

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

NOV 05 2007

IN THE MATTER OF AMENDMENT)
AND/OR ADOPTION OF THE)
COLLATERAL FORFEITURE)
SCHEDULES OF THE BUREAU OF)
LAND MANAGEMENT, THE BUREAU)
OF RECLAMATION, THE GENERAL)
SERVICES ADMINISTRATION, and)
THE VETERANS' ADMINISTRATION.)

MISC. No. 07-MR-320

**ORDER APPROVING AMENDMENT AND/OR ADOPTION OF
THE COLLATERAL FORFEITURE SCHEDULES OF
THE BUREAU OF LAND MANAGEMENT,
THE BUREAU OF RECLAMATION,
THE GENERAL SERVICES ADMINISTRATION, AND
THE VETERANS' ADMINISTRATION**

THIS MATTER, having come before the Court on the motion of the United States for approval of the amended collateral forfeiture schedules of the United States Department of the Interior, Bureau of Land Management (the "BLM"); the General Services Administration (the "GSA"), and the Veterans' Administration (the "VA"); and for adoption of a new collateral forfeiture schedule for the United States Department of the Interior, Bureau of Reclamation (the "BOR"), the Court, having reviewed the motion and the proposed schedules, finds that good cause exists for amending the collateral forfeiture schedules of the BLM, the GSA and the VA, and for adopting the new schedule of the BOR,

IT IS THEREFORE ORDERED pursuant to Rules 58(d)(1) and 58(d)(2) of the Federal Rules of Criminal Procedure and Local Criminal Rule 58.1 that the amendments to the collateral forfeiture schedules of the BLM, the GSA and the VA, and the new collateral forfeiture schedule of the BOR, attached to the motion of the United States, be and hereby are adopted and promulgated effective upon entry of this Order.

IT IS FURTHER ORDERED that all previous collateral forfeiture schedules applicable to the BLM, the GSA and the VA are superceded and canceled.



THE HONORABLE MARTHA VAZQUEZ
CHIEF UNITED STATES DISTRICT JUDGE

COLLATERAL SCHEDULE - DISTRICT OF NEW MEXICO

CVB Location Codes: **LMJV**= ABQ/Taos **LMJT**=Las Cruces/Roswell **LMJU**= Roswell
LMKC = ABQ/Taos **LMKD** = ABQ/Farmington **NMLM** = Carlsbad

MA = Mandatory Appearance

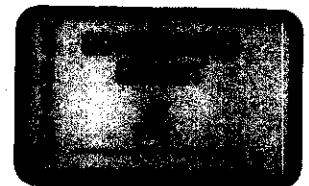
All regulations in this collateral schedule are **CLASS A MISDEMEANORS** unless otherwise noted under the bail amount column. Felony violations will be prosecuted by the United States Attorney's Office.

PROTECTION OF PROPERTY, PERSONS AND EMPLOYEES

Legal Citation	Offense Description	Bail Amount
18 USC 111	Forcibly assault, resist, oppose, impede, intimidate, interfere with federal employee	MA (Felony)
18 USC 115	Influence, impede, retaliate against federal employee by threatening, injuring family member	MA (Felony)
18 USC 1114	Kill or attempt to kill any officer or employee of the United States engaged in or on account of performance of official duties	MA (Felony)
18 USC 371	Conspiracy to commit offense or defraud United States or any agency thereof	MA (Felony/ misdemeanor)
18 USC 372	Conspiracy to impede or injure officer	MA (Felony)
18 USC 641	Theft of Government Property (value over/ under \$1000)	500 (Felony/ misdemeanor)
18 USC 922(g)	National Firearms Act	MA (Felony)
18 USC 930(a)	Possess or attempt to possess firearm or dangerous weapon in federal facility	250
18 USC 1001	False Statements	MA (Felony)
18 USC 1361	Malicious Mischief (Vandalism)	200
18 USC 1510	Obstruction of Criminal Investigations	MA (Felony)
18 USC 1858	Survey marks removed or destroyed	350
18 USC 1859	Surveys Interrupted	MA (Felony)
18 USC 1864	Placement of hazardous or injurious devices on federal lands	1000 (Felony)
43 USC 1061	Unlawful enclosure of public land	250
43 USC 1063	Obstruct transit over public land	250

WILD HORSES AND BURROS

16 USC 1338(a)(1)	Attempts to remove or remove wild horse or burro from public land	250
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16 USC 1338(a)(2)	Converts wild horse or burro to private use	250
16 USC 1338(a)(3)	Maliciously causes death or harassment of wild horse or burro	500
16 USC 1338(a)(4)	Commercially processes or permits same of wild horse or burro remains	250
16 USC 1338(a)(5)	Directly/indirectly sells wild horse or burro private/leased lands	250
16 USC 1338(a)(6)	Violate other regulations under authority of Wild Horse and Burro Act	250
43 CFR 4770.1(a)	Injure/harass wild horse or burro	250
43 CFR 4770.1(b)	Remove/attempt to remove wild horse or burro from public land	500
43 CFR 4770.1(c)	Destroy wild horse or burro	500
43 CFR 4770.1(d)	Sell/attempt to sell wild horse or burro	250
43 CFR 4770.1(e)	Commercially exploit wild horse or burro	250
43 CFR 4770.1(f)	Inhumane treatment of wild horse or burro	250
43 CFR 4770.1(g)	Violate private maintenance and care agreement	250
43 CFR 4770.1(h)	Branding a wild horse or burro	250
43 CFR 4770.1(i)	Remove/alter freeze mark on wild horse or burro	250
43 CFR 4770.1(j)	Violate an order, term or condition established by authorized officer under this part	250

MINERALS, MINING USE AND OCCUPANCY

30 USC 195(a)	Mineral Leasing Act	MA (Felony)
43 USC 1733(g)	Violate any public land regulation or order at 43 CFR 3809.605	200
43 CFR 3809.605(a)	Cause unnecessary or undue degradation	250.00
43 CFR 3809.605(b)	Begin operations (other than casual use) prior to filing a notice or receiving an approved plan of operations	200.00
43 CFR 3809.605(c)	Conduct operations outside scope of notice or approved plan of operations	200.00
43 CFR 3809.605(d)	Begin operations prior to providing a financial guarantee	200.00
43 CFR 3809.605(e)	Fail to meet requirements upon expiration of notice/plan of operations or cessation of operations	250.00
43 CFR 3809.605(f)	Failure to comply with applicable performance standards	250.00
43 CFR 3809.605(g)	Fail to comply with enforcement actions	250.00
43 CFR 3809.605(h)	Abandoning any operation prior to reclamation requirements	250.00
18 USC 1851	Coal Depredations	200
43 CFR 3715.6(a)(1)	Conditions of occupancy	250
43 CFR 3715.6(a)(2)	Standards of occupancy	250
43 CFR 3715.6(b)	Occupancy before approval, (plan of operations required)	250

43 CFR 3715.6(c)	Occupancy before approval, (plan of operations not required)	250
43 CFR 3715.6(d)	Occupancy before determination of concurrence	250
43 CFR 3715.6(e)	Noncompliance with orders/time frames	250
43 CFR 3715.6(f)	Prevent/obstruct transit by force/threat	250
43 CFR 3715.6(g)	Enclosures/signs preventing public access	250
43 CFR 3715.6(h)	Fire, safety hazard or public nuisance	250
43 CFR 3715.6(i)	Noncompliance related to existing occupancy	250
43 CFR 3715.6(j)	Conducting activities not reasonably incidental to mining	250

CULTURAL, SCIENTIFIC, NATURAL AND CAVE RESOURCES

ARCHEOLOGICAL RESOURCES

16 USC 433	American Antiquities Act	500 (Class B misd)
16 USC 470ee(a)	ARPA: Excavate, remove, damage, alter, deface archeological resources - commercial	(may be felony/value) 00 + 50 per item
	- non-commercial	300 + 50 per item
16 USC 470ee(b)	ARPA: Commercial trafficking	1000 + 50 per item
	Non-commercial trafficking	350 + 50 per item
16 USC 470ee(c)	ARPA: Commercial interstate/foreign trafficking	1000 + 50 per item
	Non-commercial interstate/foreign trafficking	350 + 50 per item
16 USC 470ee(d)	ARPA: Violates/counsels/procures/solicits/employs any other person to violate 16 USC 470ee(a)(b)or©	
	Commercial:	1000
	Non-commercial:	500
18 USC 1170(a)	Sell/purchase/use for profit/transport for sale or profit Native American human remains	MA
18 USC 1170(b)	Sell/purchase/use for profit/transport for sale or profit Native American cultural items	MA
43 CFR 7.4(a)	Excavate/remove/damage/alter/deface archeological resources	500
43 CFR 7.4(b)	Sell/purchase/exchange/receive/transport archeological resources	500

CAVE RESOURCES

16 USC 4306(a)(1)	Destroy/disturb/deface/mar/alter/remove/harm any cave resources including plants and animals	500
16 USC 4306(a)(2)	Possess or offer to /consume/sell/barter/exchange cave resources including plants and animals	500
16 USC 4306(a)(3)	Counsel/procure/solicit/employ another to violate 16 USC 4306(a)(1) or (2)	500

RESEARCH NATURAL AREAS (RNA)

43 CFR 8223.1(a)	Occupancy of Research Natural Area	300
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43 CFR 8223.1(b)	Use contrary to purpose of RNA	300
43 CFR 8223.1(c)	Use of RNA in destructive or inconsistent manner	300

FOSSIL FOREST NATURAL RESEARCH AREA (FFNRA)

43 CFR 8224.1(a)	Collect/remove/excavate fossils from FFNRA	500
43 CFR 8224.1(b)	Remove petrified wood from FFNRA	500
43 CFR 8224.1(c)	Use motorized vehicles in FFNRA	500
43 CFR 8224.1(k)	Destroy/deface/damage/alter/vandalize paleontological resources in FFNRA	500

PROPERTY AND RESOURCES

43 CFR 8365.1-5(a)(1)	Deface/remove/destroy personal property, structures, scientific, cultural, archaeological or historic resources	250
43 CFR 8365.1-5(a)(2)	Deface/remove/destroy plants, rocks, minerals caves or parts thereof	250
43 CFR 8365.1-5(a)(3)	Use motorized device or explosive for collecting	250

