

**Code of Federal Regulations: Title 36. Parks, Forests, and Public  
Property Chapter II. FOREST SERVICE, DEPARTMENT OF AGRICULTURE  
36 CFR Subpart A - General Prohibitions (EXCERPTS)**

**§ 261.1 Scope.**

(a) The [prohibitions](#) in this part apply, except as otherwise provided, when:

(1) An act or omission occurs in the [National Forest System](#) or on a [National Forest System road](#) or trail.

(2) An act or omission affects, threatens, or endangers property of the United [States](#) administered by the Forest Service.

(3) An act or omission affects, threatens, or endangers a [person](#) using, or engaged in the protection, improvement or administration of the [National Forest System](#) or a [National Forest System road](#) or trail.

(4) An act or omission occurs within the designated boundaries of a component of the National [Wild and Scenic Rivers](#) System.

(b) Nothing in this part shall preclude activities as authorized by the [Wilderness Act](#) of 1964 or the U.S. Mining Laws Act of 1872 as amended.

(c) Unless an offense set out in this part specifies that intent is required, intent is not an element of any offense under this part.

(d) None of these [prohibitions](#) apply to any [person](#) engaged in fire suppression actions.

[[42 FR 35958](#), July 13, 1977, as amended at [43 FR 32136](#), July 25, 1978; [46 FR 33519](#), June 30, 1981; [66 FR 3218](#), Jan. 12, 2001; [73 FR 30307](#), May 27, 2008]

**§ 261.1b Penalty.**

Any violation of the [prohibitions](#) of this part (261) shall be punished by a fine of not more than \$500 or imprisonment for not more than six months or both pursuant to title [16 U.S.C., section 551](#), unless otherwise provided.

[[46 FR 33519](#), June 30, 1981]

**§ 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:

**(a)** Threatening, resisting, intimidating, or interfering with any [forest officer](#) engaged in or on account of the performance of his official duties in the protection, improvement, or administration of the [National Forest System](#) is prohibited.

**(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.

**(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.

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

**§ 261.5 Fire.**

The following are prohibited:

**(a)** Carelessly or negligently throwing or placing any ignited substance or other substance that may cause a fire.

**(b)** Firing any tracer bullet or incendiary ammunition.

**(c)** Causing timber, trees, slash, brush or grass to burn except as authorized by [permit](#).

**(d)** Leaving a fire without completely extinguishing it.

**(e)** Causing and failing to [maintain](#) control of a fire that is not a [prescribed fire](#) that damages the [National Forest System](#).

**(f)** Building, attending, maintaining, or using a [campfire](#) without removing all flammable material from around the [campfire](#) adequate to prevent its escape.

**(g)** Negligently failing to [maintain](#) control of a [prescribed fire](#) on Non-National Forest System [lands](#) that damages the [National Forest System](#).

[[42 FR 2957](#), Jan. 14, 1977, as amended at [46 FR 33520](#), June 30, 1981; [73 FR 30307](#), May 27, 2008]

### § 261.8 Fish and wildlife.

The following are prohibited to the extent Federal or [State law](#) is violated:

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.

- (a) Possessing a firearm or other implement designed to discharge a missile capable of destroying animal life.
- (b) Possessing equipment which could be used for hunting, fishing, or trapping.
- (c) Possessing a dog not on a leash or otherwise confined.
- (d) Curtail the free movement of any animal or plant life into or out of a [cave](#), except as authorized to protect a [cave](#) resource.

[[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:

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

[[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 and use.

The following are prohibited:

**(a)** Constructing, placing, or **maintaining** any kind of road, trail, structure, fence, enclosure, communication equipment, significant surface **disturbance**, or other improvement on **National Forest System lands** or facilities without a **special-use authorization**, contract, or approved **operating plan** when such authorization is required.

**(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.

**(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 authorization**.

**(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 injury or damage as a result in such discharge.

**(3)** Into or within any **cave**.

**(e)** Abandoning any personal property.

**(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**.

**(g)** Commercial distribution of **printed material** without a special use authorization.

**(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.

**(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**.

**(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**.

**(k)** Use or occupancy of **National Forest System** land or facilities without **special-use authorization** when such authorization is required.

**(l)** Violating any term or condition of a **special-use authorization**, contract or approved **operating plan**.

**(m)** Failing to stop a **vehicle** when directed to do so by a **Forest Officer**.

**(n)** Failing to pay any special use fee or other charges as required.

**(o)** Discharging or igniting a firecracker, rocket or other firework, or explosive into or within any **cave**.

**(p)** Use or occupancy of **National Forest System lands** or facilities without an approved **operating plan** when such authorization is required.

[[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:

- (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.
- (b)** Possessing or leaving refuse, debris, or litter in an exposed or unsanitary condition.
- (c)** Placing in or near a stream, lake, or other water any substance which does or may pollute a stream, lake, or other water.
- (d)** 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.
- (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](#).

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

#### **§ 261.15 Use of vehicles off roads.**

It is prohibited to operate any [vehicle](#) off [National Forest System](#), [State](#) or County roads:

- (a)** Without a valid license as required by [State law](#).
- (b)** Without an operable braking system.
- (c)** From one-half hour after sunset to one-half hour before sunrise unless equipped with working head and tail lights.
- (d)** In violation of any applicable noise emission standard established by any Federal or [State](#) agency.
- (e)** While under the influence of alcohol or other drug;
- (f)** Creating excessive or unusual smoke;
- (g)** 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.
- (h)** In a manner which damages or unreasonably disturbs the land, wildlife, or vegetative resources.
- (i)** In violation of [State law](#) established for [vehicles](#) used off roads.

[[42 FR 2957](#), Jan. 14, 1977, as amended at [42 FR 35959](#), July 13, 1977; [66 FR 3218](#), Jan. 12, 2001. Redesignated at [70 FR 68291](#), Nov. 9, 2005]

**§ 261.16 Developed [recreation](#) sites.**

The following are prohibited:

- (a)** Occupying any portion of the site for other than [recreation](#) purposes.
- (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.
- (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.
- (d)** Discharging or igniting a firecracker, rocket or other firework, or explosive.
- (e)** Occupying between 10 p.m. and 6 a.m. a place designated for day use only.
- (f)** Failing to remove all [camping equipment](#) or personal property when vacating the [area](#) or site.
- (g)** Placing, maintaining, or using [camping equipment](#) except in a place specifically designated or provided for such equipment.
- (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.
- (i)** Leaving [camping equipment](#) unattended for more than 24 hours without [permission](#).
- (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.
- (k)** Bringing in or possessing in a swimming [area](#) an animal, other than a service animal.
- (l)** Bringing in or possessing a saddle, pack, or draft animal except as authorized by posted instructions.
- (m)** Operating or parking a [motor vehicle](#) or trailer except in places developed or designated for this purpose.
- (n)** Operating a bicycle, motorbike, or motorcycle on a trail unless designated for this use.
- (o)** Operating a motorbike, motorcycle, or other [motor vehicle](#) for any purpose other than entering or leaving the site.
- (p)** Depositing any body waste except into receptacles provided for that purpose.

[[42 FR 2957](#), Jan. 14, 1977, as amended at [46 FR 33520](#), June 30, 1981; [49 FR 25450](#), June 21, 1984; [60 FR 45295](#), Aug. 30, 1995. Redesignated at [70 FR 68291](#), Nov. 9, 2005; [76 FR 58404](#), Sept. 21, 2011]