

New York State Office of Parks
Recreation and Historic Preservation

RULES & REGULATIONS

*The following rules and regulations govern the
conduct of the public on property under the
jurisdiction of the New York State Office of
Parks, Recreation and Historic Preservation*



STATE OF NEW YORK
NYS OFFICE OF PARKS,
RECREATION AND HISTORIC PRESERVATION

An Equal Opportunity/Affirmative Action Agency



This booklet contains the rules and regulations which govern public use of property under the jurisdiction of the New York State Office of Parks, Recreation and Historic Preservation. These rules and regulations are found in Parts 370 through 378 of Chapter I of Subtitle I of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York (9 NYCRR 370–378). They have been adopted pursuant to subdivision 8 of section 3.09 of the Parks, Recreation and Historic Preservation Law and were last amended on May 10, 1994 to be effective on May 25, 1994.

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Parks, Recreation and Historic Preservation Law

§ 27.11 Offenses; penalties

1. Unless otherwise specifically provided, any person who violates any provision of this chapter, or of any law, ordinance, rule, regulation or order adopted pursuant thereto, shall be guilty of a

(a) traffic infraction, if such provision, law, ordinance, rule, regulation or order is one which regulates traffic as specified in section one hundred fifty-five of the vehicle and traffic law, but does not relate to snowmobiles.

(b) violation, for any other offense.

2. A traffic infraction shall be punishable as provided in subdivision (b) of section one thousand eight hundred of the vehicle and traffic law in the same manner as if the offense were a violation of the vehicle and traffic law. A violation shall be punishable as provided in the penal law. Upon conviction of a violation of any provision of article twenty-five of this chapter a court may also require the convicted person, as a condition of the sentence in addition to any other penalty, to successfully complete a snowmobile safety course approved by the commissioner.

**OFFICE OF PARKS, RECREATION
AND HISTORIC PRESERVATION REGULATIONS
CHAPTER I. PARKS
SUBCHAPTER A. STATEWIDE RULES**

PART 370. STATEMENT OF POLICY

**Section 370.1
Statement of policy.**

(a) The State of New York is abundant in natural, scenic and recreational resources. The magnificent State park, recreational and historic site system, administered by the Office of Parks, Recreation and Historic Preservation encourages and facilitates the use and enjoyment of such resources by the public and thereby promotes and enhances the well-being of each individual.

(b) State parks, however, contain waterfalls, waterways, chasms, slopes and other natural features which, by their nature, may constitute hazards and present dangers to persons approaching them.

(c) In addition to the dangers presented by natural hazards, the use of State parks and historic sites by the public for varied and divergent purposes may also, if not controlled, endanger the safety of members thereof and tend to deny certain individuals equality of opportunity in the use and enjoyment of these resources.

(d) Therefore, to enhance and promote the safety, well-being and enjoyment of each individual in the use of the State park, recreational and historic site system, and to assure to each individual equality of opportunity in the use and enjoyment of such system, the rules and regulations set forth in this Chapter are hereby established to govern the conduct of the public with respect thereto.

**PART 371. DEFINITIONS AND CONSTRUCTION OF
TERMS; TERRITORIAL APPLICATION;
VALIDITY**

**Section 371.1
Definition of terms.**

Whenever used in this Chapter, the following terms shall mean and include the meanings expressly set forth in this section, unless otherwise expressly defined:

(a) *Commissioner* shall mean the Commissioner of Parks, Recreation and Historic Preservation.

(b) *Motor vehicle* shall mean any vehicle designed or maintained for use primarily on a highway, and powered by any power other than muscular power, other than a snowmobile, all-terrain vehicle or similar wheeled or air-cushioned vehicle designed or equipped to operate outside of roadways.

(c) *Office* shall mean the State Office of Parks, Recreation and Historic Preservation.

(d) *Personal property* shall mean any property, or interest therein, other than real property.

(e) *Property* shall mean real or personal property.

(f) *Real property* shall mean lands, improvements and structures thereon, rights, franchises and interests therein, lands under water and riparian rights, and any and all interests in lands less than full title, including (sic), without limitation, temporary or permanent easements (including scenic or conservation easements), divided or undivided interests, rights of way, uses, leases, licenses and any other estate, interest or right in lands, legal and equitable.

