIONAL FOREST SYSTEM ROADS

36CFR	261.54a	Using any type of motor vehicle prohibited by the order.	200
36CFR	261.54b	Use by any type of traffic prohibited by the order.	200
36CFR	261.54c	Using a road for commercial hauling without a permit or written authorization.	250
36CFR	261.54d	Operating a vehicle on forest development roads in violation of posted speed, load, weight, height, length and width limitations specified by the order	100
		Speeding over posted limit:	
		1-20 mph over	100
		20-25 mph over	200
		Over 25 mph	350
		1-25 mph over in construction zone	300
		Over 25 mph in construction zone	400
		Other offenses:	
		Driving under the influence of alcohol or drugs	MA
		Misuse, loaning, and/or failure to display plates	150
		Open alcohol container	150
		Open alcohol container 2 <sup>nd</sup> or additional offenses	MA
		Operating with suspended or revoked license	MA
		Conduct after an accident / failure to report accident or leaving the scene of an accident in violation of state law	MA
		Equipment violations	50
		Uninspected vehicle	50
		Failure to use required turn signal	50
36CFR	261.54e	Being on the road	100
36CFR	261.54f	Operating 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.	400

#### FOREST DEVELOPMENT TRAILS

36CFR	261.55a	Being on the trail	150
36CFR	261.55b	Using any type of vehicle prohibited by the order.	200
36CFR	261.55c	Use by any type of traffic or mode or transportation prohibited by the order.	200

36CFR	261.55d	Operating a vehicle in violation of width, weight, height, or other limitations specified by the order.	150
36CFR	261.55e	Shortcutting a switchback trail	100

**USE OF VEHICLES OFF NATIONAL FOREST SYSTEM ROADS**

36CFR	261.56	Possessing or using a motor vehicle off National Forest System roads.	200
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**NATIONAL FOREST WILDERNESS**

36CFR	261.57a	Entering or being in the area.	100
36CFR	261.57b	Possessing camping or pack outfitting equipment, as specified in the order.	100
36CFR	261.57c	Possessing a firearm or fireworks	150
36CFR	261.57d	Possessing any non-burnable food or beverage containers, including deposit bottles, except for non-burnable containers designed and intended for repeated use.	100
36CFR	261.57e	Grazing	100
36CFR	261.57f	Storing equipment, personal property or supplies.	200
36CFR	261.57g	Disposing of debris, garbage, or other waste.	200
36CFR	261.57h	Possessing or using a bicycle, wagon, cart, or other vehicle.	100

**OCCUPANCY AND USE**

36CFR	261.58a	Camping for a period longer than allowed by the order	100
36CFR	261.58b	Entering or using a developed recreation site or portion thereof.	75
36CFR	261.58c	Entering or remaining in a campground during night periods prescribed in the order except for persons who are occupying such campgrounds.	75
36CFR	261.58d	Occupying a developed recreation site with prohibited camping equipment prescribed by the order.	50
36CFR	261.58e	Camping	100
36CFR	261.58f	Using a campsite or other area described in the order by more than the number of users allowed by the order.	100
36CFR	261.58g	Parking or leaving a vehicle in violation of posted instructions. Parking in handicapped space without proper authorization	50 250
36CFR	261.58h	Parking or leaving a vehicle outside a parking space assigned to one's own camp unit.	50
36CFR	261.58i	Possessing, parking or leaving more than two vehicles, except motorcycles and bicycles, per camp unit.	50
36CFR	261.58j	Being publicly nude.	100
36CFR	261.58k	Entering or being in a body of water.	100
36CFR	261.58l	Being in the area after sundown or before sunrise.	100
36CFR	261.58m	Discharging a firearm, air rifle, or gas gun.	200
36CFR	261.58n	Possessing or operating a motorboat.	200
36CFR	261.58o	Water skiing	50
36CFR	261.58p	Storing or leaving a boat or raft.	200
36CFR	261.58q	Operating any watercraft in excess of posted speed limit.	100
36CFR	261.58r	Launching a boat except at the designated launching ramp.	50
36CFR	261.58s	Possessing, storing, or transporting any bird, fish or other animal or parts thereof, as specified in the order.	200
36CFR	261.58t	Possessing, storing or transporting any tree or plant as specified in the order. Possession of cannabis	200 100
36CFR	261.58u	Being in the area between 10:00 p.m. and 6 a.m., except for a person who is camping or who is visiting a person in that area.	100
36CFR	261.58v	Hunting or fishing	200
36CFR	261.58w	Possessing or transporting any motor or mechanical device capable of propelling a watercraft through water by any means.	200
36CFR	261.58x	Using any wheel, roller or other mechanical device for the overland transportation of any watercraft.	100
36CFR	261.58y	Landing of aircraft, or dropping or picking up of any material, supplies, or person by means of an aircraft, including a helicopter Landing unmanned aircraft or drone	300 150
36CFR	261.58z	Entering or being on lands or water within the boundaries of a component of the National Wild and Scenic Rivers System.	100
36CFR	261.58aa	Riding, hitching, tethering or hobbling a horse or other saddle or pack animal in violation of posted instructions.	50
36CFR	261.58bb	Possessing a beverage which is defined as an alcoholic beverage by State law.	200
36CFR	261.58cc	Possessing or storing any food or refuse, as specified in the order When active bear alert is posted	100 250
36CFR	261.58dd	Reserved	
36CFR	261.58ee	Depositing any body waste in caves except into receptacles provided for that purpose.	200