

MARYLAND REGISTER

Proposed Action on Regulations

Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations	Date Filed with AELR Committee	TO BE COMPLETED BY DSD
	08/08/2014	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 10/3/2014

2. COMAR Codification

Title Subtitle Chapter Regulation

08 01 03 01 - .12

3. Name of Promulgating Authority

Department of Natural Resources

4. Name of Regulations Coordinator Telephone Number
Eileen C Mosley 410-260-8107

Mailing Address

Tawes State Office Building, 580 Taylor Avenue, C-4

City State Zip Code
Annapolis MD 21401

Email
emosley@dnr.state.md.us

5. Name of Person to Call About this Document Telephone No.
Marian Honeczy 410-260-8511

Email Address
mhoneczy@dnr.state.md.us

6. Check applicable items:

- New Regulations
 - Amendments to Existing Regulations
 - Date when existing text was downloaded from COMAR online: 2/14/2014.
 - Repeal of Existing Regulations
 - Recodification
 - Incorporation by Reference of Documents Requiring DSD Approval
 - Reproposal of Substantively Different Text:
 - : Md. R
 - (vol.) (issue) (page nos) (date)
- Under Maryland Register docket no.: --P.

7. Is there emergency text which is identical to this proposal:

- Yes No

8. Incorporation by Reference

Check if applicable: Incorporation by Reference (IBR) approval form(s) attached and 18 copies of documents proposed for incorporation submitted to DSD. (Submit 18 paper copies of IBR document to DSD and one copy to AELR.)

9. Public Body - Open Meeting

- OPTIONAL - If promulgating authority is a public body, check to include a sentence in the Notice of Proposed Action that proposed action was considered at an open meeting held pursuant to State Government Article, §10-506(c), Annotated Code of Maryland.
- OPTIONAL - If promulgating authority is a public body, check to include a paragraph that final action will be considered at an open meeting.

10. Children's Environmental Health and Protection

Check if the system should send a copy of the proposal to the Children's Environmental Health and Protection Advisory Council.

11. Certificate of Authorized Officer

I certify that the attached document is in compliance with the Administrative Procedure Act. I also certify that the attached text has been approved for legality by Shara Alpert, Assistant Attorney General, (telephone #410-260-8358) on 7/23/2014. A written copy of the approval is on file at this agency.

Name of Authorized Officer

Eileen Mosley

Title

Regulation Coordinator

Telephone No.

410-260-8117

Date

8/4/14

Title 08
DEPARTMENT OF NATURAL RESOURCES

Subtitle 01 OFFICE OF THE SECRETARY

08.01.03 Off-Road Vehicles

Authority: Natural Resources Article 1-104 and 5-209, Annotated Code of Maryland

Notice of Proposed Action

[]

The Department of Natural Resources proposes to amend the language to COMAR 08.01.03 to designate one new Off-Road Vehicle Trail in Garrett County, to delete three permanently closed Off-Road Vehicle Trails in Allegany, Garrett, and Worcester Counties, and to complete the required regulatory review update to these regulations.

Statement of Purpose

The purpose of this action is to designate one new Off-Road Vehicle Trail, delete three permanently closed Off-Road Vehicle Trails, and update the Off-Road Vehicle regulations.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact.

This amendment will produce a positive economic impact through revenues generated by recreation-related expenditures from Off-Road Vehicle Trail enthusiasts, increased user fees to the State, and increased tourism-related tax revenues for County government.

II. Types of Economic Impact.

	Revenue (R+/R-)	
	Expenditure (E+/E-)	Magnitude
<hr/>		
A. On issuing agency:	(R+)	\$30,000
B. On other State agencies:	(R+)	negligible
C. On local governments:	(R+)	\$30,000
	Benefit (+)	
	Cost (-)	Magnitude

D. On regulated industries or trade groups: NONE

E. On other industries or trade groups: NONE

F. Direct and indirect effects on public: NONE

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

A. DNR Off-Road Vehicle Trail permit fees

B. No impact to other State Agencies.

C. Tax revenues from increased tourism connected to new Off-Road Vehicle Trail.

Economic Impact on Small Businesses

The proposed action has a meaningful economic impact on small business. An analysis of this economic impact follows.

