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TO: All County Prosecutors
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FROM: Pearl Minato, Director
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SUBJECT: Guidance on Off-Road and All-Terrain Vehicle Use on Public Lands and Public Roads

The unlawful use of off-road vehicles (ORVs) and all-terrain vehicles (ATVs) on public roads and lands presents significant challenges to protecting the safety of drivers, passengers, and pedestrians on public roads, as well as protecting our natural resources on public lands. ORV use on public lands can lead to negative environmental impacts including pollution, soil erosion, and destruction of sensitive natural resources such as forests, streams and wetlands, and the harm and destruction of plant and animal species and their habitats. Consequently, expenditures for restoration, maintenance, and enforcement have risen. And unfortunately in many cases, these resources are destroyed and cannot be restored.

Given the significant safety and natural resource impacts associated with ORVs and ATVs, I am issuing this guidance in an effort to clarify State law regarding illegal ORV and ATV use on public lands and roads. This guidance is not exhaustive, but rather emphasizes New Jersey's laws and regulations available for law enforcement.

With your assistance and cooperation, we will continue to ensure the preservation of natural and cultural resources on public lands, the use and enjoyment of public lands, and safe public roads in New Jersey.

I. Vehicles Subject to this Guidance: Definitions

The purpose of this Guidance is to address certain vehicle use on public lands and public roads. ORV is an umbrella term that includes vehicles such as pick-up trucks and Jeeps that can legally be driven on public roads, as well as ATVs such as dirt bikes, quads/four-wheelers, and snowmobiles, which cannot be used on public roads. With limited exceptions related to permitted times and places, State law generally prohibits operation of the broad category of ORVs on public



lands, including parks and wildlife management areas. State law also prohibits operation of ATVs, snowmobiles, and dirt bikes on public roads.

ORVs

“[A]ny motorized vehicle with two or more wheels or tracks that is capable of being operated off of regularly improved and maintained roads including, but not limited to, motorcycles . . . , snowmobiles and all-terrain vehicles, and dirt bikes” N.J.S.A. 39:3C-32.

<u>Snowmobiles</u>	<u>ATVs</u>	<u>Dirt Bikes</u>
“[A]ny motor vehicle, designed primarily to travel over ice or snow, of a type which uses sled type runners, skis, an endless belt tread, cleats, or any combination of these or other similar means of contact with the surface upon which it is operated” N.J.S.A. 39:3C-1.	“A motor vehicle, designed and manufactured for off-road use only, of a type possessing between three and six non-highway tires” N.J.S.A. 39:3C-1.	“[A]ny two-wheeled motorcycle that is designed and manufactured for off-road use only and that does not comply with Federal Motor Vehicle Safety Standards or United States Environmental Protection Agency on-road emissions standards.” N.J.S.A. 39:3C-1.

ORVs, ATVs, snowmobiles, and dirt bikes that are used in lawful areas in New Jersey are generally subject to the following requirements: (1) the vehicle is registered and numbered in accordance with N.J.S.A. 39:3C-3, N.J.S.A. 39:3C-4, N.J.S.A. 39:3C-5, and N.J.S.A. 39:3C-8; (2) the owner obtains liability insurance (N.J.S.A. 39:3C-20); (3) the vehicle is equipped with headlights, taillights, brakes, reflectors, and a muffler (*see* N.J.S.A. 39:3C-24); and (4) the operator of the vehicle is 18 years old or older¹ (N.J.S.A. 39:3C-16).²

II. ORV Use on Public Lands

The term “public lands” applies to a broad category of lands that are protected and maintained as assets for society. Pursuant to New Jersey law, public lands include those “owned, operated, managed, or maintained, or under the jurisdiction of the Department of Environmental Protection,” and those used for conservation purposes. N.J.S.A. 39:3C-1; N.J.S.A. 39:3C-32. These lands include, but are not necessarily limited to, State and local parks, forests, and wildlife management areas. *See, e.g.*, N.J.A.C. 7:2-3.2–3.4 (State Parks); N.J.A.C. 7:25-2.2 (State Wildlife Management Areas). Importantly, no person may operate ORVs on public lands, including State and local parks, forests, and wildlife management areas, unless the lands have been designated for ORV use or the ORV use is for a special event on a pre-established course and under prescribed conditions. *See* N.J.A.C. 7:2-3.4; N.J.A.C. 7:25-2.2.

¹ An individual under the age of eighteen (18) who operates these vehicles shall complete a safety education and training course. N.J.S.A. 39:3C-9(b).