FISH AND WILDLIFE RESOURCES

16 USC 668(d)	Take/possess/sell/purchase/barter/trade/import export bald/golden eagle/parts/nests/eggs	1000 + value
16 USC 670j(a)(1)	Sikes Act stamp required	150
16 USC 670j(a)(2)	Violate Sikes Act regulations	100
16 USC 703	Migratory Bird Treaty Act: Attempt/take/pursue/hunt/capture/kill/ or cause to possess/sell/barter/purchase/ship/export/import/carry/transport/offer any migratory birds/parts/nests/eggs w/o auth.	500 + value(bird) 500 + 50 (part/nest/egg)
16 USC 704(b)(2)	Baiting, willfully, cause/aid/counsel/induce/procure	1000 + value
16 USC 704(c)	Host/landowner who may not actively hunt but is responsible for placement of bait for guests/paid hunters	1000+ value
16 USC 718a	Hunt migratory waterfowl w/o federal stamp	200 + value
16 USC 718b	Hunt migratory waterfowl w/invalid federal stamp	100 + value
16 USC 718e(a)	Loan/transfer valid migratory waterfowl stamp or use validated stamp by another	300
16 USC 718e(b)	Alter/mutilate/imitate/counterfeit migratory waterfowl stamp	500
16 USC 742j-1	Airborne Hunting Act	1000 + value
16 USC 1538(a)(1)	Endangered Species Act: Import/export/take w/in USA deliver/carry/transport/ship in interstate or foreign commerce/commercial activity - Animals	1000 + value
16 USC 1538(a)(2)	ESA - same as above - Plants	500 + value
16 USC 3372(a)(1)	Lacey Act: Federal Law Violation: Import/export transport/sell/receive/acquire/purchase fish/wildlife/plant	1000 + value(game) 500 + value (bird) 250 + value (fish, small game, reptile.

16 USC 3372(a)(2)	Lacey Act: State/foreign Law Violation: See above description	furbearer, plant, other
16 USC 3372(c)(1)	Sell guiding/outfitting/hunting/license/permit services for illegal take of fish/wildlife	500 + value
16 USC 3372(c)(2)	Purchase same as above	500 + value
43 CFR 9264.1(h)	Violate federal/state conservation/protection of natural/cultural/air/water/fish/wildlife/plant resources law/regulation	100
	Fish w/o valid state license	100 + value
	Exceed daily bag limit	100 + value
	Hunt w/o valid state license	200 + value
	Possess/transport untagged game	200 + value
	Spotlighting w/firearm in possession	200 + value
Airborne Hunting		
50 CFR 19.11(a)(1)	Shoot from aircraft to capture/kill wildlife	1000 + value
50 CFR 19.11(a)(2)	Use aircraft to harass wildlife	500
50 CFR 19.11(a)(3)	Participate in using aircraft to shoot/harass wildlife	1000 + value
Migratory Game Bird Hunting		
50 CFR 20.21(a)	Take will illegal device or substance	500 + value
50 CFR 20.21(b)	Take with shotgun capable of holding more than three (3) shells	100 + value
50 CFR 20.21(c)	Take by means/aid/use of sink box	150 + value
50 CFR 20.21(d)	Take from/by motor driven vehicle/aircraft/conveyance	400 + value
50 CFR 20.21(e)	Take by means of motorboat or other craft having motor attached and under power	400 + value
50 CFR 20.21(f)	Take by use or aid of live decoys	250 + value
50 CFR 20.21(g)	Take by use or aid of electronic/recorded calls	250 + value
50 CFR 20.21(h)	Take by means or aid of motor driven conveyance for concentrating/driving/rallying/stirring waterfowl	200 + value
50 CFR 20.21(i)	Take by baiting	1000 + value
50 CFR 20.21(j)	Take while possessing non-steel shotshells	100 + value + 11/forfeit shells
50 CFR 20.22	Take during closed season	500 + value
50 CFR 20.23	Take before/after legal shooting hours	
	1-15 minutes	100 + value
	16-30 minutes	200 + value
	31-45 minutes	300 + value
	45 minutes and later	400 + value
50 CFR 20.24	Take in excess of daily bag limit	300 + value
50 CFR 20.25	Wanton waste of migratory bird	200 + value
50 CFR 20.26(c)	Failure to comply with temporary closure regs.	250 + value
50 CFR 20.31	Possess birds taken in violation of 50 CFR 20.21	150 + value

	through 20.23	
50 CFR 20.32	Possess freshly killed migratory birds during closed season	300 + value
50 CFR 20.33	Excess possession limit of migratory birds taken in the United States	250 + value
50 CFR 20.43	Possess in excess of daily bag limit opening day	200 + value
50 CFR 20.35	Possess/transport in excess of daily field limit	250 + value
50 CFR 20.36	Violate tagging regulations	150 + value
50 CFR 20.37	Custody of untagged birds of another	150 + value
50 CFR 20.38	Live wounded birds in possession	100 + value
50 CFR 20.40	Receive/possess/give to another untagged birds	100 + value
50 CFR 20.41	Transport birds taken in violation of 50 CFR Sections 20.21 through 20.24	150 + value
50 CFR 20.42	Transport untagged birds of another	150 + value
50 CFR 20.43	Transport migratory game birds with species identification removed	100 + value
50 CFR 20.91(a)	Purchase/sell/barter/offer for millinery or ornamental use migratory game bird feathers	500
50 CFR 20.91(b)	Purchase/sell/barter/offer mounted specimens taken by hunting	250 + value
50 CFR 20.100	Take migratory game birds for which no season has been established	250 + value
50 CFR 21.2 - 21.27	Migratory Bird Permit Violations	200 + value
50 CFR 21.28	Violation of falconry permit requirements	250 + value
50 CFR 21.28(d)(1)	Take/possess/transport golden eagle for falconry w/o permit	500 + value
50 CFR 21.28(d)(3)	Unauthorized purchase/sale/barter of raptor	500 + value
50 CFR 21.29	Violation of falconry standards	250
50 CFR 21.29(e)(3)	Take/possess/transport any raptor in violation of 50 CFR 21.29	250 + value
50 CFR 21.29(e)(3)(v)	Unauthorized take of a threatened species	500 + value
50 CFR 21.29(i)	Unauthorized take of a raptor	350 + value
50 CFR 21.30	Take/possess/transport/sell/purchase/barter/transfer a raptor/raptor egg or semen for unauthorized propagation	350 + 100/bird

FOREST AND VEGETATIVE RESOURCES

18 USC 1852	Timber removed or transported	250
18 USC 1853	Trees cut or inured	250
18 USC 1854	Trees boxed for pitch or turpentine	100

TIMBER / VEGETATION SALES

43 CFR 5462.2(b)(1)	Cut/remove/damage any timber/tree/vegetation	250 + 50 per spec
43 CFR 5462.2(b)(2)	Cut standing tree under permit/contract before marked/designated by BLM	250 + 50 per spec
43 CFR 5462.2(b)(3)	Remove timber/vegetation cut under permit/contract except to scaling/measuring area, OR remove from such area before accounting	250 + 50 per spec
43 CFR 5462.2(b)(4)	Marking timber/vegetation in manner similar to that used by BLM to designate removable timber	150 + 50 per spec
43 CFR 5462.2(b)(5)	Transporting timber/vegetation w/o valid haul ticket	50
43 CFR 5462.2(b)(6)	Fail to possess/produce for inspection a permit or contract for timber/vegetation to any official	100
43 CFR 5462.2(b)(7)	Violate state/local laws/ordinances relating to permit/tagging/transporting timber/vegetation	100
43 CFR 5462.2(b)(8)	Violate provisions of export and substitution at 43 CFR 5400, -03-20	100
43 CFR 5462.2(b)(9)	Obtaining contract/permit for timber/vegetation through false/fictitious statements/fraudulent acts counterfeiting/alteration of documents/tags	250
43 CFR 5462.2(b)(10)	Negligent/intentional destruction of/injury to timber/vegetation under a contract/permit	250 + 50 per spec

FREE-USE TIMBER/VEGETATION

43 CFR 5511.4(b)(1)	Obtain free use permit for timber/vegetation via false/fictitious statements/fraudulent acts/counterfeiting/alteration of documents/tags	250
43 CFR 5511.4(b)(2)	Using free-use timber for purpose other than authorized at 43 CFR subpart 5511	250
43 CFR 5511.4(b)(3)	Violate terms/conditions of free-use permit	250
43 CFR 5511.4(b)(4)	Export free-use timber from State w/o exemption	250
43 CFR 5511.4(b)(5)	Cut free-use timber for sale/barter/speculation/use by other person	250

RANGE *The below regulations are listed under the "TAYLOR GRAZING ACT" and are only subject to a \$500.00 fine Or less with no "Jail Time" and thus not considered a "Class A Misdemeanor".

18 USC 1857	Fences destroyed - livestock entering	100
4140.1(b)(1)(i)	Allow livestock on public land w/o permit/use authorization/lease to include unpaid grazing bills	300 + 100 per head
4140.1(b)(1)(ii)	Violate terms/conditions of grazing permit/lease/authorization to include excess number of livestock authorized	150
4140.1(b)(1)(iii)	Livestock in area at time other than authorized	250
4140.1(b)(1)(iv)	Fail to comply w/ 43 CFR 4130.7(c)-counting/	100

	marking/tagging requirements	
4140.1(b)(2)	Install/use/maintain/modify/remove range improvements	250
4140.1(b)(3)	Cut/burn/spray/destroy/remove vegetation	250
4140.1(b)(4)	Damage/remove US Government property	500
4140.1(b)(5)	Molest/harass/injure/poison/cause death of authorized livestock, or remove livestock w/o owners consent	500
4140.1(b)(6)	Littering	125
4140.1(b)(7)	Interfere w/ lawful uses/users including obstructing free transit through/over public lands by force/threat intimidation/signs/barrier/locked gates	250
4140.1(b)(8)	False statements relating to grazing use	150
4140.1(b)(9)	Fail to pay required fees/make payment w/ insufficiently funded check	250
4140.1(b)(10)	Fail to reclaim/repair lands/property/resources when required by authorized officer	250
4140.1(b)(11)	Fail to close gate/entry during livestock use periods	50

