

March 21, 2007

**S 1383. ALLOW CYCLISTS TO USE PUBLIC LANDS.** Filed 3/21/07. *TO REQUIRE ANY AGENCY OF THIS STATE, OR ANY OTHER ENTITY, THAT HAS PURCHASED LAND WITH STATE FUNDS TO ALLOW ACCESS TO BICYCLISTS FOR THE PURPOSE OF CYCLING; PROVIDED HOWEVER, THAT SUCH USE OF THE LAND IS NOT PROHIBITED BY ANOTHER STATE LAW, A FEDERAL LAW, OR THE USE OF BICYCLES IN A PARTICULAR AREA WOULD BE DETRIMENTAL TO THE CYCLIST, OTHER INDIVIDUALS, OR THE ENVIRONMENT.*

Enacts GS 20-171.3 as title indicates. Requires a record of lands made open and available for use. Requires the use of a protective bicycle helmet on the lands, and restricts hours of use; violation of these rules is punishable by a fine of \$100. Effective January 1, 2008.

**Intro. by Jenkins.**

GS 20

May 10, 2007

**S 1383. ALLOW CYCLISTS TO USE PUBLIC LANDS.** Filed 3/21/07. Senate committee substitute makes the following changes to 1st edition. Clarifies that new GS 20-171.3 applies to land leased or managed with state funds as well as land purchased with state funds. Also clarifies that the new statute does not preclude a local cycling organization from offering to create and maintain cycling trails, which must be constructed according to guidelines established by a nationally recognized mountain biking organization. Provides that before cycling on public lands is restricted, local cycling organizations must be given an opportunity to be heard on why cycling should be allowed. Restricts cycling on public lands to between sunrise and sunset except that special events outside those hours are permitted on 24 hours' notice to the land holder. Provides that on game lands administered by the Wildlife Resources Commission, cycling is restricted to roads and trails designated for vehicle use and, if the cycling is not for hunting, to days closed to hunting. Also allows the Wildlife Resources Commission to restrict cycling on game lands where necessary to protect sensitive wildlife habitat or species.

July 23, 2007

**S 1383. ALLOW CYCLISTS TO USE PUBLIC LANDS.** Filed 3/21/07. House committee substitute makes the following changes to 2nd edition. Deletes proposed new GS 20-171.3 (Land available for bicycling) and instead enacts new GS 113A-87.1 (Use of state land for bicycling; creation of trails by volunteers).

Provides for the use of state land by bicyclists upon establishment of a usage agreement between the land manager and any cycling group or organization intending to use the land. Provides guidelines for the terms and conditions of the agreement. Provides that after the agreement is established, any cycling group or organization may create and maintain special cycling trails. Deletes requirement that bicycling trails must be constructed according to guidelines of a nationally recognized mountain biking organization. Requires that the state file a notice with the Division of Bicycle and Pedestrian Transportation of the Department of Transportation of any land restricted or removed from use by bicyclists. Directs that any land open and available to bicyclists also be available to members of the public for hiking and walking and provides guidelines regarding the yielding of the right-of-way by those walking and hiking on certain trails designated for off-road cycling. Provides that any agreements entered into before the effective date of the act (January 1, 2008) are not affected by the act.

July 26, 2007

**S 1383. ALLOW CYCLISTS TO USE PUBLIC LANDS.** Filed 3/21/07. House committee substitute makes the following changes to 3rd edition. Modifies proposed GS 113A-87.1 to provide that state land may (was, shall) be open and available for use by bicyclists upon establishment of a usage agreement. Deletes land managed with state funds from being available for such use. Restricts hiking, walking, and use of bicycles on game lands administered by the Wildlife Resources Commission (WRC) as follows: (1) limited to roads and trails designated for vehicular use; (2) persons not hunting may engage in these activities only on days closed to

hunting; (3) allows the WRC to restrict the use of bicycles on game lands where necessary to protect wildlife habitat or species. Makes conforming changes and conforms the title.

August 27, 2007

**SL 2007-449 (S 1383). ALLOW CYCLISTS TO USE PUBLIC LANDS.** *AN ACT TO ALLOW ANY AGENCY OF THIS STATE, OR ANY OTHER ENTITY, THAT HAS PURCHASED OR LEASED LAND WITH STATE FUNDS TO ALLOW ACCESS TO BICYCLISTS FOR THE PURPOSE OF CYCLING; PROVIDED, HOWEVER, THAT SUCH USE OF THE LAND IS NOT PROHIBITED BY ANOTHER STATE LAW, A FEDERAL LAW, OR THE USE OF BICYCLES IN A PARTICULAR AREA WOULD CAUSE SUBSTANTIAL HARM TO THE LAND OR THE ENVIRONMENT, AND TO ALLOW THE PUBLIC TO USE THE LAND FOR THE PURPOSE OF HIKING OR WALKING.* Summarized in *Daily Bulletin* 3/21/07, 5/10/07, 7/23/07, and 7/26/07. Enacted August 23, 2007. Effective January 1, 2008.