

112TH CONGRESS
1ST SESSION

H. R. 242

To clarify the implementation and enforcement of Subpart B of the Travel Management Rule (36 CFR 212), relating to the designation of roads, trails, and areas for motor vehicle use, in administrative units of the National Forest System in California, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 7, 2011

Mr. HERGER (for himself, Mr. MCCLINTOCK, Mr. MCCARTHY of California, and Mr. DANIEL E. LUNGREN of California) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To clarify the implementation and enforcement of Subpart B of the Travel Management Rule (36 CFR 212), relating to the designation of roads, trails, and areas for motor vehicle use, in administrative units of the National Forest System in California, 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,*

1 **SECTION 1. IMPLEMENTATION AND ENFORCEMENT OF**
2 **SUBPART B OF THE TRAVEL MANAGEMENT**
3 **RULE ON NATIONAL FOREST SYSTEM LAND**
4 **IN CALIFORNIA.**

5 (a) CONSIDERATION OF ROUTES NOT PREVIOUSLY
6 CONSIDERED.—No funds appropriated or otherwise made
7 available to the Secretary of Agriculture may be used to
8 implement or enforce Subpart B of the Travel Manage-
9 ment Rule (subpart B of part 212 of title 36, Code of
10 Federal Regulations), relating to the designation of roads,
11 trails, and areas for motor vehicle use, in an administra-
12 tive unit of the National Forest System in California un-
13 less the Secretary has completed post-Subpart B Project
14 Level Trail Planning of unauthorized routes in the unit
15 not considered in subpart B.

16 (b) TREATMENT OF MAINTENANCE-LEVEL 3
17 ROADS.—In implementing Subpart B of the Travel Man-
18 agement Rule in an administrative unit of the National
19 Forest System in California, the Secretary of Agriculture
20 may not treat a maintenance-level 3 road (as defined in
21 the Forest Service Handbook) as a “highway” for pur-
22 poses of determining applicability of division 16.5 of the
23 California Vehicle Code (section 38000 et seq.), relating
24 to off-highway motor vehicles.

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