

§ 656.8

32 CFR Ch. V (7-1-00 Edition)

(7) Potential despoilment of aesthetic values or visual characteristics of the sites.

(d) *Operating criteria.* (1) Off-road vehicles shall not be operated:

(i) In a reckless, careless or negligent manner;

(ii) In excess of established speed limits;

(iii) While the operator is under the influence of alcohol, harmful drugs, or narcotics. As a condition for the privilege of operating off-road vehicles on Army lands, owners and operators of such consent to submit to a test of their blood, breath, or urine for the purpose of determining the alcoholic content of their blood if cited or lawfully apprehended for any offense allegedly committed while driving or in actual physical control of an off-road vehicle on the installation while under the influence of intoxicating liquor. Failure to submit to or complete such test will result in revocation of the use permit for a period of 6 months (see AR 190-5).

(iv) In a manner likely to cause excessive damage or disturbance of the land, wildlife, or vegetative resources.

(v) From sunset to sunrise without lighted headlights and taillights.

(2) All off-road vehicles must conform to applicable State laws, including those with respect to pollutant emissions, noise and registration requirements.

(3) No persons may operate an ORV on Army lands without a valid operator's license or learner's permit where required by State or Federal law. Unless contrary to State or Federal law, persons under the age required for licensing may operate an ORV on Army lands providing they are at least 10 years of age and are under the direct supervision of an individual 18 years of age or older who has a valid operator's

license when required by State or Federal law, and who is responsible for the acts of that person.

(4) No ORV's may operate on Army land unless equipped with brakes in good working condition.

(5) Every ORV shall at all times be equipped with a muffler in good working order which cannot be removed or otherwise altered while the vehicle is being operated on Army lands. To prevent excessive or unusual noise, no person shall use a muffler cutout, bypass, or similar device upon a motor vehicle. A vehicle that produces unusual or excessive noise or visible pollutants is prohibited.

(6) The carrying of firearms or other hunting instruments on any ORV will be in accordance with applicable State or Federal laws and regulations.

(7) All ORV operators and passengers will be encouraged to wear safety helmets with face shields affixed.

(8) ORV's when operating off established road and parking areas not covered by ice, snow or water shall be equipped with a properly installed spark arrester that meets standard 5100-1a of the U.S. Forest Service, Department of Agriculture. This standard includes the requirements that such spark arrester shall have an efficiency to retain or destroy at least 80 percent of carbon particles, for all flow rates, and that such spark arrester has been warranted by its manufacturer as meeting these efficiency requirements for at least 1,000 hours, subject to normal use, with maintenance and mounting in accordance with the manufacturer's recommendations.

[42 FR 56326, Oct. 25, 1977, as amended at 43 FR 1792, Jan. 12, 1978]

**PARTS 657-667 [RESERVED]**