

Use of Vehicles on Federal Lands Annual Report of Citations and Status to the Colorado General Assembly per C.R.S. 33-6-124(4)(e) July 11, 2011

The following memo is intended to provide the General Assembly with a report on number of citations issued, number of final convictions, and the status of controlling land management agencies' efforts to notify the public of travel restrictions.

BACKGROUND:

As a result of House Bill 08-1069 state peace officers were empowered to write citations under state law to individuals unlawfully operating vehicles on federal lands, in violation of the land management agencies' travel management plans. The additional authority was prompted by increased use of federal lands and a correlated increase in violations of road closures and resource damage, primarily by off highway vehicles.

CITATIONS/CONVICTIONS:

- In 2009 the Division of Wildlife began issuing citations for vehicle violations on federal lands in areas where the land management agency had provided adequate notification to the public by way of maps and signage of open roads for recreational travel per C.R.S. 33-6-124(4)(a). Twenty citations were issued pursuant to C.R.S. 33-6-124 (4). Of these, 13 of the defendants plead or were found guilty, while final disposition is still pending for 7 cases. Five warning tickets were also issued.

- In 2010 the Division of Wildlife issued citations for vehicle violations on federal lands in areas where the land management agency had provided adequate notification to the public by way of maps and signage of open roads for recreational travel per C.R.S. 33-6-124(4)(a). Twenty six citations were issued pursuant to C.R.S. 33-6-124 (4). Of these, 23 of the defendants plead or were found guilty, one case was dismissed and final disposition is still pending for 2 cases. Three warning tickets were also issued.

NOTIFICATION STATUS:

A statewide survey of Division of Wildlife Area offices was conducted to determine the status of the controlling land management agencies' efforts to notify the public of travel restrictions. The field officers reported that U.S. Forest Service (USFS) lands adequately signed and posted varied from about 50% to 90% of the Ranger Districts. Bureau of Land Management (BLM) lands were estimated at 10% to 50% adequately signed or posted. Many of the USFS and BLM Districts are in the process of finalizing travel management plans and continue to develop new maps, signs, and road postings. The overall observations from the survey indicate that the land management agencies still need to work on notifying the public of travel management restrictions, but are getting better and showing improvement