The proposed action should increase business opportunities for businesses involved in selling Off-Road Vehicles, sales of Off-Road Vehicle supplies/accessories/maintenance and repair, and tourism-related businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Marian Honecny, Supervisor, Urban & Community Forestry, MD DNR Forest Service, 580 Taylor Ave E-1, Annapolis, MD 21401 , or call 410-260-8511, or email to mhonecny@dnr.state.md.us, or fax to 410-260-8595. Comments will be accepted through September 8, 2014. A public hearing has not been scheduled.

Economic Impact Statement Part C

A. Fiscal Year in which regulations will become effective: FY 15

B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?

Yes

C. If 'yes', state whether general, special (exact name), or federal funds will be used:

Special Funds - Off-Road Vehicle Fund.

D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:

E. If these regulations have no economic impact under Part A, indicate reason briefly:

F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

G. Small Business Worksheet:

Attached Document:

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3. Name of Promulgating Authority

Department of Natural Resources

4. Name of Regulations Coordinator

Eileen C Mosley

Telephone Number

410-260-8107

Mailing Address

Attorney General, (telephone #410-260-8358) on . A written copy of the approval is on file at this agency.

Name of Authorized Officer

Eileen Mosley

Title

Regulation Coordinator

Telephone No.

410-260-8117

Date

Title 08

DEPARTMENT OF NATURAL RESOURCES

Subtitle 01 OFFICE OF THE SECRETARY

08.01.03 Off-Road Vehicles

Authority: Natural Resources Article 1-104 and 5-209, Annotated Code of Maryland

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Statement of Purpose

The purpose of this action is to designate one new Off-Road Vehicle Trail, delete three permanently closed Off-Road Vehicle Trails, and update the Off-Road Vehicle regulations.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact.

This amendment will produce a positive economic impact through revenues generated by recreation-related expenditures from Off-Road Vehicle Trail enthusiasts, increased user fees to the State, and increased tourism-related tax revenues for County government.

II. Types of Economic Impact.	Revenue (R+/R-)	Expenditure (E+/E-) Magnitude
A. On issuing agency:	(R+)	\$30,000
B. On other State agencies:	(R+)	negligible
C. On local governments:	(R+)	\$30,000
	Benefit (+)	Magnitude
	Cost (-)	
D. On regulated industries or trade groups:	NONE	
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:	NONE	

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

- A. DNR Off-Road Vehicle Trail permit fees
- B. No impact to other State Agencies.
- C. Tax revenues from increased tourism connected to new Off-Road Vehicle Trail.

Economic Impact on Small Businesses

The proposed action has a meaningful economic impact on small business. An analysis of this economic impact follows.

The proposed action should increase business opportunities for businesses involved in selling Off-Road Vehicles, sales of Off-Road Vehicle supplies/accessories/maintenance and repair, and tourism-related businesses.

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The proposed action has no impact on individuals with disabilities.

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Economic Impact Statement Part C

- A. Fiscal Year in which regulations will become effective: FY 15
- B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?
Yes
- C. If 'yes', state whether general, special (exact name), or federal funds will be used:
Special Funds - Off-Road Vehicle Fund.
- D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:
- E. If these regulations have no economic impact under Part A, indicate reason briefly:
- F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.
- G. Small Business Worksheet:

Attached Document:

Title 08 DEPARTMENT OF NATURAL RESOURCES

Subtitle 01 OFFICE OF THE SECRETARY

Chapter 03 Off-Road Vehicles

Authority: Natural Resources Article, §§1-104 and 5-209, Annotated Code of Maryland

.01 Application.

- A. – B. Text unchanged
- C. Emergency *and Departmental* vehicles are exempted from this chapter.
- D. The following are exempted from provisions of this chapter if the vehicle use is an approved [Department] Departmental activity that includes:
- (1) Earth-moving, construction, or logging equipment;
 - (2) Vehicles used for the development, maintenance, management, or protection of Department lands; and
 - (3) Vehicles used by individuals *holding* [and their guests with] easements for rights-of-way through public land, *and their guests, in order to* [provide] access [to] private properties.

