



DEPARTMENT OF THE ARMY
U.S ARMY CORPS OF ENGINEERS, TULSA DISTRICT
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TULSA, OKLAHOMA 74137-4290

CESWT-ZA (600b)

12 March 2024

MEMORANDUM FOR RECORD

SUBJECT: Guidelines for Use of Off-Road and Other Self-Propelled Vehicles on Improved Roads within U.S Army Corps of Engineers (USACE), Tulsa District (SWT), Public Use Areas.

1. References.

a. Executive Order 11644, 37 FR 2877, Off-Road Vehicle Use on Public Lands, dated 22 October 2020.

b. U.S. Code of Federal Regulations (CFR), Title 36, Part 327, "Rules and Regulations Governing Public Use of Water Resources Development Projects Administered by the Chief of Engineers."

c. Engineering Regulation (ER) 1130-2-550, Recreation Operation and Maintenance Policies, dated 15 November 1996.

2. Purpose. This policy establishes guidelines for the operation of Off-road and other Motor Vehicles on lands managed by USACE, SWT and delegates authority for the creation of additional project-specific rules, authorizations, and restrictions.

3. Applicability. This policy applies to the operation of Off-Road and other self-propelled vehicles on improved roads at the U.S. Army Corps of Engineers, Tulsa District public use areas. This policy does not apply to the following: (1) the operation of state registered passenger vehicles on improved roadways within USACE Projects; (2) the operation of mobility assistance devices when used in accordance with the manufacturer's intended use by those with disabilities impacting mobility; and (3) Corps employees, contractors, and volunteers who are on duty and performing official government, contract, or volunteer duties on behalf of USACE.

4. Definitions.

a. USACE Managed Lands. For purposes of this policy, USACE Managed Lands includes all lands under the custody, control, and management of the USACE Tulsa District for operation of its civil works water resource development projects including all associated Public Use Areas.

b. Electric Bicycles/E-Bikes. E-Bikes are any type of motorized or power assisted bicycles with 1, 2, or 3 wheels, which is generally designed to transport one person.

c. Motor Vehicles. Each state has its own definition of motor vehicle, but generally speaking for purposes of this Policy, Motor Vehicles are the type of motorized vehicles constructed and used for the transportation of persons, designed for use on improved roadways, and which are to be legally registered with and authorized to operate on the

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improved roads and highways of the State. For the specific definition of “motor vehicle” for Oklahoma see, 47 Oklahoma Statutes. sec. 1-134; for Kansas see, K.S.A. sec. 8-126; and for Texas see, Texas Statutes and Codes Annotated Title 7, Vehicles and Traffic, sec. 501.002. For purposes of this Policy the term “Motor Vehicle” does not include Electric Bicycles, Off-Road Vehicles, or Other Powered Transportation Devices.

d. **Off-Road Vehicles.** As defined by ER 1130-2-550, Chapter 10, section 10-2, “Off-Road vehicles are any motorized vehicles designed for or capable of cross-country travel on or immediately over land, water, sand, snow, ice, marsh, swampland, or other natural terrain; except that such term excludes (1) any registered motorboat, (2) any military, fire, ambulance or law enforcement vehicle when used for emergency purposes and (3) any vehicle whose use is authorized by the Chief of Engineers, or his properly designated representative.”

e. **Off-Road Vehicles** are a broad classification of vehicles which may also be known by other names such as the following:

(1) “All-terrain vehicles” as defined by Texas Transportation Code, §551A.001(1) and 47 Okla. Stat. §1102(1).

(2) “Golf Cart” as defined by Texas Transportation Code §551.401.

(3) “Off-highway vehicles” as defined by Texas Transportation Code, Chapters 551A.001(1-d).

(4) “Off-road motorcycle” as defined by 47 Okla. Stat. §1102(23).

(5) “Recreational off-highway vehicle” as defined by Texas Transportation Code §551A.001(5).

(6) “Utility Vehicle” as defined by 47 Okla. Stat. §1102(40).

f. **Street Legal Utility Vehicles.** As defined by 47 Okla. Stat. §11-1116 (2021), “Street Legal Utility Vehicles” are those utility vehicles that are registered as a motor vehicle (and) may be operated on the streets and highways of [the State of Oklahoma].” This is a unique category of vehicles within the State of Oklahoma that are registered with the state and are allowed to operate both on improved state-maintained roadways as well as in an off-road capacity when done in accordance with State law.

g. **Other Powered Transportation Devices and Toys.** This category of powered vehicles is used to capture all other powered and semi-powered transportation devices and toys. Other Powered Transportation Devices and Toys includes, but is not limited to mopeds, electric scooters, Segways, hoverboards, One-wheels, go carts, minibikes, etc. Other Powered Transportation Devices and Toys does not include mobility assistance devices.

