

108TH CONGRESS  
1ST SESSION

# H. R. 751

To authorize increased fines for improper use of vehicles that results in damage to public lands or national forests, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 12, 2003

Mr. UDALL of Colorado introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committees on Agriculture and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To authorize increased fines for improper use of vehicles that results in damage to public lands or national forests, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-  
2       tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE; FINDINGS; PURPOSES.**

4       (a) SHORT TITLE.—This Act may be cited as the  
5       “Responsible Off-Road Vehicle Enforcement and Re-  
6       sponse Act”.

7       (b) FINDINGS.—The Congress finds the following:



1       (c) PURPOSES.—The purposes of this Act are as fol-  
2    lows:

3           (1) To authorize imposition of appropriate fines  
4    for violations of requirements or regulations regard-  
5    ing use of vehicles on public lands or on Federal  
6    lands within the National Forest System that result  
7    in damage to such lands.

8           (2) To authorize immediate use of funds re-  
9    ceived as a result of the imposition of such fines for  
10   restoration or other treatment of lands damaged by  
11   such violations, for increasing public awareness of  
12   the regulations applicable to use of vehicles on such  
13   lands, and for defraying the costs of enforcing such  
14   regulations.

15 **SEC. 2. PUBLIC LANDS.**

16       (a) FINES.—Section 303(a) of the Federal Land Pol-  
17   icy and Management Act of 1976 (43 U.S.C. 1733(a)) is  
18   amended—

19           (1) by striking “(a) The” and inserting “(a)(1)  
20   The”; and

21           (2) by adding after paragraph (1) (as so des-  
22   gnated above) the following new paragraph:

23           “(2) Notwithstanding any other provision of law (in-  
24   cluding section 3571 of title 18, United States Code), the  
25   Secretary may impose a fine of no more than \$10,000 or

1 an amount equal to the cost to the United States of any  
2 improvement, protection, or rehabilitation work on the  
3 public lands rendered necessary by damages to such lands  
4 resulting from violation of any regulation or other require-  
5 ment regarding use of any vehicle over such lands, which-  
6 ever amount is greater. Notwithstanding any other provi-  
7 sion of law, such a violation not resulting in death shall  
8 be considered a Class B misdemeanor.”.

9 (b) USE OF FINES.—Section 305 of the Federal  
10 Land Policy and Management Act of 1976 (43 U.S.C.  
11 1735), is amended by adding at the end the following new  
12 subsection:

13 “(d) Any moneys received by the United States as  
14 a result of a fine imposed pursuant to section 303(a)(2)  
15 shall be available to the Secretary, without further appro-  
16 priation, and shall be used—

17 “(1) to cover the administrative, legal, and re-  
18 lated expenses, including damage assessments, pay-  
19 ments of rewards for information, and investigative  
20 costs of enforcing regulations or other requirements  
21 regarding use of vehicles on public lands;

22 “(2) to cover the costs of any improvement,  
23 protection, or rehabilitation work on public lands;  
24 and

1               “(3) to increase public awareness of regulations  
2               and other requirements regarding recreational use of  
3               vehicles on public lands.”.

4 **SEC. 3. NATIONAL FOREST LANDS.**

5               (a) VEHICLE VIOLATIONS.—Section 1 of the Act of  
6 June 4, 1897 (16 U.S.C. 551), is amended—

7               (1) by striking “The Secretary of Agriculture”  
8               and inserting “(a) IN GENERAL.—The Secretary of  
9               Agriculture”; and

10               (2) by adding at the end the following new sub-  
11               section:

12               “(b) FINES FOR VEHICLE VIOLATIONS.—Notwith-  
13 standing any other provision of law (including section  
14 3571 of title 18, United States Code), the Secretary may  
15 impose a fine of no more than \$10,000 or any amount  
16 equal to the cost to the United States of any improvement,  
17 protection, or rehabilitation work on lands managed by the  
18 Forest Service rendered necessary by damages to such  
19 lands resulting from violation of any regulation or require-  
20 ment regarding use of any vehicle on such lands, which-  
21 ever amount is greater. Notwithstanding any other provi-  
22 sion of law, such a violation not resulting in death shall  
23 be considered a Class B misdemeanor.”.

24               (b) USE OF FINES.—Section 7 of the Act of June  
25 20, 1958 (16 U.S.C. 579c), is amended—