.02 Definitions.

- A. In this chapter, the following terms have the meanings indicated.
- B. Terms Defined.
- (1) - (2) Text unchanged.
 - (3) "Commissioned officer" means a forest or park warden, or forest or park ranger, having the *authority* [meaning] stated in Natural Resources Article, §5-206, Annotated Code of Maryland, *or Natural Resources police officer, having the authority stated in Natural Resources Article, §1-204, Annotated Code of Maryland.*
 - (4) "Deer bow season" means those dates open for hunting deer in accordance with COMAR 08.03.03.06 --.08.
 - [(4)] (5) "Deer firearms season" means those dates open for hunting deer in accordance with COMAR 08.03.03.06----.08.
 - [(5)] (6) "Department" means the Department of Natural Resources.
 - [(6)] (7) "Department lands" means the State [forests, parks, wildlife areas,] *Forests, State Parks, Wildlife Management Areas, Cooperative Wildlife Management Areas, Natural Environmental Areas, Wildlands* and [natural resource management] *Natural Resource Management Areas.*

[(7)] (8) "Manager" means that commissioned officer or designated employee having management authority for a particular Department land.

[(8)] (9) Off-Road Vehicle (ORV).

(a) - (b) Text unchanged.

[(9)] (10) "ORV trail" means an area designated for use by ORVs.

[(10)] (11) "SAE" means the Society of Automotive Engineers, Inc.

[(11)] (12) "Secretary" means the Secretary of Natural Resources.

[(12)] (13) "Snowmobile" means a track-powered vehicle manufactured specifically for recreational use over snow.

(14) "Spring turkey season" means those dates open for hunting turkey in accordance with COMAR 08.03.03.03D(2).

.03 Registration and Licensing Requirements for Operating ORVs on Designated Areas.

A. Restrictions.

(1) Subject to the restrictions of §A(2)----[(4)] (5) of this regulation, an individual may operate an ORV in the areas designated in Regulation .11 of this chapter.

(2) The operator shall be:

(a) The holder of a valid driver's license which is in the operator's possession;

(b) The holder of a Maryland instruction and examination learner's permit, which is in the operator's possession, and accompanied by a licensed driver; or

(c) 12 years old or older and accompanied *on the trail* by a parent or legal guardian who is the holder of a valid driver's license which is in the parent's or guardian's possession.

(3) The operator shall possess and have in the operator's possession:

(a) [A] *An ORV* [certificate of] registration *issued by the Department*; or

(b) A copy of the *ORV* lease or rental agreement which shall contain all of the following:

(i) Signature of the owner or the [authorized agent] *owner's designee*,

(ii) Signature of the person leasing or renting the *ORV*, and

[(iii)] Motor Vehicle Administration identification number of the *ORV*, and]

[(iv)] (iii) Time period of the lease or rental.

(4) The *ORV* shall be registered annually with the:

(a) Department and display a registration sticker in accordance with the requirements of this regulation; or

(b) Motor Vehicle Administration *as a licensed motor vehicle for on-road use*. [if the operator is in possession of a valid Maryland hunting or fishing license.]

(5) Certain trails, listed in Regulation .11 of this chapter, are subject to daily usage limitations, and require a daily reservation permit that must be obtained prior to using the trail.

B. Registration stickers and certificates of registration are available [by mail or in person] at the Department's regional service centers[, the Annapolis office,] *and from the Department's* and designated agents in accordance with §E of this regulation.

C. The applicant shall pay an applicable annual service charge and provide the *required owner and ORV* [following] information . [on the proper forms supplied by the Department:

(1) Name, address, and telephone number of the owner;

(2) County and state of residence of the owner;

(3) Type of *ORV*;

(4) Make, model year, horsepower, and cylinders of the *ORV*;

(5) Serial number of the *ORV*; and

(6) Signature of the owner.]