FIRE

18 USC 1855	Timber set afire	MA (felony)
18 USC 1856	Fires left unattended	150
43 CFR 9212.1(a)	Ignite other than campfire	500
43 CFR 9212.1(b)	Fire tracer/incendiary device	200
43 CFR 9212.1(c)	Burn vegetation except in campfire	150
43 CFR 9212.1(d)	Abandon campfire	200
43 CFR 9212.1(e)	Build campfire w/o proper safety clearance	100
43 CFR 9212.1(f)	Resist/interfere with firefighter	500
43 CFR 9212.1(g)	Enter fire closed area	250
43 CFR 9212.1(h)	Violate fire prevention orders	300

RECREATION RULES OF CONDUCT

ALL PUBLIC LANDS

43 CFR 8365.1-2(a)	Camp longer than camping stay limit	50
43 CFR 8365.1-2(b)	Unattended property longer than 10 days	250
43 CFR 8365.1-4(a)(1)	Make unreasonable noise	100
43 CFR 8365.1-4(a)(2)	Create a hazard or nuisance	250
43 CFR 8365.1-4(a)(3)	Refuse to disperse	250
43 CFR 8365.1-4(a)(4)	Resist arrest/issuance of citation or interfere w/BLM employee or volunteer	300
43 CFR 8365.1-4(a)(5)	Assault/battery upon BLM employee/volunteer	300

43 CFR 8365.1-4(a)(6) Make false report of emergency or crime 300

DEVELOPED RECREATION SITES AND AREAS - CONDUCT

43 CFR 8365.2-1(a)	Clean fish/game/clothes/etc at any water faucet	100
43 CFR 8365.2-1(b)	Improper deposition of human waste	100
43 CFR 8365.2-1(c)	Unleashed/unrestrained animal	50
43 CFR 8365.2-2(a)	Unreasonable noise from audio device/equipment	100
43 CFR 8365.2-2(b)	Operate/use public address system	100
43 CFR 8365.2-2(c)	Erect antenna other than on vehicle	100
43 CFR 8365.2-3(b)	Camping equipment in non-designated area	75
43 CFR 8365.2-3(c)	Unattended property longer than 24 hours in day-use area / 72 hours in other areas	75
43 CFR 8365.2-3(d)	Build fire except in stove/ring/grill/ring provided	100
43 CFR 8365.2-3(e)	Enter campground at night when not occupant/visitor	75
43 CFR 8365.2-3(f)	Enter/use site closed to use	100
43 CFR 8365.2-3(g)	Exceed permitted campsite occupancy limit	75
43 CFR 8365.2-3(h)	Move any table/barrier/stove/litter receptacle/other campground equipment	75
43 CFR 8365.2-4	Operate motor vehicle except on road or places provided	100
43 CFR 8365.2-5(a)	Use/discharge firearms/fireworks	500/150
43 CFR 8365.2-5(b)	Bring animal to swimming area	50

MOTOR VEHICLES

OFF-ROAD VEHICLES

43 CFR 8341.1(b)	Operate vehicle off designated areas/trails	200
43 CFR 8341.1(c)	Operate vehicle in closed area	200
43 CFR 8341.1(d)	Assimilation of State vehicle laws	100
	ORV operation w/o registration	100
43 CFR 8341.1(f)(1)	Reckless/negligent operation of vehicle	250
	Careless operation of vehicle	150
43 CFR 8341.1(f)(2)	Exceed posted speed limit	75
43 CFR 8341.1(f)(3)	DUI (drugs/alcohol)	500
43 CFR 8341.1(f)(4)	Operate vehicle in manner causing/likely to cause environmental damage	250
43 CFR 8341.1(f)(5)	Operate vehicle w/o head/taillights at night	100
43 CFR 8341.1(g)	Fail to yield right-of-way to pedestrians or saddle/pack animals or animal-drawn vehicles	100
43 CFR 8343.1(a)	Brakes required on vehicles	100
43 CFR 8343.1(b)	Muffler required on vehicles	100
43 CFR 8343.1(c)	Spark arrester required on lands clearly posted as	100

	requiring spark arresters on vehicles	
43 CFR 8343.1(d)	Violate head/tail lighting illumination standards/ minimum lighting requirements	50
43 CFR 9268.3(a)(2)(iv)	Assimilation of State traffic laws	150
	Operate ORV off-trail while hunting	250
	Fail to report ORV accident	175
	Flee/elude(or attempt) LEO	250
43 CFR 9268.3(a)(2)(v)	Operate ORV on public land w/o valid State drivers license/ suspended license	100/ 250
	Operate ORV unsupervised/unlicensed w/o State safety certificate	100

DESIGNATED NATIONAL AREAS - NATIONAL SCENIC TRAILS

43 CFR 8351.1-1(a)	Operate motor vehicle on National Scenic Trail	200
43 CFR 9268.3(e)(2)(iv)	Any person who violates regulations issued under section 16 USC 1246(i)	175

VEHICLE LICENSED FOR HIGHWAY USE

43 CFR 8365.1-3(a)	Exceed posted speed limit	5 per mile
	Willfully endanger person/property; operate in reckless/negligent manner	250
	careless manner	150
43 CFR 8365.1-3(b)(1)	Seatbelt required - front seat only	50

DEVELOPED RECREATION SITES - MOTOR VEHICLE USE

43 CFR 8365.2-4	Operate motor vehicle off road/places provided	100
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SPECIAL RECREATION USE, PERMITS AND FEES

43 CFR 2932.57(a)(1)	Fail to obtain Special Recreation Permit and pay required fees	500
43 CFR 2932.57(a)(2)	Violate stipulations/conditions of permit	250
43 CFR 2932.57(a)(3)	Knowingly participate in event/activity subject to permit when no permit has been issued	500
43 CFR 2932.57(a)(4)	Fail to post copy of any commercial/competitive permit where all participants may read it	100
43 CFR 2932.57(a)(5)	Fail to show copy of SRP, upon request, to any BLM employee or participant	100
43 CFR 2932.57(a)(6)	Obstruct/impede/harass pedestrians/vehicles/visitors w/physical contact while engaged in permitted/ authorized activities	250
43 CFR 2932.57(a)(7)	Refuse to leave/disperse when directed to do so by BLM Law Enforcement Officer or state/local LEO	500

FEE AREAS

43 CFR 2933.33(a)(1) Fail to obtain a use permit or pay any fee as required by 43 CFR 2933 or LWCF 36 CFR 71	75
43 CFR 2933.33(a)(2) Fail to pay any fees within set time frame for designated sites (time frame must be posted by BLM)	75
43 CFR 2933.33(a)(3) Fail to display required proof of fee payment	75
43 CFR 2933.33(a)(4) Knowingly/willfully possess/use/publish as true/sell to another and forged/counterfeited/altered document/instrument used as proof or exemption from fee payment	250
43 CFR 2933.33(a)(5) Knowingly/willfully use any document/instrument used as proof or exemption from fee payment that BLM issued/intended for another	250
43 CFR 2933.33(a)(6) Falsely represent yourself to BLM by document/Instrument of proof or exemption from fee payment	250

WILDERNESS

43 CFR 6302.20(a) Commercial activity	500
43 CFR 6302.20(b) Construct temporary/permanent roads	500
43 CFR 6302.20(c) Build aircraft landing sites	500
43 CFR 6302.20(d) Use motorized/mechanized equipment	500
43 CFR 6302.20(e) Land aircraft or drop/pick up material/persons using aircraft/helicopter/hang glider/ hot air balloon/parasail/parachute	500
43 CFR 6302.20(f) Build/install/erect structures/installations	500
43 CFR 6302.20(g) Cut trees	500
43 CFR 6302.20(h) Enter wilderness w/o authorization where Required by BLM per 43 CFR 6302.12	500
43 CFR 6302.20(i) Engage/participate in competitive use w/o permit	500
43 CFR 6302.20(d) Violate any BLM regulation/authorization/order	250

LAND USE AUTHORIZATIONS

RIGHTS-OF WAY - GENERAL

43 CFR 2801.3(a) Any use/occupancy/development of public lands w/o ROW/permit/authorization	250
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RIGHTS-OF-WAY - MINERAL LEASING ACT, OIL & NATURAL GAS FACILITIES

43 CFR 2881.3 Any use/occupancy/development of public lands w/o ROW/permit/authorization or that is beyond the scope/specific limitations of such authorization, or that causes unnecessary or undue degradation	250
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LEASES, PERMITS, EASEMENTS

43 CFR 2920.1-2(e) Any use/occupancy/development of public lands w/o authorization	250
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HAZARDOUS MATERIALS, DUMPING, SANITATION AND POLLUTION**Resource Conservation and Recovery Act**

42 USC 6928(d)(1)	Knowingly transports/causes to be transported any hazardous waste	MA
42 USC 6928(d)(2)	Knowingly treats/stores/disposes of hazardous waste (A) without a permit (B) in knowing violation of any material condition or requirement of such permit (C) in knowing violation of any material condition or requirement of any applicable interim status regulations or standards	MA
42 USC 6928(d)(3)	Knowingly omits material information/make false statement in any application/label/manifest/record/report/permit or other document used for compliance	MA
42 USC 6928(d)(4)	Knowingly generate/store/treat/transport/dispose of/export or otherwise handles hazardous waste or any used oil not listed or identified as a hazardous waste or knowingly destroy/alter/conceal/fail to file any record/application/manifest/report or other document required to be maintained or filed for compliance purposes	MA
42 USC 6928(d)(5)	Knowingly transports/causes to be transported without a manifest any hazardous waste	MA
42 USC 6928(d)(6)	Knowingly exports hazardous waste w/o consent/notice or in non-conformance	MA
42 USC 6928(d)(7)	Knowingly stores/treats/transport/causes to be transported/disposes of or otherwise handles any used oil not identified or listed as a hazardous waste (A) In knowing violation of any material condition or requirement of a permit (B) In knowing violation of any material condition or requirement of any applicable regulations or standards	MA
42 USC 6928(3)	Knowingly transport/treat/store/dispose of/export any hazardous waste identified or listed or used oil not identified or listed as a hazardous waste in violation of this section who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury	MA

CLEAN WATER ACT

33 USC 1311	Effluent discharge	250
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SANITATION

43 CFR 8365.1-1(b)(1)	Improper disposal of non-flammable trash	250
43 CFR 8365.1-1(b)(2)	Improper disposal of flammable trash	250
43 CFR 8365.1-1(b)(3)	Drain sewage/oil from vehicle	300/500
43 CFR 8365.1-1(b)(4)	Dump household/commercial/industrial waste	500
43 CFR 8365.1-1(b)(5)	Pollute/contaminate water supply	500
43 CFR 8365.1-1(b)(6)	Improper use of waste disposal facility	100

