

[Appendix A State of Utah Off Highway Vehicle Statutes Adopted Under 43 CFR 8341.1\(d\)](#)

| <b>Registration</b>                          |   |                   |
|--|---|-------------------|
| <b>Section</b>                               | <b>Violation</b>  | <b>Collateral</b> |
| 41-22-3(1)(A)                                | Operate or transport without current registration   | 90                |
| 41-22-3(4)(B)(II)                            | Failure to display registration sticker   | 60                |
| 41-22-3(4)(C)                                | No registration card on OHV   | 90                |
| 41-22-4(1)(A)                                | Fraudulent application for OHV registration   | 750               |
| 41-22-4(1)(B)                                | Alter, deface, or remove any manufacturer's serial number   | 750               |
| 41-22-4(1)(C)                                | Fraudulent use or display of OHV registration   | 340               |
| 41-22-4(1)(D)                                | Alter or deface a registration sticker, registration card, or permit  | 340               |
| 41-22-35                                     | Non-resident operate OHV without user fee   | 150               |
| R651-634-1(A)                                | Display of nonresident decal required.  | 100               |
| R651-634-1(B)                                | Failure to have nonresident receipt on OHV  | 100               |
| <b>Implements of Husbandry</b>               |   |                   |
| 41-22-5.5(1)(A)                              | Fraudulent application for off-highway vehicle implement of husbandry registration.   | 750               |
| 41-22-5.5(1)(B)                              | Improper recreational use of a registered implement of husbandry.   | 150               |
| 41-22-5.5(1)(C)                              | Improper display of implement of husbandry registration sticker.  | 120               |
| 41-22-5.5(3)                                 | Operate without implement of husbandry registration adjacent to roadway.  | 150               |
| 41-22-5.5(4)                                 | Improper use of a registered OHV implement of husbandry.  | 50                |
| 41-22-5.5(5)                                 | Operate Implement of husbandry along an Interstate freeway.   | 170               |
| <b>Equipment Requirements</b>                |   |                   |
| 41-22-10.7(1)(A)                             | Operate off-highway vehicle without adequate brakes.  | 50                |
| 41-22-10.7(1)(B)                             | Operate off-highway vehicle without headlights or taillights between sunset and sunrise.  | 50                |
| 41-22-10.7(1)(C)                             | Operate off-highway vehicle without muffler and or spark arrester.  | 110               |
| 41-22-10.7(1)(d)                             | Operate off-highway vehicle without a safety flag, red or orange in color and a minimum of six by 12 inches, attached to the off-highway vehicle at least eight feet above the surface of level ground, when operated on sand dunes.                                  | 110               |
| <b>Age, Safety, and License Requirements</b> |   |                   |
| 41-22-10.8(1)                                | A person under the age of 18 may not operate or ride on all-terrain type I vehicles, snowmobiles, or motorcycles on public land unless the person is wearing a properly fitted and fastened, DOT safety-rated protective headgear designed for motorized vehicle use. | 50                |
| 41-22-10.8(2)                                | Gave permission to operate or ride an off-highway vehicle in violation of above.  | 50                |
| 41-22-29                                     | A person under eight years of age may not operate and an owner may not give another person who is under eight years of age permission to operate an off-highway vehicle on any public land, trail, street, or highway of this state.                                  | 50                |
| 41-22-30(2)(B)(I)                            | Operate or gave permission to operate an OHV without safety certificate.  | 100               |
| 41-22-30(2)(B)(II)                           | Operate or gave permission to operate an OHV under 18 years of age without direct supervision   | 100               |
| 41-22-30(1)(C)                               | Operate off-highway vehicle without a valid driver's license in possession.   | 40                |
| <b>General Operation</b>                     |   |                   |
| <b>Section</b>                               | <b>Violation</b>  | <b>Collateral</b> |
| 41-22-10.1(1)                                | Operate off-highway vehicle on public land not designated as open.  | 820               |
| 41-22-10.2                                   | Operate off-highway vehicle along, across, or within the boundaries of an interstate freeway or controlled access highway   | 110               |
| 41-22-10.3                                   | Operate an off-highway vehicle upon any street or highway, not designated as open to off-highway vehicle use  | 290               |