D. The Department may furnish an *ORV* registration sticker and certificate of registration on consignment to [an individual] *a designated agent* who provides a bond or other security considered sufficient and adequate by the Department to insure payment for the registration sticker and certificate of registration.

E. A registration sticker and certificate of registration issued by the Department:

(1) Shall be [renewed annually] valid January 1 through December 31;

(2) - (4) Text unchanged.

F. A registration sticker shall be displayed on the left front portion of the vehicle to [insure] *ensure* visibility at 100 feet during daylight hours.

G. Daily reservation permits must be acquired online through the Department's *ORV* permit reservation systems.

(1) *A printed copy of the online confirmation of the daily reservation permit shall be carried by the trail user while on the trail, and be available for inspection by authorized Departmental personnel upon request.*

.04 Disposition of Proceeds.

The Department [may] *shall* use the service charges, collected under Regulation .03C of this chapter, to promote use of *ORVs* by:

A.- C. Text unchanged.

.05 ORV Standards.

A. An *ORV* may not be operated on [Department] *Departmental* lands unless it conforms to applicable State laws and regulations relating to registration, operation, and inspection requirements, and is equipped with:

- (1) At least one headlight and one red tail light that are operational between sundown and sunrise;
- [(2)] (2) A braking system adequate to control the movement and to stop and hold the vehicle under all operating conditions; and]
- [(3)] (2) A muffler or other effective noise suppression system in good working order that is:
 - (a) – (b) Text unchanged.

B. Equipment for Riders.

(1) Headgear. An individual may not operate or ride [on a snowmobile, motorcycle, or other] *an* ORV unless the individual is wearing protective headgear that meets the [standards established in Transportation Article, §21-1306, Annotated Code of Maryland] *requirements of COMAR 11.13.05.02.*

(2) Eye Protection or Windscreen. An individual may not operate [a snowmobile, motorcycle, or other] *an* ORV unless an eye-protective device or a windscreen is used that is of a type [approved in Transportation Article, §21-1306, Annotated Code of Maryland] *that is in compliance with COMAR 11.13.05.03.*

C. Text unchanged.

D. A commissioned officer representing the Department may determine the acceptability and admissibility of an ORV on [Department] *Departmental* lands.

.06 Operating Requirements for ORVs on Department Lands.

A. - B. Text unchanged.

[C. Except for snowmobile trails designated for two-wheel and four-wheel vehicle use during deer firearm season, as set forth in COMAR 08.03.03, ORVs, other than snowmobiles, are prohibited from use on snowmobile trails from December 15 through March 15 of each year.]

[D.] C. An individual may not operate an ORV on ORV trails:

- (1) In a reckless, careless, or negligent manner;
- (2) In a manner that disregards [willful or wanton disregard for] the rights or safety of an individual or property;
- (3) While under the influence of alcohol or drugs;
- (4) In a manner which causes damage to property, wildlife, vegetative resources, or individuals;
- [(5)] (5) In an area customarily used for vehicular traffic or parking;]
- [(6)] (5) In a manner to cause or permit the obstruction of traffic by unnecessary parking or stopping; or
- [(7)] (6) In an area not designated by this chapter.

[E.] D. Closings.

(1) Text unchanged.

[(2)] (2) If an area identified in Regulation .11 of this chapter is required to be closed for more than 6 months in a calendar year, the suitability of the area for ORV use shall be reviewed and modified according to the provisions of Regulation .10 of this chapter.

F. Except for an individual with a special permit under COMAR 08.03.10.09, while in or on an ORV, an individual may not:

- (1) Possess a loaded weapon;
- (2) Discharge a weapon on or across a road or trail; or
- (3) Pursue wildlife.]

[G.] E. An ORV is subject to the provisions of other applicable Department regulations.

[H.] F. An individual shall obey any reasonable or lawful order of a commissioned officer in connection with the use or operation of an ORV.

.07 Reporting Accidents.

A. The operator of an ORV *involved in an accident* shall [file a written report with the Department on a form, available from an authorized agent of the Department] *contact the Department Communications Center as listed on the online confirmation* if the vehicle is in an accident which involves *death or injury of an individual*. [the following:

- (1) Death of an individual or animal;
- (2) Injuries to an individual or animal; or
- (3) Property damage in excess of \$100.

