

Subject: 2320 Wildernesses and Primitive Areas

Date: MAR 9 1982

Subject: Wilderness Regulations

To: Regional Foresters

We wish to call to your attention an inconsistency in the regulations pertaining to wilderness administration. Most of you are aware of this but need direction on how to handle the matter pending resolution.

36 CFR 261.16(b) states: "Possessing or using a hang glider or bicycle." During the last CFR revisions we intended to remove "or bicycle" but the change did not get effected.

36 CFR 261.57 was amended to read: "(h) Possessing or using a bicycle, wagon, cart, or other vehicle." It was our intent to provide for the prohibition of bicycles only where their presence created a conflict or problem and implement the prohibition by use of an order for a specific wilderness.

The Washington Office staff is taking action to correct the editorial error and amend 36 CFR 261.16(b). Until this is done, OGC advises us not to cite any person for possessing or using a bicycle. They believe any citation will be dismissed as long as there is an ambiguity in the regulations. You will be notified when the correction is made.

We recommend you call this to the attention of all Forest Supervisors and District Rangers.


J. B. HILMON
Associate Deputy Chief

Limited Distribution