|               |   |     |
|---------------|---|-----|
| 41-22-11      | Placed a regulatory sign without authorization.   | 630 |
| 41-22-12(2)   | Tear down, mutilate, deface, or destroy a sign, signboard, or other notice that prohibits or regulates the use of an off-highway vehicle on public land.  | 280 |
| 41-22-12.1    | A person may not operate a wheeled vehicle with a gross vehicle weight of 800 pounds or more on any snowmobile trail that the division has marked, posted, designated, or maintained as a snowmobile trail. | 630 |
| 41-22-12.2    | Operate or gave permission to operate motor vehicle on undesignated public land   | 110 |
| 41-22-12.5(3) | A person may not tear down, mutilate, or destroy any sign, signboards, or other notice which regulates trespassing for purposes of operating a motor vehicle on land.                                       | 280 |
| 41-22-12.7    | Unlawful motor vehicle use on public or private property  | 300 |
| 41-22-12.7(3) | <b>Enhanced Penalty</b> Unlawful cross-country use of a motor vehicle on public land or private property.   | 600 |
| 41-22-13      | Operate an off-highway vehicle in connection with acts of vandalism, burglary or damage.  | 350 |
| 41-22-13(1)   | Operate OHV in connection with excessive mechanical noise   | 170 |
| 41-22-15      | Organize, promote, or hold an off-highway vehicle race or other organized event on any land or highway within this state, except as permitted   | 630 |



# United States Department of the Interior



BUREAU OF LAND MANAGEMENT  
Utah State Office  
440 West 200 South, Suite 500  
Salt Lake City, UT 84101-1434

September 11, 2020

In Reply Refer To:  
1278 (UT-952)  
FOIA UT-2020-51  
DOI-BLM-2020-002493



Dear

This letter is our final response to your June 24, 2020, Freedom of Information Act (FOIA) request, received by the Bureau of Land Management (BLM) Utah State Office on August 21, 2020.

Specifically, you have asked for the following:

1. A list of all "federal regulations that adopt various state laws by reference".
2. A complete list of state laws in the State of Utah that the DOI/BLM have "adopted by reference" or "assimilated under 43 CFR 8341.1 (d)" and are currently enforcing as a federal law violation.
3. Please include with the completed list from #2, a detailed explanation of the federal penalties (fine and/or prison time) and federal class of violation (misdemeanor/felony) that can be enforced by a federal judge when found guilty of violating the federally adopted state laws.

Concerning Item 3 of your request, all violations of 43 CFR 8341.1(d) are considered to be Class A Misdemeanors.

Attached is one document (2 pages) responsive to your request. Since we provided this document in its entirety, we consider this response to be a total grant.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of FOIA. *See* 5 USC § 552(c). This response is limited to those records that are subject to the requirements of FOIA. This is a standard

notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

The 2007 FOIA amendments created the Office of Government Information Services (OGIS) to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. You may contact OGIS in any of the following ways:

Office of Government Information Services  
National Archives and Records Administration  
8601 Adelphi Road - OGIS  
College Park, MD 20740-6001

E-mail: [ogis@nara.gov](mailto:ogis@nara.gov)  
Web: <https://ogis.archives.gov>  
Telephone: 202-741-5770  
Fax: 202-741-5769  
Toll-free: 1-877-684-6448

You may also seek dispute resolution services by contacting the Department's FOIA Public Liaison at <https://www.doi.gov/foia/foiacenters>.

As stated in our acknowledgement letter of September 10, 2020, we have approved your fee waiver request since your justification clearly meets the Department's FOIA regulations and fee-waiver criteria. You have shown that disclosure of records is likely to contribute to the public understanding of operations of the federal government in managing the public lands. *See* 43 CFR § 2.48.

If you have any questions concerning our response, please contact Marilyn Hedrick, FOIA Specialist, at (801) 539-4071 or email [BLM\\_UT\\_FOIA@blm.gov](mailto:BLM_UT_FOIA@blm.gov).

Sincerely,

Anita Bilbao, Associate State Director *for*  
Gregory Sheehan  
State Director