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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To restore the presumption of access on lands managed by the Forest Service
and the Bureau of Land Management.

IN THE HOUSE OF REPRESENTATIVES

Mr. CRANK introduced the following bill; which was referred to the Committee
on _____

A BILL

To restore the presumption of access on lands managed
by the Forest Service and the Bureau of Land Management.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Public Lands Access
5 Restoration Act”.

6 **SEC. 2. RESTORATION OF HISTORIC ACCESS POLICY.**

7 (a) IN GENERAL.—Not later than 180 days after the
8 date of the enactment of this Act—

1 (1) a covered road or trail shall be presumed to
2 be open to motorized access unless the Secretary
3 concerned restricts motorized access to the covered
4 road or trail in accordance with subsection (b); and

5 (2) the Secretary concerned shall issue or revise
6 regulations as necessary to implement paragraph
7 (1).

8 (b) STANDARDS FOR RESTRICTION.—The Secretary
9 concerned may only restrict motorized access to a covered
10 road or trail if—

11 (1) a need for the restriction is identified based
12 on clear and convincing evidence for resource protec-
13 tion or public safety; and

14 (2) the restriction is—

15 (A) clearly indicated with signage posted
16 at the points on the covered road or trail at
17 which the restriction begins and ends;

18 (B) depicted on updated official maps of
19 the covered road or trail, to be made available
20 in both digital and printed form;

21 (C) subject to—

22 (i) public notice in the Federal Reg-
23 ister and at least one local newspaper; and

24 (ii) a 30-day comment period;

1 (D) reviewed by the Secretary concerned at
2 least once every 5 years to determine if the re-
3 striction is still justified; and

4 (E) applied to the smallest area, and for
5 the least amount of time, as is practicable.

6 (c) RULE OF CONSTRUCTION.—Nothing in this Act
7 shall be construed, with respect to a covered road or trail,
8 to restrict or otherwise limit—

9 (1) public access (except as described in sub-
10 section (b)); or

11 (2) other uses.

12 (d) DEFINITIONS.—In this Act:

13 (1) COVERED ROAD OR TRAIL.—

14 (A) IN GENERAL.—Except as provided in
15 subparagraph (B), the term “covered road or
16 trail” means—

17 (i) a National Forest System road;

18 (ii) a National Forest System trail;

19 (iii) a Bureau of Land Management
20 road; or

21 (iv) a Bureau of Land Management
22 trail.

23 (B) EXCEPTION.—The term “covered road
24 or trail” does not apply to a road or trail within

1 an area within a congressionally designated wil-
2 derness area or national park.

3 (2) **MOTORIZED ACCESS.**—The term “motorized
4 access” means access or use by a motor or self-pro-
5 pelled vehicle capable of off-highway travel during
6 winter or summer including all-terrain vehicles, four-
7 wheelers, three-wheelers, dirt bikes, motorcycles,
8 trail bikes, and snowmobiles.

9 (3) **NATIONAL FOREST SYSTEM ROAD.**—The
10 term “National Forest System road” means a road
11 within a unit of the National Forest System other
12 than a road which has been authorized by a legally
13 documented right-of-way held by a State, county, or
14 other local public road authority.

15 (4) **NATIONAL FOREST SYSTEM TRAIL.**—The
16 term “National Forest System trail” means a trail
17 within a unit of the National Forest System other
18 than a trail which has been authorized by a legally
19 documented right-of-way held by a State, county, or
20 other local public road authority.

21 (5) **BUREAU OF LAND MANAGEMENT ROAD.**—
22 The term “Bureau of Land Management road”
23 means a road on public lands other than a road
24 which has been authorized by a legally documented

1 right-of-way held by a State, county, or other local
2 public road authority.

3 (6) BUREAU OF LAND MANAGEMENT TRAIL.—
4 The term “Bureau of Land Management trail”
5 means a trail on public lands other than a trail
6 which has been authorized by a legally documented
7 right-of-way held by a State, county, or other local
8 public road authority.

9 (7) PUBLIC LANDS.—The term “public lands”
10 has the meaning given such term in section 103 of
11 the Federal Land Policy Management Act of 1976
12 (43 U.S.C. 1702).

13 (8) SECRETARY CONCERNED.—The term “Sec-
14 retary concerned” means—

15 (A) the Secretary of Agriculture, with re-
16 spect to a National Forest System road or Na-
17 tional Forest System trail; and

18 (B) the Secretary of the Interior, with re-
19 spect to a Bureau of Land Management road or
20 Bureau of Land Management trail.