B. If death occurs, the operator shall submit the written report to the Department within 48 hours after the accident. For other reportable accidents, the operator shall submit the written report to the Department within 5 days after the accident.

C. If the operator fails to provide the written report, the owner of the ORV shall do so.]

[D.] B. [Each written report of an accident shall contain the following:] The operator of an ORV involved in an accident shall provide the following information to the Department Communication Center:

- (1) – (4) Text unchanged.
- (5) Name, address, and age of the:
 - (a) Individual [preparing] *submitting* the report,
 - (b) – (d) Text unchanged.
- (6) – (9) Text unchanged.

.08 Noise Level Limits and Enforcement Schedules.

A. – C. Text unchanged.

.09 Violations.

Text unchanged.

.10 ORV Trail Designation Procedure [and Criteria].

A. ORV trails are *generally* described in this regulation and identified on the location maps in Regulation .12 of this chapter.

B. Before acquiring or designating a trail *or road* for off-road use, the Department shall:

(1) Give public notice of *the proposed new trail or road*; [a public hearing in a:

(a) Newspaper in the county where the change is proposed, and

(b) Newspaper of general State circulation or the Maryland Register;]

(2) *Collect public comment*; [Complete the public hearing and receive comments, if any, during a period of 30 days after the public hearing;] and

(3) Place signs on designated ORV trails.

[C. Selection Criteria.

(1) The Department shall locate ORV trails to minimize:

(a) Disturbance of wildlife or disruption of wildlife habitats;

(b) Damage to soil, watershed, vegetation, or other resources; and

(c) Conflicts between ORV use and other existing recreational uses on public lands.

(2) The Department may not locate ORV trails in:

(a) Designated wilderness areas under Natural Resources Article, §5-1203, Annotated Code of Maryland;

(b) Wildlife and fishery management areas;

(c) Natural environmental areas;

(d) Areas where the noise from the operation interferes with use of picnic or camping areas open to the public; or

(e) Areas possessing unique natural, wildlife, historic, or recreational values as determined by the Department.

(3) The Department shall locate ORV trails where the usage of trails will be compatible with existing conditions in populated areas, taking into account noise and other factors.]

.11 Designated Trails.

A. The *following areas are* [Department has] designated [the] ORV trails [listed in this regulation after public notice and comment].

B. Garrett State Forest in Garrett County.

(1) The trails listed in this regulation may only be used *in accordance with this regulation* [by the ORVs indicated].

(2) Piney Mountain Trail [(Map Number 1).] (*new Map Number 1*).

(a) The Piney Mountain Trail beginning at the Sang Run-Cranesville Road and ending at the intersection of the Piney Mountain Road and the unnamed dirt road may [only] be used by:

(i) Snowmobiles from December 15 through [March 15] *April 15*, except during deer firearms season; and

(ii) Two-wheel and four-wheel vehicles [the remainder of the year] *year-round* and during the deer firearms season.

(b) Text unchanged.

(3) [Garrett] *Snaggy Mountain Trail* [(Map Number 2)](*new Map Number 2*).

(a) That portion of [Garrett] *Snaggy Mountain Trail* beginning at Cranestown Road and running south along Snaggy Mountain Road/Hutton-Switch Road to the bridge at the head of Herrington Lake may be used [only] by:

(i) Snowmobiles from December 15 through [March 15] *April 15*, except during deer firearm season; and

(ii) Two-wheel and four-wheel vehicles [the remainder of the year] *year-round* and during the deer firearms season.

(b) That portion of [Garrett] *Snaggy Mountain Trail* forming the eastern side of the northern loop beginning and ending at the points where the loop leaves the part of the trail running along Snaggy Mountain Road/Hutton-Switch Road, the southern portion of the trail beginning at the bridge at the head of Herrington Lake to the trail's end, and the trail connecting at midway the northern loop to the southern portion of the trail may only be used by snowmobiles and may not be used by any motorized wheeled vehicle.

