

TITLE 5100 - FIRE MANAGEMENT

Exhibit 1

REGIONAL FORESTER'S SPECIAL ORDER
(Continuing Proclamation)

Pursuant to 36 Code of Federal Regulations 261.50, the following acts are prohibited on all National Forest System lands, on the National Forest listed in paragraph IV of this order, within the Northern Region. These restrictions are in addition to those enumerated in Subpart A, Part 261, Title 36 Code of Federal Regulations and become effective immediately, and will remain in effect until rescinded or revoked.

I. Possessing, discharging, or using any kind of fireworks or other pyrotechnic device [36 CFR 261.52 (f)].

II. Going or being upon such National Forest System lands, during established State fire seasons, unless equipped with serviceable firefighting tools as herewith specified. In North and South Dakota the provision is modified to apply during the inclusive period beginning April 1 and ending October 31 annually [36 CFR 261.52 (g)]:

A. Except when in designated developed campgrounds or when traveling as a pedestrian, all persons or parties igniting warming fires or campfires shall be equipped with a serviceable shovel and water container as follows:

1. One serviceable shovel, at least 24 inches in overall length with 6-inch or wider blade.

2. One water container, capacity 1 gallon or more (motorcycle crash helmets qualify).

B. Motorized vehicles including passenger cars, trucks, motorcycles, trail bikes and similar motorized vehicles and persons traveling with pack animals shall be equipped with the tools specified above except when in designated developed campgrounds or when traveling on hard topped or gravel roads.

C. Chain saw operators shall maintain in their immediate possession a fully charged operable fire extinguisher and a serviceable round-pointed #0 lady or larger shovel. The extinguisher shall be a liquid chemical type of at least 8-ounce capacity or a dry chemical type of at least 1-pound capacity.

D. All mobile or stationary power equipment (except for powersaws and trail bikes, motorcycles and similar type vehicles) engaged in commercial activities must be equipped with a dry chemical fire extinguisher of at least 2 1/2-pound capacity with a 4 BC or higher rating in addition to the tools designated in A.1. and A.2, except that the shovel shall be type 0 lady or larger.

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III. Operating or using any internal or external combustion engine, during an established State fire season, without a spark arresting device properly installed, maintained and in effective working order meeting either: 1) Department of Agriculture, Forest Service Standard 5100-1a or; 2) appropriate Society of Automotive Engineers recommended practice J335(b) and J350(a) [36 CFR 261.52 (j)]. This requirement shall apply to National Forest System lands in North and South Dakota during the inclusive period beginning April 1 and ending October 31 annually.

The following equipment are exempt from this prohibition.

A. Small multi-position engines, such as chain saws, that were manufactured prior to June 1978 and which have mufflers equipped with approved spark arresting screens having a maximum opening of no greater than 0.023 inch.

B. Automobiles, busses and light-duty trucks equipped with baffle-type muffler and tailpipe, through which all exhaust gasses pass.

C. Heavy-duty trucks equipped with a vertical exhaust stack and muffler extending above the cab of the vehicle.

D. Exhaust-driven turbo-charged equipment, provided all exhaust gasses pass through the turbine impeller.

E. Helicopters and other aircraft.

IV. The National Forests designated and affected by this order are:

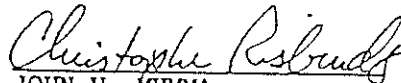
The Beaverhead, Deerlodge, Flathead, Gallatin, Helena, Lewis & Clark, and Lolo National Forests in Montana; the Clearwater and Nezperce National Forests in Idaho; *-the Idaho Panhandle National Forest in Idaho and Washington-*; the Bitterroot and Kootenai National Forests in Montana and Idaho; the Custer National Forest in Montana, North Dakota and South Dakota.

A map of each said National Forest is on file in the office of the Forest Supervisor thereof and in the office of the Regional Forester at Missoula, Montana.

Signed at Missoula, Montana, this 25 day of May, 1988

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for 
JOHN W. MUMMA
Regional Forester
Northern Region,
USDA Forest Service

Violation of these regulations is punishable by a fine of up to \$500 or imprisonment for 6 months, or both (16 USC 551).

A copy of this order shall be posted in each Forest Supervisor's and District Ranger's office and other such appropriate locations as prescribed under 36 CFR 261.51.