

**United States Department of Agriculture
Forest Service
National Forests in Mississippi**

FOREST ORDER NO. 08-11-37-23-152-1

I. *Authorities.* To provide a safe environment for all visitors, this Forest Order prohibits the acts set forth below within the National Forests in Mississippi pursuant to 16 U.S.C. § 551, and 36 C.F.R. §§ 261.50 – 261.58.

II. *Geographic Scope.* This Forest Order applies to all National Forests in Mississippi, which include the: (1) Bienville; (2) Delta; (3) DeSoto; (4) Holly Springs; (5) Homochitto; and (6) Tombigbee. The DeSoto National Forest consists of two Ranger Districts, the: (a) Chickasawhay Ranger District; and (b) DeSoto Ranger District.

III. *Duration.* This Forest Order is effective from the date signed by the Forest Supervisor through February 1, 2026, or until amended or terminated by an authorized Forest Service official, whichever occurs first.

IV. *Prohibited Acts.* The following acts are prohibited on all National Forest System (hereinafter "NFS") lands comprising the National Forests in Mississippi (hereinafter "National Forests").

A. *Alcohol & Weapons*

- 1. It is prohibited to possess or consume an alcoholic beverage while in possession of a loaded firearm, air rifle, gas gun, or any other instrument that can discharge a projectile which can cause death, injury, or property damage. 36 C.F.R. § 261.58(bb).**
- 2. It is prohibited to possess an uncased loaded firearm, air rifle, gas gun, or any other instrument that can discharge a projectile which can cause death, injury, or property damage under any condition in which a person would be guilty of driving or operating a motor vehicle while under the influence of alcohol or other impairing substance pursuant to Miss. Code § 63-11-30. 36 C.F.R. § 261.58(bb).**

B. *Traveling With Weapons*

- 3. Except for off-highway vehicles ("OHVs"), it is prohibited to transport an uncased shoulder-fired firearm, air rifle or gas gun in a motor vehicle on a NFS road or trail. 36 C.F.R. §§ 261.54(f) (NFS roads), 261.55(d) (NFS trails).**
- 4. No loaded shoulder-fired firearm, air rifle, or gas gun are allowed while or when operating an OHV on a NFS road or trail. 36 C.F.R. §§ 261.54(f) (NFS roads), 261.55(d) (NFS trails).**
- 5. No loaded shoulder-fired weapons are allowed within 100 feet of the center line of any road or trail designated for motor vehicle traffic. 36 C.F.R. § 261.58(v).**

C. Wearing Florescent Orange

6. It is prohibited to hunt hogs during any firearm season without wearing a minimum of 500 square inches of solid unbroken fluorescent orange in full view. 36 C.F.R. § 261.58(v).

7. It is prohibited to hunt quail or rabbits without wearing a solid hunter orange vest or cap. 36 C.F.R. § 261.58(v).

D. Public Safety and Hunting

8. It is prohibited to discharge a projectile that can cause death, injury, or property damage across a National Forest property line into non-NFS land. 36 C.F.R. § 261.58(m).

V. Definitions. For purpose of this Forest Order, the following definitions apply:

A. *Alcoholic beverage* means alcoholic beverage as defined by Mississippi state law. Miss. Code § 67-1-5.

B. *Motor vehicle* means any vehicle which is self-propelled, other than a vehicle operated on rails and any wheelchair or mobility device, including one that is battery-powered, that is designed solely for use by a mobility-impaired person for locomotion, and that is suitable for use in an indoor pedestrian area. 36 C.F.R. §§ 212.1, 261.2.

C. *Off-highway vehicle* ("OHV") means any motor vehicle designed for or capable of cross-country travel on or immediately over land, water, sand, snow, ice, marsh, swampland, or other natural terrain. 36 C.F.R. § 212.1.

E. An encased firearm - occurs when a weapon is stored in a container designed specifically for the safe storage of the weapon. The container should be designed to secure the weapon thru the use of snaps, latches or zippers. A truck toolbox, although will conceal the weapon away from the possessor, for this prohibition it does not meet the intent to serve as a weapon case.

D. Loaded Firearm: firearm has a round in chamber, or if a firearm has a detachable magazine or magazine tube and the magazine is in weapon or rounds in the magazine tube.

VI. Exemptions. Pursuant to 36 C.F.R. 261.50(e), the following persons are exempt from this Forest Order:

A. Persons with a permit issued by a District Ranger or Forest Supervisor which specifically authorizes the otherwise prohibited act or omission; and

B. Any Federal, State, or local officer or member of an organized rescue or fire fighting force in the performance of an official duty.

VI. *Other Prohibitions.* The prohibitions in this Forest Order are in addition to:

A. The General Prohibitions at 36 C.F.R. §§ 261.1–261.23 (Subpart A); and

B. Other Forest Orders currently in effect pursuant to 36 C.F.R. §§ 261.50–261.58 (Subpart B).

VII. *Penalties.* Violation of these prohibitions set forth above is punishable by a fine of not more than \$5,000.00 for an individual and \$10,000.00 for an organization, or imprisonment for not more than six (6) months, or both. *See* 16 U.S.C. § 551, 18 U.S.C. §§ 3559 and 3571.

Executed in Jackson, Mississippi on this 23rd day of June 2023.

By: Shannon B. Kelardy
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National Forests in Mississippi