

This rule was filed as 19 NMAC 34.4.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 34 WILDLIFE HABITAT AND LANDS
PART 4 PROTECTION OF DEPARTMENT OF GAME AND FISH LANDS

19.34.4.1 ISSUING AGENCY: New Mexico Department of Game and Fish.
[1/13/96; Recompiled 12/31/01]

19.34.4.2 SCOPE: General public.
[1/13/96; Recompiled 12/31/01]

19.34.4.3 STATUTORY AUTHORITY: Sections 17-1-14, 17-1-26, and 17-4-1, NMSA 1978, provide the New Mexico state game commission with the authority to acquire land and to establish rules and regulations that it may deem necessary to carry out the purposes of Chapter 17, NMSA 1978.
[1/13/96; Recompiled 12/31/01]

19.34.4.4 DURATION: Permanent.
[1/13/96; Recompiled 12/31/01]

19.34.4.5 EFFECTIVE DATE: January 13, 1996 [unless a later date is cited at the end of a section]
[1/13/96; Recompiled 12/31/01]

19.34.4.6 OBJECTIVE: To establish rules to prevent damage to wildlife and wildlife habitat on lands owned or controlled by the department of game and fish.
[1/13/96; Recompiled 12/31/01]

19.34.4.7 DEFINITIONS:
A. "Established road" means any maintained or unmaintained right-of-way that has been utilized by the public and includes roads, streets, and highways.
B. "Motorized vehicle" means any motor-powered mechanical device used for conveyance.
[1/13/96; Recompiled 12/31/01]

19.34.4.8 PROHIBITED ACTIVITIES: It shall be unlawful for any person or persons to operate any motorized vehicle off of established roads on lands owned or controlled by the department of game and fish.
[1/13/96; Recompiled 12/31/01]

19.34.4.9 EXCEPTIONS:
A. Any county, state or federal law enforcement officer may drive off of established roads on these lands in the discharge of his official duties.
B. The director of the department of game and fish may permit other designated personnel to drive off of established roads when it is deemed necessary to provide proper maintenance and service upon these lands.
[8/16/72, 1/13/96; Recompiled 12/31/01]

HISTORY OF 19.34.4 NMAC:

Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:

DGF 72-12, Regulation No. 539, Driving Off Established Roads on Lands Owned or Controlled by the Department of Game and Fish, 8/16/72.

History of Repealed Material: [RESERVED]