² Not all ORVs are required to adhere to these mandates. *See, e.g.*, N.J.S.A. 39:3C-6 (operation for use on farms); N.J.S.A. 39:3C-7 (nonresident exceptions).



In addition to those lands under the jurisdiction of the Department of Environmental Protection or used for conservation purposes, public lands include “any land so designated by municipal or county ordinance.” N.J.S.A. 39:3C-1; N.J.S.A. 39:3C-32. For example, public lands designated by a municipal ordinance may include sidewalks, bicycle paths, conservation easements, open spaces, parks or any other public lands within a particular city or township. *See, e.g.*, Passaic, N.J., Code, ch. 203, Art. II, § 17 (rev. Apr. 12, 2022) (Passaic County Parks and Playgrounds); Holmdel, N.J., Ordinances, ch. 3, § 3-3.2(b)(3). Municipal ordinances may also include specific days and times when ORVs may be operated. *See, e.g., id.* at § 3-3.2(b)(7). ORVs operated on these public lands will also be subject to the requirements of Title 39:3C-1 *et seq.*, outlined in Section I. *See e.g., id.* at § 3-3.2(b)(3).

A. State Parks and Forests

State law generally prohibits ORV use in State Parks and Forests. “A person shall not operate an off-road vehicle on or over the lands and waters under the jurisdiction of the State Park Service at any time except that, when an area is so designated by the State Park Service, permits may be granted for organized ‘special events’ to operate on a pre-established course under prescribed conditions.” N.J.A.C. 7:2-3.4(d); *see also* N.J.A.C. 7:2-3.2(a). Law enforcement officers may contact the State Park Service at 1-800-WARN-DEP to determine whether a special event permit for ORV use is in effect.

Some State Parks and Forests have public roads within the boundaries of the park. “All motor vehicles operated on lands under the jurisdiction of the State Park Service shall be subject to Motor Vehicle Laws of the State of New Jersey, N.J.S.A. 39-1 *et seq.*, all rules promulgated pursuant thereto, and this chapter.” N.J.A.C. 7:2-3.3. Properly licensed and registered ORVs, such as jeeps and pick-up trucks, that otherwise comply with the motor vehicle provisions of Title 39 are allowed to operate on established public roads and parking areas like any other motor vehicle, but they may not leave the road to enter “any cultivated or planted area, transmission line, survey line or in the woods, swamps, bogs, wetlands or fields” without a permit. N.J.A.C. 7:2-3.4(c).

Other State Park provisions may also apply, depending on the circumstances, and law enforcement officers may charge all violations that apply. For example, snowmobiles are only allowed on State Park Service trails specifically designated for that purpose. N.J.A.C. 7:2-3.5(b). State Park snowmobile regulations can be found at N.J.A.C. 7:2-3.5. Also, all motor vehicles operated on State Park Service property must be properly licensed and registered, and the driver must have in his or her possession a valid driver’s license and other documentation required by the New Jersey Division of Motor Vehicles. N.J.A.C. 7:2-3.1. Officers may write an additional citation if the ORV causes damage to State Park Service property, such as soil erosion or destruction of vegetation. “[N]o person may alter, deface, destroy, disturb, or remove any State park or forest property, whether man-made or natural, or any animal, or any archaeological findings on State park or forest property or which are held by the department.”³ N.J.S.A. 13:1L-10(a); *see also* Section II(E) below for increased penalties that apply to damage to public lands.

³ N.J.S.A. 13:1L-10(d) does not restrict or affect “fishing, hunting, trapping, or other such activities or related activities otherwise authorized or permitted on State park or forest property by the Department of Environmental Protection.”



Penalties for State Park Service violations are found at N.J.S.A. 13:1L-23. Specifically, N.J.S.A. 13:1L-23(d) makes any violation involving a vehicle or off-road vehicle subject to the penalty provisions of N.J.S.A. 39:3C-33 and -34, including fines, impoundment, and potentially forfeiture of the vehicle, as discussed in Section II(E) below.

B. Wildlife Management Areas

ORVs and ATVs are generally prohibited in Wildlife Management Areas. “No person shall operate motor vehicles, including conveyances, commonly known as off-road vehicles, all terrain vehicles, snowmobiles, dog sleds, dog carts or trail bikes, on State Wildlife Management Areas at any time without first obtaining a written permit or other authorization from the Division.” N.J.A.C. 7:25-2.2(c).