(g) *Region* or *park region* shall mean a park region as established by the provisions of section 7.01 of the Parks, Recreation and Historic Preservation Law.

(h) *Regional park, recreation and historic preservation commission* shall mean a regional park, recreation and historic preservation commission as enumerated in section 7.03 of the Parks, Recreation and Historic Preservation Law.

Section 371.2
Construction of terms.

Any term contained in this Chapter shall be construed as follows:

- (a) Any term in the singular shall include the plural;
- (b) Any term in the masculine shall include the feminine and neuter;
- (c) The prohibition of any act shall extend to and include an attempt to commit such act and the causing and/or the procuring, directly or indirectly, of such act;
- (d) No provision contained in this Chapter shall cause to be deemed unlawful any act performed by an officer or employee of the office in the line of duty or in the scope of employment, or any act performed by a person, his agents or employees in the performance or execution of the terms of an agreement with the office.

Section 371.3
Territorial application.

The provisions of this Chapter shall be effective within, upon and in the airspace above all property that is presently or shall in the future be under the jurisdiction, custody or control of the office unless otherwise provided.

Section 371.4
Validity.

If any Part, section, subdivision, paragraph or provision of this Chapter shall be determined to be invalid, such determination shall apply to the particular Part, section, subdivision, paragraph or provision, and all other provisions of this Chapter shall remain valid and in effect.

PART 372. PERMITS

Section 372.1 Permits.

(a) A written permit issued by the commissioner to do any act shall authorize the same only insofar as it may be performed in strict accordance with the terms and conditions thereof.

(b) Any act authorized pursuant to a permit may be performed only by the person named therein, and any such authorization may not be assigned or delegated, unless and except as provided in such permit.

(c) Any permit may be revoked at the option of the commissioner whose action shall be final. In case of such revocation, all monies paid for or on account thereof shall, at the option of the commissioner, be forfeited to and retained by the office.

(d) In any case where the holder of a permit or his agent or employee shall have been found to have violated a term or condition thereof, such holder and his agent or employee who has violated such terms and conditions shall be jointly and severally liable to the State of New York for any damages or loss suffered by it in excess of money forfeited and retained by the office.

(e) Neither the forfeiture and retention of any such money by the office nor the recovery or collection of any damages or both shall preclude the prosecution of any person for a violation of a rule or regulation of the office or the violation of any other State or local law, ordinance, rule or regulation.

Section 372.2
Activities or uses prohibited except when
undertaken pursuant to a permit.

Except where authorized by a contract, license or other agreement with the office entered into pursuant to section 3.09 of the Parks, Recreation and Historic Preservation Law, any person engaging in the activities listed in section 372.7 of this Part on property under the jurisdiction, custody or control of the office must obtain a permit issued by the commissioner and comply with the terms thereof and any other conditions contained in this Part.

Section 372.3
Permit applications.

(a) Unless another address is provided on the permit application or permit information, permit applications shall be submitted to the district or regional office with jurisdiction over the facility for which the permit is sought.

(b) Application for a permit shall be made in the manner indicated by the office. Where an application form is provided, the form shall be properly completed and signed and shall be accompanied by any required supplemental documents.

(c) Any person issued a permit assumes all liability and responsibility for any activity conducted under the authority of the permit or any actions resulting from activities authorized by the permit.

(d) The application must be accompanied by the application and permit fees, if any, and by any other items which may be required as a condition of the permit, such as certificates of insurance, bonds and letters of credit.

Section 372.4
Action on permit applications.

(a) If an application is not complete, the office will contact the applicant for additional information within 15 calendar days of its receipt.

(b) Except as provided in subdivision (c) of this section, if the application is complete, the office will either issue or deny the permit within 15 calendar days of its receipt.

(c) If the office needs additional time to review a permit application, it will notify the applicant within 15 calendar days that additional review time is required and indicate when it will act upon the permit request.

(d) If the office denies an application for a permit, it will notify the applicant of its reasons why the permit was not issued. Any application and/or permit fees will be returned to the applicant.

(e) This section does not apply to camping and cabin permits which are issued through the office's camping reservation system

Section 372.5
Reasons for not issuing permits.