C. Potomac State Forest in Garrett County.

(1) The trails described in this section may only be used *in accordance with this regulation* [by the ORVs indicated].

(2) [Potomac River] *Wallman/Laurel Run Trail* [(Map Number 3)] (*new Map Number 3*).

(a) The northern portion of [Potomac River] *Wallman/Laurel Run Trail* beginning at the western boundary of the forest at Rileys Spring Branch and running eastward toward the Potomac River along Laurel Run to the [intersection of an unnamed dirt] *parking lot at the end of the road* may be used [only] by:

(i) Snowmobiles from December 15 through [March 15] *April 15*, except during the deer firearms season;

and

(ii) Two-wheel and four-wheel vehicles [during the remainder of the year] *year-round* and during the deer firearms season.

(b) The eastern portion of the [Potomac River] *Wallman/Laurel Run* Trail beginning at the western boundary of the forest at Rileys Spring Branch and running southward along [Audley Riley] *Wallman* Road to the [boundary of the forest near Wallman] *parking lot at the end of the Wallman Road* may be used [only] by:

(i) Snowmobiles from December 15 through [March 15] *April 15*, except during the firearms season; and

(ii) Two-wheel and four-wheel vehicles [during the remainder of the year] *year-round* and during the deer firearms season.

(c) The western portion of the [Potomac River] *Wallman/Laurel Run* Trail beginning where it leaves the eastern portion of the trail near the [intersection of Audley Riley Road and an unnamed] dirt access road *identified as the Loop Road Snowmobile Trail*, and running south on and along the access road to the point where the trail ends when it intersects with the southern portion of the trail described in §C(2)(d) of this regulation and the center trail connecting the western and eastern portions which follow the access road may:

(i) Be used only by snowmobiles from December 15 through [March 15,] *April 15, except during the deer firearms season;* and

(ii) Not be used by any ORVs for the remainder of the year.

(d) The southern portion of the [Potomac River] *Wallman/Laurel Run* Trail beginning where it intersects with the western portion of the trail *at the Loop Road Snowmobile Trail* and running southward to its intersection with the eastern portion may be used only by snowmobiles, and may not be used by any motorized wheeled vehicle.

(3) Backbone Mountain Trail [(Maps 4 and 5)] (*new Map Number 4*).

(a) That portion of Backbone Mountain Trail beginning near the intersection of Maryland Route 135 and Maryland Route 38 [(Map Number 4)] and running northeast to the Juvenile Services Boy's Camp [(Map Number 5)] may only be used by snowmobiles, and may not be used by any wheeled vehicle[.], *excepting that portion of the trail that runs along the CCC Camp Road, which is open to two-wheel and four wheel vehicles year-round and during the deer firearms season.*

(b) That portion of Backbone Mountain Trail beginning near the intersection of Swanton Hill Road and Maryland Route 135 [(Map Number 5)] and running northeast [in two branches] *along the Burkholder Trail* to the Juvenile Services Boy's Camp [and to the boundary line of the forest] may be used [only] by:

(i) Snowmobiles from December 15 through [March 15] *April 15*, except during deer firearms season; and

(ii) Two-wheel and four-wheel vehicles [during the remainder of the year] *year-round* and during the deer firearms season.

D. Savage River State Forest in Garrett County.

(1) The trails described in this section may only be used by the ORVs indicated.

(2) Meadow Mountain Trail [(Maps Number 8, 9, 10, and 11)] (*new Maps Number 7, 8, 9 and 10*).

(a) The northern portion of Meadow Mountain Trail beginning at and running along East Shale Road (approximately 1/4 mile south of US Route 68) southward to the point where it intersects New Germany Road may only be used by:

(i) Snowmobiles from December 15 through [March 15] *April 15*, except during the deer firearms season;

and

(ii) Two-wheel and four-wheel vehicles during the remainder of the year and during the deer firearms

season.

(iii) Use of the Trail, along East Shale Road, is limited to 15 ORVs per day, and a daily reservation permit must be obtained prior to using the trail.

(b) - (c) Text unchanged.

(3) Text unchanged.