Pursuant to N.J.S.A. 23:7-9(a), and with respect to property under the control of the Division of Fish and Wildlife, no individual may (1) remove or disturb property of the State, (2) injure or damage property of the state, or (3) use property contrary to the rules and regulations established by the Division of Fish and Wildlife.⁴ Additionally, no individual may operate vehicles on State Wildlife Management Areas without first obtaining a written permit or other authorization from the Division of Fish and Wildlife. N.J.A.C. 7:25-2.2.

Individuals that violate the provisions of Title 23 are subject to fines in Title 39 as outlined in Section II(E) below. *See* N.J.S.A. 39:3C-33(a)–(d); N.J.S.A. 39:3C-34(b)–(c); *see also* N.J.S.A. 23:7-9(b)(2)(a) (“[A]ny violation involving a vehicle or off-road vehicle shall be subject to the provisions of sections 33 and 34 of L.2009, c.275 (C.39:3C-33 and C.39:3C-34). . . .”). ORVs used in violation of Wildlife Management Area regulations are also subject to impoundment, N.J.S.A. 39:3C-34, and forfeiture actions as outlined below, N.J.S.A. 39:3C-34(e) or N.J.S.A. 2C:64-1(a)(5).

C. Designated Municipal Parks and Property

In addition to those lands under the jurisdiction of the Department of Environmental Protection or used for conservation purposes, public lands include “any land so designated by municipal or county ordinance.” N.J.S.A. 39:3C-1; N.J.S.A. 39:3C-32. For example, public lands designated by a municipal ordinance may include sidewalks, bicycle paths, conservation easements, open spaces, parks, or any other public lands within a particular city or township. *See, e.g.,* Holmdel, N.J., Ordinances, ch. 3, § 3-3.2(b)(3). Municipal ordinances may also include specific days and times when ORVs may be operated. *See, e.g., id.* at § 3-3.2(b)(7). ORVs operated on these public lands will also be subject to the requirements of Title 39:3C-1 *et seq.*, outlined in Section II. *See e.g., id.* at § 3-3.2(b)(3).

Law enforcement may also utilize local regulations or ordinances related to ORVs and other prohibited vehicles as additional means of enforcement for unlawful use of such vehicles on

⁴ Title 23 also places limitations on hunting with ORVs and carrying loaded firearms in an ORV while hunting. *See* N.J.S.A. 23:4-16; N.J.S.A. 23:4-24.1.



public lands and roads. *See, e.g.*, Holmdel, N.J., Ordinances, ch. 3, § 3-3.

D. Authorized ORV Use on Public Lands

While ORVs are generally prohibited on public lands, multiple legal avenues exist for ORV users:

- (1) ORV users and recreational groups can seek special use permits from the State Park Service within the Department of Environmental Protection for ORV events. *See* N.J.S.A. 39:3C-22; N.J.A.C. 7:2-3.2; N.J.A.C. 7:2-3.4.
- (2) Snowmobiles are permitted in certain areas of public lands within New Jersey. These areas include sections of High Point State Park, Wawayanda State Park, Ringwood State Park, Stokes State Forest, and Worthington State Forest.⁵
- (3) ORV use on public lands may be permissible if it constitutes a reasonable accommodation because of a disability. *See* New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 to -49; *see also* *Lasky v. Moorestown Twp.*, 425 N.J. Super. 530, 537 (App. Div. 2012) (noting that the park owned and maintained by the Township was a “public accommodation” subject to the Law Against Discrimination’s prohibition on discrimination pursuant to N.J.S.A. 10:5-12). The Department of Environmental Protection, State Park Service, and Division of Fish and Wildlife have made efforts to create greater accessibility on public lands for individuals with physical disabilities, such as the designation of adaptive bike trails, and visitors may contact these entities to learn more about reasonable accommodations.

Both ORV users and law enforcement personnel are advised to consult with the Department of Environmental Protection to determine the locations and times of permitted routes and events, which may change over time.

E. Penalties for ORV Violations on Public Lands

1. Fines

Individuals convicted of unlawful ORV use on public lands are subject to enhanced fines outlined in Title 39, which were implemented in 2009.⁶ *See* L.2009, c.275. Pursuant to N.J.S.A. 39:3C-33(a)–(c), the following penalties apply to unlawful use of ORVs on public lands:

⁵ The Department of Environmental Protection may continue to designate additional areas for ORV use such as snowmobiles on certain frozen managed lakes.

