

Rulemaking Hearing Rules
of the
Tennessee Wildlife Resources Agency

Chapter 1660-01-14
Rules and Regulations for Refuges, Wildlife Management Areas,
and Public Hunting Areas

Amendments

Rule 1660-01-14-.13(5), Hunting and Miscellaneous Uses Of Wildlife Management Areas And Other Tennessee Wildlife Resources Agency Controlled Lands, is amended by deleting paragraph (5)(d) in its entirety and replacing it with a new paragraph (5)(d) to read as follows:

(5) Miscellaneous

(d) In addition to the above, the following apply to the use of trail bikes, mini-bikes, and other off-highway-vehicles:

1. Off Highway Vehicles (OHVs) are restricted to use on roads open to other motorized traffic, except where prohibited by state or federal statute, and designated trails only. Roads shall be posted if closed.
2. OHVs may be prohibited from certain high use areas and at certain times when there is a threat to public safety or wildlife as indicated by signs.
3. Driving off roads and designated trails into woods, fields, and utility rights of way is prohibited unless otherwise provided.
4. OHVs may be operated during daylight hours and at other times when participating in authorized activities.
5. OHVs must be equipped with properly functioning mufflers and spark arresters.
6. Ohvs May Not Be Operated In A Reckless Or Otherwise Unsafe Manner. No Harassment Or Disturbance Of People Or Wildlife Is Permitted.
7. All Incidents Resulting In The Injury To Persons Or Damage To Property Must Be Reported By The Person Or Persons Involved As Soon As Possible To The District Forester, Area Manager, Or Park Superintendent. This Report Does Not Relieve Persons From The Responsibility Of Making Any Other Accident Reports Which May Be Required Under State Law.
8. Off Highway Vehicle is any vehicle capable of traveling off highways within the state. The term includes all-terrain vehicles, motorcycles, dune buggies and other four-wheeled vehicles used for off-road activities.

Statutory Authority: T.C.A. §70-1-206

Amendment

Rule 1660-01-14-.15, Fees for Use of Royal Blue and Sundquist Wildlife Management Areas, is amended by changing the title of the rule to "Fees for Use of North Cumberland Wildlife Management Area" and then deleting the rule in its entirety and by replacing it with the following language:

- (1) Fees for horseback riding, bicycling, and off highway vehicle use shall be as follows (youths under age thirteen (13) exempted):
 - (a) Residents
 1. Annual Fee - \$60.00 or possession of an annual or permanent Hunting and Fishing License and any permit (required to hunt on the North Cumberland Wildlife Management Area) or any Sportsman License.
 2. Daily Fee - \$12.00
 - (b) Non-Residents
 1. Annual Fee - \$190.00 or possession of a Non-Resident Annual "All Game: hunting license and any permit required to hunt on the North Cumberland Wildlife Management Area.
 2. Daily Fee - \$30.00
- (2) At least one occupant of a vehicle must possess the proper permit(s). No permit shall be required on roads/trails as designated.
- (3) Off Highway Vehicle is any vehicle capable of traveling off highways within the state. The term includes all-terrain vehicles, motorcycles, dune buggies and other four-wheeled vehicles used for off-road activities.

Statutory Authority: T.C.A. §70-1-206

Amendment

Rule 1660-01-14 is amended by adding a new rule, 1660-01-14-.17, that will read as follows:

1660-01-14-.17 Managed Recreation Areas on Foothills Wildlife Management Area

- (1) All recreation areas are open to the general public, at all times, free of charge for use subject to the following rules:
 - (a) Picnicking is permitted.
 - (b) Camping is prohibited at all times.
 - (c) Unattended vehicles shall not be left in a manner as to deprive or interfere with other persons' access to parking areas and/or facilities. Area is not to be used as a "park and ride" lot.
 - (d) No person, or persons, shall deface or remove trees or other plants, dirt, gravel, or sod or any structure placed on the area by the Tennessee Wildlife Resources Agency or with the approval of the Tennessee Wildlife Resources Agency.

- (e) No garbage, rubbish, litter or any refuse, or other material which would pollute said areas or waters, or render them unsatisfactory or unsanitary shall be left on the area.
- (f) Commercial use of recreation area is prohibited. Organized events will be held by permit only.
- (g) The use of firearms is prohibited.
- (h) Disorderly conduct and/or use of intoxicants and/or other behavior modifying substances are prohibited.
- (i) Handicapped parking zones, as posted, are reserved for handicapped users.
- (j) Parking regulations will be enforced as posted. Officers of the Tennessee Wildlife Resources Agency may, at their discretion, have offending vehicles towed (at owners' expense) or issue citations.
- (k) Picnic tables are available on a "first come" basis and cannot be reserved.
- (l) The use of fireworks is prohibited.
- (m) All dogs must be leashed.
- (n) No open fires. Cooking on grills is permitted.

Statutory Authority: T.C.A. §§70-1-206 and 70-5-101.

The rulemaking hearing rule amendment set out herein was properly filed in the Department of State on the 3rd day of June, 2008 and will become effective on the 17th day of August, 2008. (FS 06-03-08; DBID 2895)

ECONOMIC IMPACT STATEMENT

(1) The type or types of small business and an identification and estimate of the number of small businesses subject to the proposed rule that would bear the cost of, and/or directly benefit from the proposed rule;

Businesses selling sporting goods in the area will benefit

(2) The projected reporting, recordkeeping and other administrative costs required for compliance with the proposed rule, including the type of professional skills necessary for preparation of the report or record;

None

(3) A statement of the probable effect on impacted small businesses and consumers;

Family fishing and outdoor recreation should increase which will have a positive benefit to business and consumers

(4) A description of any less burdensome, less intrusive or less costly alternative methods of achieving the purpose and/or objectives of the proposed rule that may exist, and to what extent, such alternative means might be less burdensome to small business;

Will not add cost to business

(5) A comparison of the proposed rule with any federal or state counterparts; and

None

(6) Analysis of the effect of the possible exemption of small businesses from all or any part of the requirements contained in the proposed rule.

Does not directly impact businesses, indirect impact is positive.