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5. Delegation of Authority.

a. Executive Order 11644 signed in 1972 directs federal public land managers to regulate the use of off-road recreational vehicles on public lands “to protect the resources of those lands, to promote the safety of all users of those lands, and to minimize conflicts among the various uses of those lands.”

b. Pursuant to ER 1130-2-550, “It is the policy of the U.S. Army Corps of Engineers that all lands and waters of civil works water resource projects administered by the Chief of Engineers shall be closed to recreational and commercial off-road vehicle use, except those areas and trails specifically designated for such use by the District Commander in accordance with (ER 1130-2-550) and EO 11644.” This authority as well as the authority to determine the site-specific locations, conditions, rules, and restrictions for when, where, and how the public can operate Off-Road Vehicles at USACE civil works water resource projects within the Tulsa District is hereby delegated to the Operations Project Managers (OPMs).

c. The authority to determine site-specific locations, conditions, rules, and restrictions for vehicle usage may be redelegated to the Lake Managers.

d. The Chief of Operations is hereby delegated with general management and oversight authority for project-specific rules, conditions, and restrictions relating to vehicle usage at Corps projects to ensure consistency within the Tulsa District.

6. Policy and General Rules.

a. Off-Road Vehicles.

(1) Off-Road Vehicles may not be used on improved roadways located on Corps Managed Lands.

(2) Off-road operation of standard passenger Motor Vehicles is prohibited. Standard passenger Motor Vehicles are not allowed to leave improved roadways or in any way perform off-road activities on Corps Managed Lands.

b. Motor Vehicles.

(1) Off-road operation of standard passenger Motor Vehicles is prohibited. Standard passenger Motor Vehicles are not allowed to leave improved roadways or in any way perform off-road activities on Corps Managed Lands.

(2) All Motor Vehicles that may be legally operated on the highways and roadways of the state may also be operated on the improved roadways located within Corps Managed Lands which are open for public use. At Corps projects within the State of Oklahoma this will include Street Legal Utility Vehicles.

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c. Electric Bicycles or E-Bikes. E-Bikes may be operated on paved or gravel roads that are open to the public and designated for such use.

d. Street Legal Utility Vehicles. Street Legal Utility Vehicles are a sub-category of Off-Road Vehicles identified in Oklahoma Statute, Title 47, §11-1116.

(1) This category of vehicle is unique to Oklahoma.

(2) Street Legal Utility Vehicles will be allowed to operate within Corps Public Use Areas designated for Off-Road Vehicle operation in the states of Oklahoma, Kansas, and Texas. All operations must be done in accordance with this policy and project-specific rules.

(3) Street Legal Utility Vehicles may operate on improved roadways within Corps Managed Lands located within the State of Oklahoma as long as all State laws and Corps policies are followed.

(4) As with all other Off-Road Vehicles, Street Legal Utility Vehicles will not be allowed to operate on improved roadways within Corps Managed Lands in Kansas and Texas.

e. Other Powered Transportation Devices and Toys may not be used on Corps Managed Lands.

7. USACE Project-Specific Rules.

a. Pursuant to the above delegation of authority, each OPM (or the Lake Manager if re-delegated) may establish appropriate rules and regulations for the operation of Off-Road Vehicles at the project(s) within their area of responsibility (AOR). Project-specific rules should include, but are not limited to the following: designated locations for off-road operations; hours for off-road operations; type and size of Off-Road Vehicles that will be allowed; etc.

b. Project-specific rules shall be consistent with Corps policy on use of Off-Road Vehicles found in ER 1130-2-550 Chapter 10 and U.S. Code of Federal Regulations Title 36 Part 327.

c. Special Permits. Members of the visiting public who wish to operate an unauthorized vehicle, operate a vehicle in an unauthorized location, or use a vehicle in a way that is not otherwise allowed, may apply for a special permit at the local lake office.

d. Leased USACE Lands. The General Rules and Corps Project-Specific Rules identified above do not apply to areas leased to third parties. The use of Motor Vehicles, off-road or otherwise, within areas that have been leased or licensed to third parties is

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within the discretion of the lessee/licensee. USACE will not accept special permit applications or otherwise consider individual requests for Off-Road Vehicle usage on lands that have been leased or licensed to third parties.

8. Violations. Violators of this policy or project-specific rules regarding Off-Road Vehicle usage can cited under Title 36 Code of Federal Regulations Part 327.

9. Point of Contact. The proponent for this policy is the Operations Division Natural Resources & Recreation Branch.

TIMOTHY P. HUDSON
Colonel, EN
Commanding