⁶ Prior to the enhanced fines implemented in 2009, *see* L.2009, c.275, a person that violates Title 13 is “liable to a civil penalty of not less than \$50 nor more than \$1,500, plus restitution if applicable, for each offense[.]” N.J.S.A. 13:1L-23(d). Additionally, if the violation is continuous, each day constitutes an additional, separate, and distinct offense. N.J.S.A. 13:1L-23(d). Further, if a violation results in a pecuniary gain or if the violator willfully or wantonly causes injury or damage to property, the violator shall be liable to an additional civil penalty equal to three times the value or the pecuniary gain or injury or damage to property. N.J.S.A. 13:1L-23(d).



1. A fine between \$250 – \$500 (first violation);
2. A fine between \$500 – \$1,000 (second violation);
3. A fine of \$1,000 or more (third or subsequent violation).

Additionally, if an individual, while operating an ORV, damages or destroys natural resources valued in excess of \$100, the court can impose a fine of five times the amount it would cost to restore or replace the damaged or destroyed natural resources. N.J.S.A. 39:3C-33(d). Further, if the individual operating the ORV is under the age of seventeen, the owner of the ORV is liable for the fines. N.J.S.A. 39:3C-33(d).

2. Impoundment of the Vehicle

Law enforcement officers also have the authority to impound ORVs for unlawful use on public lands. Pursuant to N.J.S.A. 39:3C-34(b)(1)–(3), the following penalties apply when impounding ORVs:

1. The ORV may be impounded for not less than forty-eight (48) hours and a fee of \$500 for towing and storage may be imposed (first violation);
2. The ORV may be impounded for not less than ninety-six (96) hours and a fee of \$750 for towing and storage may be imposed (second violation);
3. The ORV may be forfeited and sold at auction and a fee of \$1,000 for towing and storage may be imposed (third or subsequent violation).

Additionally, if the owner fails to claim the impounded ORV, and if the fees addressed above have not been paid, by noon of the 30th day following the date of conviction, the ORV may be sold at auction. N.J.S.A. 39:3C-34(c)(1).⁷

3. Forfeiture of the Vehicle

In addition to impounding a vehicle, law enforcement officers have authority to initiate forfeiture actions under Title 39. When an individual has unlawfully operated an ORV on public lands three or more times, “forfeiture may be enforced by a civil action, instituted within 90 days of the impoundment and commenced by the State against the property sought to be forfeited.” N.J.S.A. 39:3C-34(e)(1). State Park Police must follow certain procedures, such as providing notice to any person that is known to have a property interest in the vehicle. N.J.S.A. 39:3C-34(e)(2).

State Park Service violations, Wildlife Management Area Violations, and Municipal Ordinance violations can all be heard in municipal court. N.J.S.A. 13:1L-23(d); N.J.S.A. 23:7-9(b)(2). Keep in mind that ORV violations that occur in State Parks and Forests and in Wildlife

⁷ N.J.S.A. 39:3C-34(c)(1) also imposes notice requirements before the ORV can be sold at auction.



Management Areas are civil penalty enforcement actions, which carry mandatory minimum penalties, and should not be downgraded to a municipal ordinance violation to secure a plea agreement in municipal court. *See* Guidelines for Operation of Plea Agreements in the Municipal Courts of New Jersey, Pressler & Verniero, *Current N.J. Court Rules*, Appendix to Part VII cmt. (2022). In no circumstance may a civil penalty violation be converted to a criminal or quasi-criminal municipal ordinance violation as part of a plea agreement.

III. ATV Use on Public Roads

Similar to public lands, certain vehicle use is broadly prohibited on public roads. Pursuant to New Jersey law, “[n]o person shall operate a snowmobile, all-terrain vehicle, or dirt bike upon limited access highways⁸ or within the right-of-way limits thereof.” N.J.S.A. 39:3C-17(a). Additionally, “[n]o person shall operate a snowmobile, all-terrain vehicle, or dirt bike upon the main traveled portion or the plowed snowbanks of any public street or highway or within the right-of-way limits thereof. . . .” N.J.S.A. 39:3C-17(b). Further, individuals are not permitted “to operate a snowmobile, all-terrain vehicle, or dirt bike upon [any] railroad or right-of-way of an operating railroad.” N.J.S.A. 39:3C-19(f).