[(4) Poplar Lick Trail (Map Number 12). The Poplar Lick Trail is as shown on Map Number 12 and may only be used by motorcycles and four-wheel vehicles and contains a stream that an ORV must ford.]

[(5)] (4) Margraff Plantation Trail [(Map Number 6)] (*new Map Number 5*) may be used only by:

(a) A snowmobile from December 15 through [March 15] *April 15*; and

(b) Two-wheel and four-wheel *ORVs from July 15 through the beginning of deer bow season; and* [vehicles during the remainder of the year, except that from the end of spring turkey gobbler season to August 15, all public access is prohibited on certain trail sections.]

(c) Any vehicle registered with the Motor Vehicle Administration as a licensed motor vehicle for on-road use may use the Trail at anytime.

[(6)] (5) Negro Mountain Trail [(Map Number 7)] (*new Map Number 6*) coincides with portions of the forest access roads through compartments and may be used only by snowmobiles from December 15 through [March 15] *April 15*, and may not be used by any ORV for the remainder of the year, except as provided under Regulation .06A(3)(b) of this chapter.

(6) St. John's Rock-Red Dog Road Trail (Map Number 11) may be used only by:

(a) A snowmobile from December 15 through *April 15*;

(b) Two-wheel and four-wheel *ORVs from April 16 through the beginning of the spring turkey season, and from the end of the spring turkey season through the beginning of the deer bow season;*

(i) Use of this Trail is limited to 15 ORVs per day, and a daily reservation permit must be obtained prior to using the Trail.

(c) Any vehicle registered with the Motor Vehicle Administration as a licensed motor vehicle for on-road use may use the Trail at anytime.

[E. Green Ridge State Forest in Allegany County. The trails listed in this section may only be used by motorcycles, snowmobiles, and four-wheel vehicles:

- (1) East Valley Trail (Maps Number [13](#) and [14](#)); and
- (2) Town Hill Trail (Maps Number 13 and 14).

F. Pocomoke State Forest in Worcester County ([Map Number 15](#)).

- (1) Chandler Trail may only be used by motorcycles and four-wheel vehicles.
- (2) Chandler Trail is open year round with access off Route 113.]

[G.] E. Deep Creek Lake Natural Resources Management Area.

- (1) - (3) Text unchanged.

F. ORV trail status will be made public on the Departments website.

.12 Official Maps.

[Map 1 repealed] *new Map 1*- Garrett State Forest, Piney Mountain Trail, Garrett County, MD - see Map 1.

[Map 2 repealed] *new Map 2* - Garrett State Forest, [Garrett] *Snaggy Mountain* Trail, Garrett County, MD - see Map

[Map 3 repealed] *new Map3* - Potomac State Forest, [Potomac River] *Wallman/Laurel Run* Trail, Garrett County, MD - see Map 3.

[Maps 4, 5 repealed] *new Map 4*- Potomac State Forest, Backbone Mountain Trail, Garrett County, MD - see [Maps 4 and 5] *Map 4*.

[Map 6 repealed] *see Map 5* - Savage River State Forest, Margraff Plantation Trail, Garrett County, MD - see [Map 6] *see Map 5*.

[Map 7 repealed] *see Map 6*- Savage State Forest, Negro Mountain Trail, Garrett County, MD - see [Map 7] *Map 6*.

[Maps 8, 9, 10, 11 repealed] *see Maps 7, 8, 9, 10* - Savage River State Forest, Meadow Mountain Trail, Garrett County, MD - see [Maps 8, 9, 10, 11] *Maps 7, 8, 9, 10*.

Map 11 – Savage River State Forest, *St. John's Rock/Red Dog Road Trail*, Garrett County, MD – *see Map 11*.

[Map 12 - Savage River State Forest, Poplar Lick Trail, Garrett County, MD - see Map 12.

Maps 13, 14 - Green Ridge State Forest, East Valley and Town Hill Trails, Allegany County, MD - see Maps 13, 14.

Map 15 - Pocomoke State Forest, Chandler Trail, Worcester County, MD - see Map 15.]