DRUG ENFORCEMENT

21 USC 841(a)	Possess w/intent to manufacture/distribute/dispense controlled/counterfeit substance	MA(felony)
21 USC 844(a)	Possess controlled substance	MA
43 CFR 8365.1-4(b)(1)	Cultivate/manufacture/deliver/distribute/traffic in a controlled substance	500
43 CFR 8365.1-4(b)(2)	Possess controlled substance	250

CLOSURES, RESTRICTIONS AND SUPPLEMENTARY RULES

43 CFR 8351.1-1(c)	Special Rules - Wild & Scenic Rivers Act	200
43 CFR 8364.1(d)	Violate Closure Order	250
Supplementary Rules - Albuquerque and Roswell Districts		
43 CFR 8365.1-6	Violate Supplementary Rules	100

Public Lands - General

ABQ/ROS	Construct/maintain pit toilet lasting more than 14 days/w/in 100 feet of any permanent water source
ABQ/ROS	Dump/dispose of sewage except at facilities provided
ABQ/ROS	Camp longer than 14 days in any 28 day period w/in 25 mile radius
ABQ/ROS	Park any motor vehicle longer than 30 minutes or camp w/in 300 yards of any natural/manmade water source
ABQ	Park/leave unattended a vehicle or camp at trailhead in violation of posted instructions
ABQ/ROS	Dispose of any burning/smoldering material except at facilities provided
ABQ/ROS	Violate terms/conditions/stipulations of any permit or use authorization
ABQ/ROS	Fail to show permit/use authorization to BLM employee upon request
ABQ/ROS	Camp/occupy or build fire in/on any historic/prehistoric structure/ruin/site
ABQ/ROS	Operate an off-road vehicle w/o approved spark arrester and muffler
ABQ/ROS	Operate/park or leave unattended a motorized vehicle in violation of posted restrictions or in such a manner or location to: <ul style="list-style-type: none"> Create a safety hazard Interfere with other authorized users or uses Obstruct/impede normal or emergency traffic movement Interfere/impede administrative activities Interfere with the parking of other vehicles
ABQ	Park more than 300 feet from an existing or designated route

- ABQ Operate a vehicle in violation of state law/regulation
- ROS Failure to display state OHV registration
- ABQ/ROS Possess/use fireworks
- ABQ/ROS Sell or make a gift of an alcoholic beverage to person under 21 years
- ABQ/ROS Possess alcoholic beverage, persons under 21 years
- ABQ/ROS Ignite/burn any material containing/producing hazardous/toxic material
- ABQ/ROS Carry concealed weapons in violation of state law
- ABQ Discharge firearm or any implement capable of taking a human life/causing injury/damaging property w/in 150 yards of residence/building/campsite/developed recreation site/occupied area on/from/across a developed road/w/in fenced ROW/w/in 40 feet of unfenced road/across body of water/recklessly/carelessly if any person/property is exposed to injury/damage
- ROS Use weapons in violation of state law w/in developed campsites/picnic areas or w/in 150 yards of developed recreation sites/areas
- ABQ Disorderly Conduct
- ABQ/ROS Fail to prevent pet from harassing/molesting/injuring/killing humans/domesticated animals/wildlife/livestock
- ABQ/ROS Fail to comply with State boating regulations
- ABQ/ROS Enter cave w/o safety helmet and three sources of light
- ABQ Possess glass container where prohibited
- ABQ/ROS Cut/remove/transport woody materials
- ABQ/ROS Remove/transport any mineral resources w/o permit
- ABQ/ROS Annoy/disturb bats
- ABQ /raptors/reptiles including nesting sites or areas, or other protected species
- ABQ Violate any state conservation/natural resource protection law/regulation
- ROS Unattended campfire/fail to extinguish

Developed recreation area and sites, special recreation management areas

- ABQ/ROS Reserve camping space, except at group facilities
- ABQ Camp longer than 7 days in 28 day period - must move 25 miles and not return w/in 30 days
- ABQ Park more than two 4-wheeled vehicles or five 2 or 3 wheeled vehicles and occupy site with more than 15 individuals except at group sites
- ROS More than two motorized vehicles and/or 10 individuals at any one approved site not designated for group use or parking
- ROS Vehicles off existing/designated roads/trails unless on facilities provided for such use
- ROS Park/occupy a parking space posted or marked for handicapped use w/o displaying official identification tag/plate
- ABQ Camp/occupy between 10pm - 6am at Black Rock Spring, County Line, John Dunn Bridge, Lover's Lane, Manby Hot Springs,

Quartzite, La Ventana Natural Arch, Tent Rocks, Bluewater Canyon, Canon Tapia, Guadalupe Ruin and community, Ward Ranch Recreation area./sites, Wild Rivers Bear Crossing and Chawalauna Overlooks, Orilla Verde gauging station picnic site

- ROS Failure to maintain quiet hours between 10pm and 6am**
- ABQ Engage in noncommercial floatboating w/o the following items for each person/boat/group: Approved U.S. Coast Guard Type I, III or V life preserver which must be worn at all times while on rivers**
- ABQ First aid kit for each group**
- ABQ Other items required by permit for use of a river segment**
- ABQ Build/tend/use a campfire except in places provided for**
- ABQ Build/tend/use a campfire in Tent Rocks Recreation Area**
- ABQ Ride a horse/bicycle in areas/trails posted closed to such use**
- ABQ Launch/take out boats, except in an emergency, at any site w/in Orilla Verde Recreation Area not designated for such use**
- ABQ Use motorized craft w/in Rio Grande Wild & Scenic River, Lower Gorge Special Recreation Management area between County Line and Velarde Diversion Dam, Rio Chama Wild & Scenic River**
- ABQ Operate non-street legal motorized vehicles w/in boundaries of all recreation areas/sites**
- ABQ Operate motor vehicles w/in Ignacio Chavez Grant or Elk Springs during seasonal closures**
- ABQ Operate motor vehicle w/in San Ysidro Trails Limited Area except as authorized by special use permit**
- ABQ Park a vehicle other than in areas established for such use or further than 25 feet from designated roads along wilderness area boundaries**
- ABQ/ROS Cut/gather green trees or parts/remove down or standing dead wood for any purpose**
- ROS Collect other natural resources/minerals/cultural/historic artifacts that require permits**
- ABQ Climb/walk on "Tent Rock Formation" in Tent Rocks Recreation Area**
- ABQ Participate in technical rock climbing w/in La Ventana Natural Arch area**
- ABQ Use mechanized equipment for "highbanking"**
- ABQ/ROS Fail to immediately remove/dispose of in a sanitary manner all pet fecal matter/trash/garbage/waste**
- ABQ/ROS Bring a pet on any nature/interpretive trail/cave/freshwater spring signed as closed to pets. Handicap assistance animals are exempt**
- ROS Failure to physically restrain pet at all times w/in developed campsites and picnic areas**
- ABQ/ROS Post/distribute any signs/posters/printed material/commercial advertisement w/o written authorization from authorized officer**
- ABQ Use/display/carry weapons w/in developed campsites/picnic areas**

- ABQ/ROS** Bring equine stock/llamas/cattle/livestock w/in campgrounds/picnic area unless facilities have been specifically provided for such use
- ABQ** Discharge firearms/other weapons/hunt/trap w/in developed recreation areas or w/in ½ mile of developed recreation site
- ROS** w/in 150 yards of developed recreation site
- ABQ** Be publicly nude at Wild Rivers, Orilla Verde or Santa Cruz Lake recreation areas, Lower Gorge SRMA or John Dunn Bridge
- ABQ/ROS** Shower/bathe at any improved/developed water source not designated for such purpose
- ROS** Not adhering to fire danger ratings issued by the Government
- ROS** Entering the following caves between 1 November and 15 April:
Fort Stanton, Torgac, Torgac Annex, Crockett, Crystal, Big-Eared Cave, Bat Hole, Malpais Madness, Tres Ninos and Feather.
Authorized persons and emergency responders are exempt
- ROS** Dispose of any grey or waste water except in facilities provided for such
-

District of New Mexico

Wildlife & Plant Value Table

<u>Category</u>	<u>Species</u>	<u>Comments</u>	<u>Value</u>	
Big Game Animals	elk/caribou	whole/trophy	1000	cow
			5000	bull
	moose/bison	whole/trophy	2000	cow
			7000	bull
	sheep/mountain goat	whole/trophy	10000	
	deer/pronghorn	whole/trophy	500	doe
			2000	buck
	black bear/cougar	whole/trophy	5000	
	brown bear	whole/trophy	7000	
	polar bear	whole/trophy	10000	
	rhino/hippo/buffalo	whole/trophy	10000	
	elephant/felines			
	all other African/ Asian/S. American/ European	whole/trophy	2500	
all other	whole/trophy	1000		
all parts/products	per item	100 or DEC value		
Small Game Animals	all whole/trophy	per item	100	
	all parts/products	per item	25	
	all whole/skin	per item	100	
Fur Bearing Animals	rodent family	whole/skin	25	
	canine family	whole/skin	100	
	procyon/mustelid family	whole/skin	50	
	feline family	whole/skin	250	
	all others	whole/skin	25	
	all parts/products	per item	25 or DEC value	
Non-Game Animals	Carnivores	whole/skin	1500	
		parts	500	
	Primates	whole	1000	
	Others	whole	300	
	all parts/products	per item	250	
Migratory Game Birds	Swans	whole/mount	1000	
	Geese		75	
	Ducks		50	
	doves/pigeons		25	
	all other		50	
	all parts/products	per item	25 or DEC value	
Migratory Non-Game Birds	Eagles	whole/mount	1000	
		parts/products	250	
	hawks/owls	whole/mount	500	
	song birds		100	
	all others		100	
	all parts/products	per item	50 or DEC value	
Other Game Birds	wild turkey	whole/mount	500	
	grouse/prairie chicken		250	
	all other		100	
	all parts/products	per item	25 or DEC value	
	macaws/cockatoos	whole/mount	1000	

Parrots

	parrots		500
	all others		100
	all parts/products	per item	25 or DEC value
Other Pet Birds	all	whole/mount	100
	all parts/products	per item	10
Other Animals	all whole/product	per item	50 or DEC value
Endangered/Threatened	all wildlife	whole/trophy	2000
		parts	500
		curios/jewelry	100 or DEC value
	all plants	per item	1000
Game Fish	trout/salmon/walleye bass/pike/etc.	whole/trophy	75
Sport Fish	pan fish/catfish/etc.		25
Non-Sport Fish	carp/sucker/gar/etc.		10
Other Fish	paddle/sturgeon/etc. eggs/roe	whole/trophy per pound	500 500
	all other	whole/trophy	25
Bait Fish	all	whole/product	10
Amphibians, Reptiles, Insects	all whole/product	per item	50 or DEC value
Deciduous Trees	all	>10 years	1000
		<10 years	200
Coniferous Trees	All	>10 years	1000
		<10 years	200
Bushes	all	adult	750
		young	150
Cacti	all	per plant	100
Sedges/Grasses	all	per square foot	50
Orchid Family	all	per item	100
Other Plants	all	per item	10
Archeological Resources	all	per item	200

* Values in this table are taken from the Forfeiture of Collateral Schedule for the United States Fish & Wildlife Service, revised 10/2003 and found acceptable to the United States District Court for the District of New Mexico.