Further, counties and municipalities may have similar local ordinances or regulations limiting the use of ATVs, snowmobiles, and dirt bikes on public roads. Municipalities should also consider utilizing N.J.S.A. 39:3C-35(e) for unlawful ATV or dirt bike use on public roads. That provision provides that a municipality may “by ordinance declare that an all-terrain vehicle or dirt bike operated on any public street, highway, or right-of-way in violation of [N.J.S.A. 39:3C-17] poses an immediate threat to the public health, safety, or welfare and [may] designate such all-terrain vehicles or dirt bikes so operated as contraband subject to forfeiture in accordance with the provisions of N.J.S.A. 2C:64-1 *et seq.*” *See, e.g.,* Holmdel, N.J., Ordinances, ch. 3, § 3-3.2(b)(3) (noting that it is unlawful to operate ATVs, snowmobiles, or dirt bikes on any public street, sidewalk, or bicycle path). Law enforcement should become familiar with applicable ordinances related to ORV and ATV use within their jurisdictions.

While ATVs, snowmobiles, and dirt bikes are generally prohibited on public roads, multiple legal avenues exist for users of these types of vehicles:

- (1) Properly registered ATVs, snowmobiles, and dirt bikes are permitted to cross public streets or highways, but not limited access highways, “provided that such crossing can be made in safety and that it does not interfere with the free movement of vehicular traffic approaching from either direction on the public street or highway.” N.J.S.A. 39:3C-17(b)(1). Crossing public streets or highways is only permissible if the operator of the ATV brings the vehicle to a complete stop prior to crossing the road. *Id.* Additionally, “[i]t shall be the responsibility of the operator of a snowmobile, all-terrain vehicle, or dirt bike to yield the right-of-way to all vehicular traffic upon any public street or highway before crossing the public street or highway.” *Id.*

⁸ "Limited access highway" means a highway especially designed for through traffic, over which abutters have no easement or right of light, air or direct access by reason of the fact that their property abuts upon that limited access highway. N.J.S.A. 27:5-7.3



- (2) ATVs, snowmobiles, and dirt bikes can be operated adjacent and parallel to public highways when gaining immediate access to an appropriate area is impracticable. N.J.S.A. 39:3C-17(b)(2). This exception only applies when the appropriate area is adjacent to a public highway. *Id.*

Regarding violations on public roads, however, penalties differ from the penalties for violations on public lands. Pursuant to N.J.S.A. 39:3C-28, the following penalties apply to the unlawful use of ATVs, snowmobiles, and dirt bikes on public roads:

1. A fine between \$250 – \$500 (first violation);
2. A fine between \$500 – \$1,000 (second or subsequent violation).

Law enforcement officers also have the authority to impound ATVs, snowmobiles, and dirt bikes for unlawful use on public roads. Pursuant to N.J.S.A. 39:3C-35(a), ATVs, snowmobiles, and dirt bikes operated on public roads shall be impounded and subject to the following fees and costs:

1. Impounded for not less than seven (7) days and shall be released to the registered owner upon proof of registration and insurance and payment of a fee of \$500 payable to the municipality, plus reasonable towing and storage costs (first violation);
2. Impounded for not less than fourteen (14) days and shall be released to the registered owner upon proof of registration and insurance and payment of a fee of \$750 payable to the municipality, plus reasonable towing and storage costs (second or subsequent violation).

Additionally, if the owner fails to claim the impounded vehicle, and if the fees addressed above have not been paid by midnight of the 30th day following the date of impoundment, the vehicle may be sold at auction. N.J.S.A. 39:3C-35(b).⁹

Law enforcement may also initiate forfeiture actions pursuant to N.J.S.A. 2C:64-1(a)(5). Forfeiture actions must be filed within ninety (90) days of the date of seizure. N.J.S.A. 2C:64-3. A successful forfeiture action under N.J.S.A. 2C:64-1(a)(5) will likely require criminal charges arising out of or related to the property seized unless (1) “there is no known owner of the seized property and no person credibly asserts an ownership interest in the seized property” or (2) the State establishes by preponderance of evidence that the property seized has a value of more than \$10,000. N.J.S.A. 2C:64-3(k).

Courts have further authority to impose community service for unlawful use on public roads. Pursuant to N.J.S.A. 39:3C-36, individuals operating ATVs, snowmobiles, and dirt bikes are subject to the following number of days of community service:

⁹ N.J.S.A. 39:3C-35(b) also imposes notice requirements before the vehicle can be sold at auction.



