

## Bureau of Land Management, Interior

## § 8365.1-6

(3) Refusing to disperse, when directed to do so by an authorized officer;

(4) Resisting arrest or issuance of citation by an authorized officer engaged in performance of official duties; interfering with any Bureau of Land Management employee or volunteer engaged in performance of official duties; or

(5) Assaulting, committing a battery upon, or

(6) Knowingly giving any false or fraudulent report of an emergency situation or crime to any Bureau of Land Management employee or volunteer engaged in the performance of official duties.

(b) No person shall engage in the following activities on the public lands:

(1) Cultivating, manufacturing, delivering, distributing or trafficking a controlled substance, as defined in 21 U.S.C. 802(6) and 812 and 21 CFR 1308.11 through 1308.15, except when distribution is made by a licensed practitioner in accordance with applicable law. For the purposes of this paragraph, delivery means the actual, attempted or constructive transfer of a controlled substance whether or not there exists an agency relationship; or

(2) Possessing a controlled substance, as defined in 21 U.S.C. 802(6) and 812 and 21 CFR 1308.11 through 1308.15, unless such substance was obtained, either directly or pursuant to a valid prescription or order or as otherwise allowed by Federal or State law, by the possessor from a licensed practitioner acting in the course of professional practice.

[48 FR 36384, Aug. 10, 1983; 48 FR 52058, Nov. 16, 1983, as amended at 54 FR 21624, May 19, 1989]

### § 8365.1-5 Property and resources.

(a) On all public lands, unless otherwise authorized, no person shall:

(1) Willfully deface, disturb, remove or destroy any personal property, or structures, or any scientific, cultural, archaeological or historic resource, natural object or area;

(2) Willfully deface, remove or destroy plants or their parts, soil, rocks or minerals, or cave resources, except as permitted under paragraph (b) or (c) of this paragraph; or

(3) Use on the public lands explosive, motorized or mechanical devices, except metal detectors, to aid in the collection of specimens permitted under paragraph (b) or (c) of this paragraph.

(b) Except on developed recreation sites and areas, or where otherwise prohibited and posted, it is permissible to collect from the public lands reasonable amounts of the following for non-commercial purposes:

(1) Commonly available renewable resources such as flowers, berries, nuts, seeds, cones and leaves;

(2) Nonrenewable resources such as rocks, mineral specimens, common invertebrate fossils and semiprecious gemstones;

(3) Petrified wood as provided under subpart 3622 of this title;

(4) Mineral materials as provided under subpart 3604; and

(5) Forest products for use in campfires on the public lands. Other collection of forest products shall be in accordance with the provisions of Group 5500 of this title.

(c) The collection of renewable or nonrenewable resources from the public lands for sale or barter to commercial dealers may be done only after obtaining a contract or permit from an authorized officer in accordance with part 3600 or 5400 of this chapter.

[48 FR 36384, Aug. 10, 1983; 67 FR 68778, Nov. 13, 2002]

### § 8365.1-6 Supplementary rules.

The State Director may establish such supplementary rules as he/she deems necessary. These rules may provide for the protection of persons, property, and public lands and resources. No person shall violate such supplementary rules.

(a) The rules shall be available for inspection in each local office having jurisdiction over the lands, sites or facilities affected;

(b) The rules shall be posted near and/or within the lands, sites or facilities affected;

(c) The rules shall be published in the FEDERAL REGISTER; and

(d) The rules shall be published in a newspaper of general circulation in the affected vicinity, or be made available to the public by such other means as

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deemed most appropriate by the authorized officer.

**§ 8365.1-7 State and local laws.**

Except as otherwise provided by Federal law or regulation, State and local laws and ordinances shall apply and be enforced by the appropriate State and local authorities. This includes, but is not limited to, State and local laws and ordinances governing:

- (a) Operation and use of motor vehicles, aircraft and boats;
- (b) Hunting and fishing;
- (c) Use of firearms or other weapons;
- (d) Injury to persons, or destruction or damage to property;
- (e) Air and water pollution;
- (f) Littering;
- (g) Sanitation;
- (h) Use of fire;
- (i) Pets;
- (j) Forest products; and
- (k) Caves.

**§ 8365.2 Developed recreation sites and areas.**

The rules governing conduct and use of a developed recreation site or area shall be posted at a conspicuous location near the entrance to the site or area.

**§ 8365.2-1 Sanitation.**

On developed recreation sites and areas, no person shall, unless otherwise authorized:

- (a) Clean fish, game, other food, clothing or household articles at any outdoor hydrant, pump, faucet or fountain, or restroom water faucet;
- (b) Deposit human waste except in toilet or sewage facilities provided for that purpose; or
- (c) Bring an animal into such an area unless the animal is on a leash not longer than 6 feet and secured to a fixed object or under control of a person, or is otherwise physically restricted at all times.

**§ 8365.2-2 Audio devices.**

On developed recreation sites or areas, unless otherwise authorized, no person shall:

- (a) Operate or use any audio device such as a radio, television, musical instrument, or other noise producing device or motorized equipment in a man-

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ner that makes unreasonable noise that disturbs other visitors;

- (b) Operate or use a public address system;

- (c) Construct, erect or use an antenna or aerial for radiotelephone, radio or television equipment, other than on a vehicle or as an integral part of such equipment.

**§ 8365.2-3 Occupancy and use.**

In developed camping and picnicking areas, no person shall, unless otherwise authorized:

- (a) Fail to pay any fees imposed in accordance with 36 CFR part 71.

- (b) Pitch any tent, park any trailer, erect any shelter or place any other camping equipment in any area other than the place designed for it within a designated campsite;

- (c) Leave personal property unattended for more than 24 hours in a day use area, or 72 hours in other areas. Personal property left unattended beyond such time limit is subject to disposition under the Federal Property and Administration Services Act of 1949, as amended (40 U.S.C. 484(m));

- (d) Build any fire except in a stove, grill, fireplace or ring provided for such purpose;

- (e) Enter or remain in campgrounds closed during established night periods except as an occupant or while visiting persons occupying the campgrounds for camping purposes;

- (f) Enter or use a site or a portion of a site closed to public use; or

- (g) Occupy a site with more people than permitted within the developed campsite. Limits on the number of occupants permitted at any site shall be clearly posted near the entrance of the developed campsite or facility in such a manner as to bring it to the reasonable attention of the user.

- (h) Move any table, stove, barrier, litter receptacle or other campground equipment.

**§ 8365.2-4 Vehicles.**

Unless otherwise authorized, no motor vehicle shall be driven within developed recreation sites or areas except on roads or places provided for this purpose.