**UNITED STATES DISTRICT COURT
 District of New Mexico
 Collateral Forfeiture Schedule**

United States Department of the Interior
 Bureau of Reclamation
 43CFR 423 Subpart C
 (CLASS B MISDEMEANORS)

18 USC 111	Forcibly assault, resist, oppose, impede, intimidate, interfere with federal employee	(Felony)
18 USC 115	Influence, impede, retaliate against federal employee by threatening, injuring family member	(Felony)
18 USC 1114	Kill or attempt to kill any officer or employee of the United States engaged in or on account of performance of official duties	(Felony)
18 USC 371	Conspiracy to commit offense or defraud United States or any agency thereof	(Felony)
18 USC 372	Conspiracy to impede or injure officer	(Felony)
18 USC 1510	Obstruction of Criminal Investigations	(Felony)
18 USC 1864	Placement of hazardous or injurious devices on federal lands	(Felony)

It is Reclamation's belief that the above mentioned laws, when they are in relation to security, management, and/or operation of dams, are extremely serious offenses. Anything compromising the dam or the integrity of the dam, its adjoining facilities or its management deserves review by Dept. of Justice for acquisition of arrest warrants/criminal summons or when in the presence of an officer, custodial arrest. Felony violations will be prosecuted by the United States Attorney's Office.

18 USC 1858	Survey marks removed or destroyed	350
18 USC 1859	Surveys Interrupted	MA (Felony)

BOR SECTION 43CFR:	DESCRIPTION	PROPOSED COLLATERAL
423.22(a)	Threaten, resist, intimidate, interfere w/ Gov't Employee	\$500
423.22(b)	Violate lawful order	\$250
423.22(c)	False Report / False Information	\$300
423.22(d)	Interfering, Impeding, disrupting authorized users	\$250
423.22(e)	Disorderly conduct	\$250
423.23(a)	Abandoned property	\$250
423.23(b)	Unattended property (not time specific)	\$100
423.24	Trespassing -- (accessibility in proximity to our facilities or water works may have devastating consequences downstream or vulnerability identification)	\$250 Commercial \$500
423.25(a)	Tampering	\$250

423.25(b)	Vandalism/Theft	\$250
423.25(c)	Throwing item on/into facilities (intake screens, spillways, etc)	\$250
423.26	Public meetings/ Assemblies	\$500
423.27	Advertising/soliciting	\$75
423.28	Memorials	\$250
423.29(a)	Damage or remove Gov't property (natural/cultural)	\$500
423.29(b)	Introducing species	\$500
423.29(c)	Damage/disturb natural features (rocks or other items)	\$250
423.29(d)	Damaging/removing live trees or parts	\$250
423.29(e)	Walking/climbing on cultural resources	\$250
423.29(f)	Unauthorized use of a metal detector	\$150
423.30(a)(1)	Possessing weapon at a facility	\$500
423.30(a)(2)	Weapons use not compliant w/ Special Use Area regulations	\$250
423.30(b)	Illegal discharge of a weapon	\$500
423.30(c)	Explosives (pyrotechnics/fireworks)	MA \$150 Fire Suppression -- MA
423.31(a)	Unattended fire	\$200 Fire Suppression -- MA
423.31(b)	Improper disposal of burning material	\$150
423.31(c)	Burning toxic materials	\$250
423.31(d)	Improper transportation of fuel	\$50
423.31(e)	Noncompliance with applicable fire regulations	\$300
423.32(a)(1)	Hunting/fishing/trapping in a closed area	\$200
423.32(b)	Noncompliance w/area restrictions (hunting/fishing trapping)	\$100
423.33(a)	Camping Regulations in Special Use Area	\$100 plus fee
423.33(b)	Exceeding 14 day limit	\$250
423.33(c)	Improper campsite reservation	\$75
423.33(d)	Leaving camping equipment	\$75
423.33(e)	Digging at campsite	\$75
423.34(a)	Improper disposal of refuse	\$250
423.34(b)	Littering campsite	\$250
423.34(c)	Improper latrine location	\$150
423.35(a)	Pets in public buildings, public vehicles or sanitary facilities	\$50
423.35(b)	Abandoning/harassing/endangering or unauthorized collecting animals	\$250
423.35(d)(1)	Prohibited wild or exotic animal	\$500
423.35(d)(2)	Prohibited vicious threatening pet/animal	\$100
423.36(a)(1)	Swimming/diving/rafting/jumping: w/in 300 yards of dam works	\$250
423.36(a)(2)	Swimming/diving/rafting/jumping: w/in 100 yards of buoys/barriers	\$250

423.36(a)(3)	Swimming/diving/rafting/jumping: In canals, laterals, siphons, tunnels	\$250
423.36(a)(4)	Swimming/diving/rafting/jumping: At public docks, launch site and designated mooring area	\$100
423.36(b)	SCUBA: Fail to display diving flag	\$100
423.36(c)	Jumping, diving, swinging from dams, spillways, bridges, cables, towers or other structures	\$250
423.37(a)	Winter activities: Improper towing	\$100
423.37(b)	Ice-skating, -fishing, or -sailing w/in 300 yards of dams, power plants, spillways, gates, etc.	\$250
423.38(a)	Vessel/Watercraft Operation: State/Fed Regs Applicable	\$100
423.38(b)	Operate vessel in Closed Area	\$500
423.38(c)	Failure to observe regulatory marker	\$250
423.38(d)	Reckless operation of vessel	\$250
423.38(e)	Operate vessel under the influence	\$250
423.38(f)	Unauthorized overnight occupancy in a vessel	\$100
423.38(g)	Use of vessel as a residence	\$150
423.38(h)	Unauthorized use of vessel for fee or profit	\$250
423.38(i)	Vessel unattended for 24 hrs	\$75
423.38(j)	Improper vessel anchoring/attachment	\$250
423.38(k)	Vessel not displaying diving flag (while involved w/ diving ops)	\$100
423.38(l)	Waterskiing/towing between sunset & sunrise	\$100
423.39(a)(1)	Vessel not in compliance w/ 46 USC or applicable state/local regs.	\$100
423.39(a)(2)	Vessel not possessing proper safety equipment (PFD's, etc.)	\$100
423.39(a)(3)	Motorized vessel without proper exhaust muffler	\$100
423.40(a)	Operating vehicle through/around a restrictive sign, fence or barricade.	\$250
423.40(a)	Vehicles-State traffic law applicable:	\$100
423.40(b)	Parking violations	\$50
423.40(c)	Careless Driving – not causing injury or damage causing injury or damage	\$250 MA
	Reckless - not causing injury or damage Causing injury or damage	\$500 MA

423.40(d)	Off-road Vehicle Regulations (43CFR 420)	\$200
423.41(a)	Aircraft – unauthorized landing or take-off	\$500
423.41(b)	Aircraft – operating to endanger	\$500/MA
423.41(d)	Aircraft – using non-standard boarding/loading procedures	\$250
423.41(f)	Seaplanes – US Coast Guard rules applicable	\$250
423.41(g)	Seaplanes – Improper mooring	\$100
423.41(h)	Seaplanes - Commercial operation	\$500
423.41(i)	Seaplanes- Operating between sunset and sunrise	\$500
423.41(j)	Seaplanes- Noncompliance with other official restrictions	\$500
423.41(k)	Model Aircraft – Unauthorized operation	\$75
423.42	Gambling	\$100 – under 43 CFR MA – under 18 USC
423.43	Alcohol violations	\$100
423.44	Controlled substances	\$250

CODE OF FEDERAL REGULATIONS
Title 41 – Public Contracts and Property Management
Subtitle C – Federal Property Management Regulations System
Chapter 102 – Federal Management Regulation
Subchapter C – Real Property
Part 102-74 – Facility Management

**Appendix to Part 102-74 – Rules and Regulations Governing Conduct on
Federal Property**

Federal Management Regulations

Title 41, Code of Federal Regulations, Part 102-74, Subpart C

APPLICABILITY

41 CFR 102-74.365

The rules in this subpart apply to all property under the authority of the General Services Administration and to all persons entering in or on such property. Each occupant agency shall be responsible for the observance of these rules and regulations. Federal agencies must post the notice in the Appendix to part 102-74 at each public entrance to each Federal facility.

INSPECTION

41 CFR 102-74.370

Federal agencies may, at their discretion, inspect packages, briefcases and other containers in the immediate possession of visitors, employees or other persons arriving on, working at, visiting, or departing from Federal property. Federal agencies may conduct a full search of a person and the vehicle the person is driving or occupying upon his or her arrest.

ADMISSION TO PROPERTY

41 CFR 102-74.375

\$50.00

Federal agencies must:



- (a) Close property to the public during other than normal working hours. In those instances where a Federal agency has approved the after-normal-working-hours use of buildings or portions thereof for activities authorized by subpart D of this part, Federal agencies must not close the property (or affected portions thereof) to the public.
- (b) Close property to the public during working hours only when situations require this action to ensure the orderly conduct of Government business. The designated official under the Occupant Emergency Program may make such decision only after consultation with the buildings manager and the highest ranking representative of the law enforcement organization responsible for protection of the property or the area. The designated official is defined in § 102-71.20 of this chapter as the highest ranking official of the primary occupant agency, or the alternate highest ranking official or designee selected by mutual agreement by other occupant agency officials.
- (c) Ensure, when property or a portion thereof is closed to the public, that admission to the property, or the affected portion, is restricted to authorized persons who must register upon entry to the property and must, when requested, display Government or other identifying credentials to Federal police officers or other authorized individuals when entering, leaving or while on the property. Failure to comply with any of the applicable provisions is a violation of these regulations.