1. Ordered by the court to perform community service for a period of 30 days (first violation);
2. Ordered by the court to perform community service for a period of 60 days (second violation);
3. Ordered by the court to perform community service for a period of 90 days (third or subsequent violation).

IV. Law Enforcement Authority

The following entities should be aware of available enforcement authorities found in Titles 13, 23, and 39.¹⁰ Additionally, the New Jersey Administrative Code provides supplementary enforcement provisions, as well as local regulations and ordinances.

A. State Park Police

State Park Police have statewide jurisdiction to issue complaint-summonses for any motor vehicle violations, including ORV and ATV violations, on all public lands and public roads in the State, and more broadly have “the power to arrest without warrant any person violating any law of the State committed in their presence and bring the offender before any court having jurisdiction to receive the complaint of such violation. These personnel are hereby authorized to carry firearms at all times.” N.J.S.A. 13:1L-21; N.J.S.A. 13:1A-6.1.

B. Division of Fish and Wildlife Conservation Police

Conservation Police Officers have statewide jurisdiction to issue complaint-summonses for any motor vehicle violations, including ORV and ATV violations on all public lands and public roads in the State, and more broadly have “the power to arrest without warrant any person violating any law of this State committed in their presence and bring the offender before any court having jurisdiction to receive the complaint of such violation.” N.J.S.A. 13:1A-6.1.

C. State Police

Under Title 53, the New Jersey State Police have broad jurisdiction. Pursuant to N.J.S.A. 53:2-1, State Police “may co-operate with any other State department, or any State or local authority in detecting crime, apprehending criminals and preserving law and order.” Additionally, State Police “may act . . . as wardens in the protection of the forests, and the fish and game of the State.” N.J.S.A. 53:2-1. As a result, State Police have the authority to utilize enforcement provisions from Titles 13, 23, and 39—meaning State Police can bring actions against individuals operating ORVs and ATVs and other vehicles on both public lands and public roads. For ORV

¹⁰ The enforcement authorities discussed in this Part are not criminal charges. Law enforcement officers may come across situations where criminal charges are appropriate, such as criminal mischief, N.J.S.A. 2C:17-3. A criminal mischief charge can arise in scenarios where, for example, an individual “[p]urposely or knowingly damages tangible property of another.” N.J.S.A. 2C:17-3(a)(1). The severity of this crime ranges from third-degree to a disorderly person’s offense, based on the amount of damage to the property. N.J.S.A. 2C:17-3(b).



violations on public lands, State Police can issue summonses for the violations outlined above, including N.J.A.C. 7:2-3.2, N.J.A.C. 7:2-3.4, and N.J.A.C. 7:25-2.2. *See* N.J.S.A. 39:3C-33(a)–(d); N.J.S.A. 39:3C-34(b)–(c). State Police can also impound vehicles, N.J.S.A. 39:3C-34, and initiate forfeiture actions as outlined above, N.J.S.A. 39:3C-34(e) or N.J.S.A. 2C:64-1(a)(5), for violations on public lands.

D. County & Municipal Police

County and Municipal Police have the authority to enforce Title 39 against individuals that operate ORVs and ATVs on public lands and roads, and rules and regulations made and promulgated by the governing body of the county respecting the general health, safety and welfare of the public within the territorial limits of the county. *See* N.J.S.A. 40A:14-107 (general powers of county police); N.J.S.A. 40A:14-152.1 (general powers of municipal police). These officers may also enforce ORV violations on Wildlife Management Areas. *See* N.J.S.A. 23:10-3.

For ORV violations on public lands, County and Municipal Police can issue summonses for violations that may lead to enhanced penalties from Title 39, as outlined above. *See* N.J.S.A. 39:3C-33(a)–(d); N.J.S.A. 39:3C-34(b)–(c). County and Municipal Police can also impound vehicles, N.J.S.A. 39:3C-34, and initiate forfeiture actions as outlined above, N.J.S.A. 39:3C-34(e) or N.J.S.A. 2C:64-1(a)(5), for violations on public lands. Additionally, for violations on public roads, County and Municipal Police can enforce non-enhanced penalties in Title 39. *See* N.J.S.A. 39:3C-28; N.J.S.A. 39:3C-35; N.J.S.A. 39:3C-36. County and Municipal Police can also initiate forfeiture actions pursuant to N.J.S.A. 2C:64-1(a)(5).

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Should a law enforcement agency require additional guidance as to the application of these laws and regulations set forth in this memorandum, please contact the Division of Criminal Justice Environmental Crimes Unit at 609-984-6500.



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