PRESERVATION OF PROPERTY

41 CFR 102-74.380

All persons entering in or on Federal property are prohibited from:

- (a) Improperly disposing of rubbish on property;
- (b) Willfully destroying or damaging property;
- (c) Stealing property;
- (d) Creating any hazard on property to persons or things;
- (e) Throwing articles of any kind from or at a building or the climbing upon statues, fountains or any part of the building.

Mandatory Court Appearance (MCA) is required and

Fine not to exceed \$500.00*

(*actual fine to be based on severity of offense)

CONFORMITY WITH SIGNS AND DIRECTIONS

41 CFR 102-74.385

Persons in and on property must at all times comply with official signs of a prohibitory, regulatory or directory nature and with the lawful direction of Federal police officers and other authorized individuals.

\$75.00

DISTURBANCES

41 CFR 102-74.390

All persons entering in or on Federal property are prohibited from loitering, exhibiting disorderly conduct or exhibiting other conduct on property which:

- (a) Creates loud or unusual noise or a nuisance;
- (b) Unreasonably obstructs the usual use of entrances, foyers, lobbies, corridors, offices, elevators, stairways, or parking lots;

\$50.00

\$50.00

(c) Otherwise impedes or disrupts the performance of official duties by Government employees; or **\$250.00**

(d) Prevents the general public from obtaining the administrative services provided on the property in a timely manner. **\$100.00**

GAMBLING

41 CFR 102-74.395

Except for the vending or exchange of chances by licensed blind operators of vending facilities for any lottery set forth in a State law and authorized by section 2(a)(5) of the Randolph-Sheppard Act (20 U.S.C. 107 *et seq.*), all persons entering in or on Federal property are prohibited from:

(a) Participating in games for money or other personal property; **\$50.00**

(b) Operating gambling devices; **\$500.00**

(c) Conducting a lottery or pool; or **\$50.00**

(d) Selling or purchasing of numbers tickets. **\$50.00**

NARCOTICS AND OTHER DRUGS

41 CFR 102-74.400

Except in cases where the drug is being used as prescribed for a patient by a licensed physician, all persons entering in or on Federal property are prohibited from:

(a) Being under the influence, using or possessing any narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines; or **MCA is required and Fine not to exceed \$500.00* (actual fine to be based on severity of offense)**

(b) Operating a motor vehicle on the property while under the influence of alcoholic beverages, narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines.

**MCA is required and
Fine not to exceed
\$750.00* (actual fine to
be based on severity of
offense)**

ALCOHOLIC BEVERAGES

41 CFR 102-74.405

\$350.00

Except where the head of the responsible agency or his or her designee has granted an exemption in writing for the appropriate official use of alcoholic beverages, all persons entering in or on Federal property are prohibited from being under the influence or using alcoholic beverages. The head of the responsible agency or his or her designee must provide a copy of all exemptions granted to the buildings manager and the highest ranking representative of the law enforcement organization, or other authorized officials, responsible for the security of the property.

**SOLICITING, VENDING AND DEBT
COLLECTION**

41 CFR 102-74.410

\$50.00

All persons entering in or on Federal property are prohibited from soliciting commercial or political donations; vending merchandise of all kinds; displaying or distributing commercial advertising, or collecting private debts, except for:

(a) National or local drives for funds for welfare, health or other purposes as authorized by 5 CFR part 950, entitled "Solicitation of Federal Civilian And Uniformed Service Personnel For Contributions To Private Voluntary Organizations," and sponsored or approved by the occupant agencies;

(b) Concessions or personal notices posted posted by employees on authorized bulletin boards;

(c) Solicitation of labor organization membership or dues authorized by occupant agencies under the Civil Service Reform Act of 1978 (Public Law 95-454); and

(d) Lessee, or its agents and employees, with respect to space leased for commercial, cultural, educational, or recreational use under the Public Buildings Cooperative Use Act of 1976 (40 U.S.C. 490(a)(16)). Public areas of GSA-controlled property may be used for other activities in accordance with subpart D of this part.

**POSTING AND DISTRIBUTING MATERIALS
41 CFR 102-74.415**

All persons entering in or on Federal property are prohibited from:

(a) Distributing free samples of tobacco products in or around Federal buildings, under Public Law 104-52, Section 636. \$50.00

(b) Posting or affixing materials, such as pamphlets, handbills, or flyers, on bulletin boards or elsewhere on GSA-controlled property, except as authorized in § 102-74.410, or when these displays are conducted as part of authorized Government activities. \$50.00

(c) Distributing materials, such as pamphlets, handbills, or flyers, unless conducted as part of authorized Government activities. This prohibition does not apply to public areas of the property as defined in § 102-71.20 of this chapter. However, any person or organization proposing to distribute materials in a public area under \$50.00

this section must first obtain a permit from the building manager as specified in subpart D of this part. Any such person or organization must distribute materials only in accordance with the provisions of subpart D of this part. Failure to comply with those provisions is a violation of these regulations.

**PHOTOGRAPHS FOR NEWS, ADVERTISING,
OR COMMERCIAL PURPOSES**

41 CFR 102-74.420

\$50.00

Except where security regulations apply or a Federal court order or rule prohibits it, persons entering in or on Federal property may take photographs of:

- (a) Space occupied by a tenant agency for non-commercial purposes only with the permission of the occupying agency concerned;
- (b) Space occupied by a tenant agency for commercial purposes only with written permission of an authorized official of the occupying agency concerned; and
- (c) Building entrances, lobbies, foyers, corridors, or auditoriums for news purposes.

DOGS AND OTHER ANIMALS

41 CFR 102-74.425

\$50.00

Except seeing eye dogs, other guide dogs and animals used to guide or assist handicapped persons, persons may not bring dogs or other animals on Federal property for other than official purposes.

VEHICULAR AND PEDESTRIAN TRAFFIC

41 CFR 102-74.430

All vehicle drivers entering or while on Federal property:

- (a) Must drive in a careful and safe manner at all times; **\$75.00**

- (b) Must comply with the signals and directions of Federal police officers or other authorized individuals; **\$75.00**

- (c) Must comply with all posted traffic signs; **\$75.00**

- (d) Must comply with any additional posted traffic directives approved by the GSA Regional Administrator, which will have the same force and effect as these regulations; **\$75.00**

- (e) Are prohibited from blocking entrances, driveways, walks, loading platforms, or fire hydrants; and **\$75.00**

- (f) Are prohibited from parking on Federal property without a permit. Parking without authority, parking in unauthorized locations or in locations reserved for other persons, or parking contrary to the direction of posted signs is prohibited. Vehicles parked in violation, where warning signs are posted, are subject to removal at the owner's risk and expense. Federal agencies may take as proof that a motor vehicle was parked in violation of these regulations or directives as prima facie evidence that the registered owner was responsible for the violation. **\$30.00***
(*except \$200.00 for parking in handicapped spaces)

EXPLOSIVES

41 CFR 102-74.435

No person entering or while on Federal property may carry or possess explosives, or items intended to be used to fabricate an explosive or incendiary device, either openly or concealed, except for official purposes. Charges under Title 18, United States Code, to be pursued by United States Attorney's Office.

**MCA is required and
Fine cannot exceed
5,000.00**

41 CFR 102-74.440

Federal law prohibits the possession of firearms or other dangerous weapons in Federal facilities and Federal court facilities by all persons not specifically authorized by Title 18, United States Code, Section 930. Violators will be subject to fine and/or imprisonment for periods up to five (5) years, such charges to be pursued by United States Attorney's Office.

MCA

NONDISCRIMINATION

41 CFR 102-74.445

Federal agencies must not discriminate by segregation or otherwise against any person or persons because of race, creed, sex, color, or national origin in furnishing or by refusing to furnish to such person or persons the use of any facility of a public nature, including all services, privileges, accommodations, and activities provided on the property.

\$100.00

PENALTIES

41 CFR 102-74.450

A person found guilty of violating any rule or regulation in this subpart while on any property under the charge and control of the U.S. General Services Administration shall be fined under title 18 of the United States Code, imprisoned for not more than 30 days, or both.

IMPACT ON OTHER LAWS OR REGULATIONS

41 CFR 102-74.455

No rule or regulation in this subpart may be construed to nullify any other Federal laws or regulations or any State and local laws and regulations applicable to any area in which the property is situated (section 205(c), 63 Stat. 390; 40 U.S.C. 486(c)).

AUTHORITY TO PRESCRIBE REGULATIONS AND REASONABLE PENALTIES

40 U.S.C. § 1315(c)(1) and (c)(2) provides as follows:

"(c) Regulations.--

(1) In general.--The Secretary, in consultation with the Administrator of General Services, may prescribe regulations necessary for the protection and administration of property owned or occupied by the Federal Government and persons on the property. The regulations may include reasonable penalties, within the limits prescribed in paragraph (2), for violations of the regulations. The regulations shall be posted and remain posted in a conspicuous place on the property.

(2) Penalties.--A person violating a regulation prescribed under this subsection shall be fined under title 18, United States Code, imprisoned for not more than 30 days, or both."

40 USC §1315
HOMELAND SECURITY ACT OF 2002
EXCERPT FROM PL 107-296

“§ 1315. Law enforcement authority of Secretary of Homeland Security for protection of public property

“(a) IN GENERAL.—To the extent provided for by transfers made pursuant to the Homeland Security Act of 2002, the Secretary of Homeland Security (in this section referred to as the ‘Secretary’) shall protect the buildings, grounds, and property that are owned, occupied, or secured by the Federal Government (including any agency, instrumentality, or wholly owned or mixed-ownership corporation thereof) and the persons on the property.

“(b) OFFICERS AND AGENTS.—

“(1) DESIGNATION.—The Secretary may designate employees of the Department of Homeland Security, including employees transferred to the Department from the Office of the Federal Protective Service of the General Services Administration pursuant to the Homeland Security Act of 2002, as officers and agents for duty in connection with the protection of property owned or occupied by the Federal Government and persons on the property, including duty in areas outside the property to the extent necessary to protect the property and persons on the property.

“(2) POWERS.—While engaged in the performance of official duties, an officer or agent designated under this subsection may—

“(A) enforce Federal laws and regulations for the protection of persons and property;

“(B) carry firearms;

“(C) make arrests without a warrant for any offense against the United States committed in the presence of the officer or agent or for any felony cognizable under the laws of the United States if the officer or agent has reasonable grounds to believe that the person to be arrested has committed or is committing a felony;

“(D) serve warrants and subpoenas issued under the authority of the United States;

“(E) conduct investigations, on and off the property in question, of offenses that may have been committed against property owned or occupied by the Federal Government or persons on the property; and

“(F) carry out such other activities for the promotion of homeland security as the Secretary may prescribe.

“(c) REGULATIONS.—

“(1) IN GENERAL.—The Secretary, in consultation with the Administrator of General Services, may prescribe regulations necessary for the protection and administration of property owned or occupied by the Federal Government and persons on the property. The regulations may include reasonable penalties, within the limits prescribed in paragraph (2), for violations of the regulations. The regulations shall be posted and remain posted in a conspicuous place on the property.

“(2) PENALTIES.—A person violating a regulation prescribed under this subsection shall be fined under title 18, United States Code, imprisoned for not more than 30 days, or both.

“(d) DETAILS.—

“(1) REQUESTS OF AGENCIES.—On the request of the head of a Federal agency having charge or control of property owned or occupied by the Federal Government, the Secretary may detail officers and agents designated under this section for the protection of the property and persons on the property.

“(2) APPLICABILITY OF REGULATIONS.—The Secretary may—

“(A) extend to property referred to in paragraph (1) the applicability of regulations prescribed under this section and enforce the regulations as provided in this section; or

“(B) utilize the authority and regulations of the requesting agency if agreed to in writing by the agencies.

“(3) FACILITIES AND SERVICES OF OTHER AGENCIES.—When the Secretary determines it to be economical and in the public interest, the Secretary may utilize the facilities and services of Federal, State, and local law enforcement agencies, with the consent of the agencies.

“(e) AUTHORITY OUTSIDE FEDERAL PROPERTY.—For the protection of property owned or occupied by the Federal Government and persons on the property, the Secretary may enter into agreements with Federal agencies and with State and local governments to obtain authority for officers and agents designated under this section to enforce Federal laws and State and local laws concurrently with other Federal law enforcement officers and with State and local law enforcement officers.

“(f) SECRETARY AND ATTORNEY GENERAL APPROVAL.—The powers granted to officers and agents designated under this section shall be exercised in accordance with guidelines approved by the Secretary and the Attorney General.

“(g) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be

construed to—

“(1) preclude or limit the authority of any Federal law enforcement agency; or

“(2) restrict the authority of the Administrator of General Services to promulgate regulations affecting property under the Administrator’s custody and control.”.

(2) DELEGATION OF AUTHORITY.—The Secretary may delegate authority for the protection of specific buildings to another Federal agency where, in the Secretary’s discretion, the Secretary determines it necessary for the protection of that building.

(3) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 13 of title 40, United States Code, is amended by striking the item relating to section 1315 and inserting the following: “1315. Law enforcement authority of Secretary of Homeland Security for protection of public property”.

**GOVERNMENT
EXHIBIT
D**

A. Pursuant to TITLE 38 UNITED STATES CODE; PART 1; CHAPTER 9 § 901, Authority to prescribe rules for conduct and penalties for violations, the following rules and regulations apply at all property under the charge and control of the Secretary of the Department of Veterans Affairs, and not under the charge and control of the General Services Administration, and to all persons entering in or on such property.

B. 38 CFR, 1.218 (a) states;

1. Closing property to public. The head of the facility, or designee shall establish visiting hours for the convenience of the public and shall establish specific hours for the transaction of business with the public. The property shall be closed to the public during other than the hours so established. In emergency situations, the property shall be closed to the public when reasonably necessary to ensure the orderly conduct of Government business. The decision to close a property during an emergency shall be made by the head of the facility or designee. The head of the facility or designee shall have authority to designate area within a facility as closed to the public.

2. Recording presence. Admission to property during periods when such property is closed to the public will be limited to persons authorized by the head of the facility or designee. Such persons may be required to sign a register and/or display identification documents when requested to do so by the VA police, or other authorized individual. No person, without authorization, shall enter upon or remain on such property while the property is closed. Failure to leave such premises by unauthorized persons shall constitute an offense under this paragraph.

3. Preservation of property. The improper disposal of rubbish on property; the spitting on the property; the creation of any hazard on property to persons or things, the throwing of articles of any kind from a building; the climbing upon the roof or any part of the building, without permission; or the willful destruction, damage, or removal of Government property or any part thereof, without authorization, is prohibited. The destruction, mutilation, defacement, injury, or removal of any monument, gravestone, or other structure within the limits of any national cemetery is prohibited.

4. Conformity with signs and emergency conditions. The head of the facility, or designee, shall have authority to post signs of a prohibitory and directory nature. Persons, in and on property, shall comply with such signs of a prohibitory and directory nature, and during emergencies, with the direction of police authorities and other authorized officials. Tampering with, destruction, marring, or removal of such posted signs is prohibited.

5. Disturbances. Conduct on property which creates loud or unusual noise; which unreasonably obstructs the usual use of entrances, foyers, lobbies, corridors, offices, elevators, stairways, or parking lots; which otherwise impedes or disrupts the performance of official duties by Government employees; which prevents one from obtaining medical or other services provided on the property in a timely manner, or the use of loud, abusive, or otherwise improper language, or unwarranted loitering, sleeping, or assembly is prohibited. In addition to measures designed to secure voluntary termination of violations of this paragraph the head of the facility or designee may cause the issuance of orders for persons who are creating a disturbance to depart the property. Failure to leave the premises when so ordered constitutes a further disturbance within the meaning of this rule, and the offender is subject to arrest and removal from the premises.

6. Gambling. Participating in games for money or for tangible or intangible things, or the operating of gambling devices, the conduct of a lottery or pool, or the selling or purchasing of numbers tickets, in or on property is prohibited.

7. Alcoholic beverages and narcotics. Operating a motor vehicle on property by a person under the influence of alcoholic beverages, narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines is prohibited. Entering property under the influence of any narcotic drug, hallucinogen, marijuana, barbiturate, amphetamine, or alcoholic beverage (unless prescribed by a physician) is prohibited. The use on property of any narcotic drug, hallucinogen, marijuana, barbiturate, or amphetamine (unless prescribed by a physician) is prohibited. The introduction or possession of alcoholic beverages or any narcotic drug, hallucinogen, marijuana, barbiturate, and amphetamine on property is prohibited, except for liquor or drugs prescribed for use by medical authority for medical purposes. Provided such possession is consistent with the laws of the State in which the facility is located, liquor may be used and maintained in quarters assigned to employees as their normal abode, and away from the abode with the written consent of the head of the facility which specifies a special occasion for use and limits the area and period for the authorized use.

8. Soliciting, vending, and debt collection. Soliciting alms and contributions, commercial soliciting and vending of all kinds, displaying or distributing commercial advertising, or collecting private debts in or on property is prohibited. This rule does not apply to (i) national or local drives for funds for welfare, health, or other purposes as authorized under Executive Order 12353, Charitable Fund Raising (March 23, 1982), as amended by Executive Order 12404 (February 10, 1983), and regulations issued by the Office of Personnel Management implementing these Executive Orders; (ii) concessions or personal notices posted by employees on authorized bulletin boards; and (iii) solicitation of labor organization membership or dues under 5 U.S.C. chapter 71.

9. Distribution of handbills. The distributing of materials such as pamphlets, handbills, and/or flyers, and the displaying of placards or posting of material on bulletin boards or elsewhere on property is prohibited, except as authorized by the head of the facility or designee or when such distributions or displays are conducted as part of authorized Government activities.

10. Photographs for news, advertising, or commercial purposes. Photographs for advertising or commercial purposes may be taken only with the written consent of the head of the facility or designee. Photographs for news purposes may be taken at entrances, lobbies, foyers, or in other places designated by the head of the facility or designee.

11. Dogs and other animals. Dogs and other animals, except seeing-eye dogs, shall not be brought upon property except as authorized by the head of the facility or designee. Violation: Number 6 of Schedules of Offenses and Penalties.

12. Vehicular and pedestrian traffic. Drivers of all vehicles in or on property shall drive in a careful and safe manner at all times and shall comply with the signals and directions of police and all posted traffic signs. The blocking of entrances, driveways, walks, loading platforms, or fire hydrants in or on property is prohibited; parking in unauthorized locations or in locations reserved for other persons or contrary to the direction of posted signs is prohibited.

Creating excessive noise on hospital or cemetery premises by muffler cut out, the excessive use of a horn, or other means is prohibited. Operation of a vehicle in a reckless or unsafe manner, drag racing, bumping, overriding curbs, or leaving the roadway is prohibited.

13. Weapons and explosives. No person while on property shall carry firearms, other dangerous or deadly weapons, or explosives, either openly or concealed, except for official purposes.

14. Demonstrations. All visitors are expected to observe proper standards of decorum and decency while on VA property. Toward this end, any service, ceremony, or demonstration, except as authorized by the head of the facility or designee, is prohibited. Jogging, bicycling, sledding and other forms of physical recreation on cemetery grounds is prohibited. For the purpose of the prohibition expressed in this paragraph, unauthorized demonstrations or services shall be defined as, but not limited to, picketing, or similar conduct on VA property; any oration or similar conduct to assembled groups of people, unless the oration is part of an authorized service; the display of any placards, banners, or foreign flags on VA property unless approved by the head of the facility or designee; disorderly conduct such as fighting, threatening, violent, or tumultuous behavior, unreasonable noise or coarse utterance, gesture or display or the use of abusive language to any person present and partisan activities, i.e., those involving commentary or actions in support of or in opposition to, or attempting to influence, any current policy of the Government of the United States, or any private group, association, or enterprise.

15. Key security. The head of the facility or designee, will determine which employees, by virtue of their duties, shall have access to keys or barrier-card keys which operate locks to rooms or areas on the property. The unauthorized possession, manufacture, and/or use of such keys or barrier cards is prohibited. The surreptitious opening or attempted opening of locks or card-operated barrier mechanisms is prohibited.

16. Sexual misconduct. Any act of sexual gratification on VA property involving two or more persons, who do not reside in quarters on the property, is prohibited. Acts of prostitution or solicitation for acts of prostitution on VA property is prohibited. For the purposes of this paragraph, an act of prostitution is defined as the performance or the offer or agreement to perform any sexual act for money or payment.

C. 38 CFR 1.218 (b) Schedule of Offenses:

Violation	Definition	Fine	Remarks
38 CFR 1.218(b)(1)	Improper disposal of rubbish on property	\$200.00	
38 CFR 1.218(b)(2)	Spitting on property	\$25.00	
38 CFR 1.218(b)(3)	Throwing of articles from a building or the unauthorized climbing upon any part of a building	\$50.00	
38 CFR 1.218(b)(4)	Willful destruction, damage, or removal of Government property without authorization	\$500.00	
38 CFR 1.218(b)(5)	Defacement, destruction, mutilation or injury to, or removal, or disturbance of, grave marker or headstone	\$500.00	
38 CFR 1.218(b)(6)	Failure to comply with signs of a directive and restrictive nature posted for safety purposes	\$50.00	
38 CFR 1.218(b)(7)	Tampering with, removal, marring, or destruction of posted signs	\$150.00	
38 CFR 1.218(b)(8)	Entry into areas posted as closed to the public or others (trespass)	\$50.00	
38 CFR 1.218(b)(9)	Unauthorized demonstration or service in a national cemetery or on other VA property	\$250.00	
38 CFR 1.218(b)(10)	Creating a disturbance during a burial ceremony	\$250.00	

38 CFR 1.218(b)(11)	Disorderly conduct which creates loud, boisterous, and unusual noise, or which obstructs the normal use of entrances, exits, foyers, offices, corridors, elevators, and stairways or which tends to impede or prevent the normal operation of a service or operation of the facility	\$250.00	
38 CFR 1.218(b)(12)	Failure to depart premises by unauthorized persons	\$50.00	
38 CFR 1.218(b)(13)	Unauthorized loitering, sleeping or assembly on property	\$50.00	
38 CFR 1.218(b)(14)	Gambling-participating in games of chance for monetary gain or personal property; the operation of gambling devices, a pool or lottery; or the taking or giving of bets	\$200.00	
38 CFR 1.218 (b)(15)	Operation of a vehicle under the influence of alcoholic beverages or non-prescribed narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines, \$500.	\$500.00 and Mandatory Court Appearance	
NMSA 66-8-102	Persons under the influence of intoxicating liquor or drugs; aggravated driving while under the influence of intoxicating liquor or drugs; penalty	Mandatory Court Appearance	
38 CFR 1.218(b)(16)	Entering premises under the influence of alcoholic beverages or narcotic drugs, hallucinogens, marijuana, barbiturates or amphetamines	\$200.00	
38 CFR 1.218(b)(17)	Unauthorized use on property of alcoholic beverages or narcotic drugs, hallucinogens, marijuana, barbiturates or amphetamines	\$300.00	

38 CFR 1.218(b)(18)	Unauthorized introduction on VA controlled property of narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines or unauthorized giving of same to a patient or beneficiary	\$500.00	
38 CFR 1.218(b)(19)	Unauthorized solicitation of alms and contributions on premises	\$50.00	
38 CFR 1.218(b)(20)	Commercial soliciting or vending, or the collection of private debts on property	\$50.00	
38 CFR 1.218(b)(21)	Distribution of pamphlets, handbills, and flyers	\$25.00	
38 CFR 1.218(b)(22)	Display of placards or posting of material on property	\$25.00	
38 CFR 1.218(b)(23)	Unauthorized photography on premises	\$50.00	
38 CFR 1.218(b)(24)	Failure to comply with traffic directions of VA Police	\$25.00	
38 CFR 1.218(b)(25)	Parking in spaces posted as reserved for physically disabled persons	\$50.00	
38 CFR 1.218(b)(26)	Parking in no-parking areas, lanes, or crosswalks so posted or marked by yellow borders or yellow stripes	\$25.00	
38 CFR 1.218(b)(27)	Parking in emergency vehicle spaces, areas and lanes bordered in red or posted as EMERGENCY VEHICLES ONLY or FIRE LANE, or parking within 15 feet of a fire hydrant	\$50.00	
38 CFR 1.218(b)(28)	Parking within an intersection or blocking a posted vehicle entrance or posted exit lanes	\$25.00	

38 CFR 1.218(b)(29)	Parking in spaces posted as reserved or in excess of a posted time limit	\$15.00	
38 CFR 1.218(b)(30)	Failing to come to a complete stop at a Stop sign	\$25.00	
38 CFR 1.218(b)(31)	Failing to yield to a pedestrian in a marked and posted crosswalk	\$25.00	
38 CFR 1.218(b)(32)	Driving in the wrong direction on a posted one-way street	\$25.00	
38 CFR 1.218(b)(33)	Operation of a vehicle in a reckless or unsafe manner, too fast for conditions, drag racing, overriding curbs, or leaving the roadway	\$100.00	
38 CFR 1.218(b)(34)	Exceeding posted speed limits:		
	By up to 10 MPH	\$25.00	
	By up to 20 MPH	\$50.00	
	By over 20 MPH	\$100.00	
38 CFR 1.218(b)(35)	Creating excessive noise in a hospital or cemetery zone by muffler cut out, excessive use of a horn, or other means	\$50.00	
38 CFR 1.218(b)(36)	Failure to yield right of way to other vehicles	\$50.00	
38 CFR 1.218(b)(37)	Possession of firearms, carried either openly or concealed, whether loaded or unloaded (except by Federal or State law enforcement officers on official business)	\$500.00	Charge under TITLE 18; PART I; CHAPTER 44; Sec. 930. Possession of firearms and dangerous weapons in Federal facilities; if criminal intent is present. Consult with District AUSA. If directed, arrest and complete criminal complaint.

38 CFR 1.218(b)(38)	Introduction or possession of explosives, or explosive devices which fire a projectile, ammunition, or combustibles	\$500.00	
38 CFR 1.218(b)(39)	Possession of knives which exceed a blade length of 3 inches; switchblade knives; any of the variety of hatches, clubs, and hand-held liquid or gas-emitting weapon	\$300.00	
38 CFR 1.218(b)(40)	The unauthorized possession of any of the variety of incapacitating liquid or gas-emitting weapons	\$200.00	
38 CFR 1.218(b)(41)	Unauthorized possession, manufacture, or use of keys or barrier card-type keys to rooms or areas on the property	\$200.00	
38 CFR 1.218(b)(42)	The surreptitious opening, or attempted opening, of locks or card-operated barrier mechanisms on property	\$500.00	
38 CFR 1.218(b)(43)	Soliciting for, or the act of, prostitution	\$250.00	
38 CFR 1.218(b)(44)	Any unlawful sexual activity	\$250.00	
38 CFR 1.218(b)(45)	Jogging, bicycling, sledding or any recreational physical activity conducted on cemetery grounds	\$50.00	
NMSA 65-1-26	Failure to carry registration documents in vehicle	Mandatory Court Appearance	
NMSA 66-3-852	Leave Vehicle Unattended, or unattended on traveled roadway when practical to do otherwise	\$54.00	
NMSA 66-5-40	Permitting unlicensed minor to drive	\$54.00	

NMSA 66-7-308	Failure to drive on the right side of roadway	\$54.00	
NMSA 66-7-315	Passing in No-Passing Zone	\$54.00	
NMSA 66-7-317	Failure to drive within marked traffic lane	\$54.00	
NMSA 66-7-318	Following too closely	\$54.00	
NMSA 66-7-322	Improper right turn	\$54.00	
NMSA 66-7-322	Improper left turn	\$54.00	
NMSA 66-7-325	Turning movements and required signals	\$54.00	
NMSA 66-7-328	Failure of vehicle approaching or entering intersection to yield right of way to vehicle which has entered intersection from different highway	\$54.00	
NMSA 66-7-329	Failure of vehicle intending to turn left at intersection to yield to vehicles approaching from opposite direction	\$54.00	
NMSA 66-7-331	Failure of vehicle entering highway from private road or driveway to yield right of way to vehicle approaching on highway	\$54.00	
NMSA 66-7-332	Failure to yield to emergency vehicles	\$54.00	
NMSA 66-7-346	Failure to Stop when Emerging from Alley or Driveway	\$54.00	

NMSA 66-7-347	Passing school bus	\$144.00	
NMSA 66-7-351	Standing, stopping or parking prohibited in specified places	\$49.00	
NMSA 66-7-353	Leaving unattended motor vehicle without first stopping the engine, locking the ignition, removing the key and setting the parking brake or placing the transmission in park position	\$49.00	
NMSA 66-7-354	Improper backing	\$54.00	
NMSA 66-7-356	Mandatory Use of Helmets When Operating Motorcycle (Below 18 YOA)	\$54.00	
NMSA 66-7-369	Child not in restraint device or seat belt	\$69.00	
NMSA 66-7-372	Seatbelts required, Unfastened Seatbelt	\$69.00	
NMSA 66-7-831	Failure to Dim Lights	\$54.00	
Albuquerque City Ordinance 8-3-3-5	Traffic regulations apply to bicycles		

D. Veterans Affairs Police will enforce the laws of the United States as codified in 18 United States Code, 21 United States Code, 42 United States Code and other titles and codes of Federal law as required to maintain law and order for offenses occurring on Department property. Felony violations will be prosecuted by the United States Attorney's Office.

E. Veterans Affairs Police will assimilate New Mexico State Law as codified in New Mexico State Statutes or Local Ordinances of the City of Albuquerque to ensure order within and on the exclusive jurisdiction of Department Property, pursuant to 18 United States Code, Section 13.

F. New Mexico Implied Consent applies to persons suspected of Driving Under the Influence found on Department Property.

G. All penalty assessments comply with current New Mexico State maximums.

H. Mandatory Court appearances under state law are Mandatory Court appearances in US Court.

I. Nothing contained in this rule shall prohibit a law enforcement officer of the United States Department of Veterans Affairs Police from arresting a person for the commission of any offense including those for which collateral may be posted and forfeited, and requiring the person charged to appear before a United States Magistrate or, upon arrest, taking him immediately before a United States Magistrate.