The office may reject a permit application for the following reasons:

(a) another activity or use has been previously scheduled for the same time at the facility or area requested;

(b) the proposed activity or use is not compatible with the recreational, environmental or historic character of the facility or area requested;

(c) the office can reasonably anticipate that the proposed activity or use cannot be accommodated with safety for all park patrons or may result in damage to park or facility resources;

(d) the proposed activity or use cannot be accommodated without requiring the office to spend additional funds to provide for operational, supervisory, maintenance or law enforcement personnel, equipment or services;

(e) the proposed activity or use will cause undue interference with the activities of other park patrons; or

(f) a material condition of the permit has not been met by the applicant.

Section 372.6
Appeal of denial of a permit application.

An applicant may appeal a denial of a permit application by writing the Commissioner of Parks, Recreation and Historic Preservation, Agency Building 1, Empire State Plaza, Albany, NY 12238.

Section 372.7
Activities requiring a permit.

The following activities shall require a permit:

(a) *Fireworks and explosives.* The introduction, possession or use of fireworks, gun powder, powder used in blasting, high explosives, blasting materials, detonating fuses, detonators and other detonating agents, smokeless powder or any chemical compound or any mechanical mixture containing any oxidizing and combustible units, or other ingredients in such proportions, quantities, or packing that ignition by fire, friction, concussion, percussion or detonation of any part thereof may cause an explosion.

(b) *Commercial activities.* The selling or offering for sale, hire or lease of any merchandise, service or other thing of value; the taking of moving pictures or photographs for commercial or publicity purposes or the purchasing or selling of negatives thereof or prints therefrom or the exhibition of same in public.

(c) *Public exhibitions, etc.* The holding of any lecture or any form of entertainment, performance, motion picture, contest or other such event for commercial purposes and the distribution or posting of handbills or advertisements in connection therewith, or the erection of any structure, stand or platform in connection therewith.

(d) *Charter excursions.* The receiving or discharge of passengers from or upon any wharf, dock or other property by a vessel or aircraft which carries such passenger for hire other than in an emergency.

(e) *Aviation.* The voluntary introduction, launch, takeoff or landing of any aircraft, parachute, hang glider, ultra-light, balloon or other weight-carrying machine or device designed for flight in or navigation of the air other than in an emergency

(f) *Advertising.*

(1) The posting or distributing of advertising matter or the oral advertising for sale of any merchandise, article, service or other thing of value, or soliciting in connection with the sale of the same outside a park.

(2) The use of an aircraft for the purpose of advertising by means of towing banners, signs or other devices, dropping or distributing advertising materials or advertising through a loud speaker or other device.

(g) *Camping.* Camping at authorized sites, cabins or other structures.

(1) No picnic table, garbage receptacle, woodpile and other equipment supplied by the office shall be placed at any location other than those approved by an officer or employee of the office.

(2) No laundry shall be hung or spread on trees, shrubs or lawns.

(3) No campsite or cabin shall be sublet.

(4) Campsites shall be kept in a neat, clean and sanitary condition.

(5) No person shall wash dishes, clothes or his person at a water fountain or other outlet.

(6) Camping trailers and self-contained campers shall provide suitable receptacles to prevent the discharge of waste from sink outlets onto real property.

(7) Ditching around tents is prohibited in grassed areas. Ditching is permitted in graveled areas, provided that such ditches are filled in upon vacating the site.

(8) No person under the age of 18 will be permitted to camp unless accompanied and supervised by a person 18 years of age or older who has been issued a permit; provided, however, that at such facilities as may be designated by the commissioner, no camping permit will be issued to any person under the age of 21.

(9) No person shall make any structural change or alteration in any campsite or cabin.

(10) Failure to occupy a reserved site at the time specified in the permit may result in the cancellation of such permit without refund.

(11) No person shall occupy a site after the time specified in the permit or renewal thereof.

(12) No person shall attach a rope, line or other device to a tree, shrub or structure.

(13) All temporary mirrors used for extra trailering safety shall be removed immediately after unhooking trailers at campsites.

(14) Campers shall respect the rights and privacy of others and shall maintain quiet on the campsite between the hours of 10 p.m. and 7 a.m.

(15) Campsites shall be closed to all persons who are not registered as occupants thereof between the hours of 10 p.m. and 7 a.m.

(h) *Outing buses.* The use and operation of outing or recreational buses for the purpose of transporting persons to and from property under the jurisdiction of the office for a recreational experience. This provision shall not apply to the use of such vehicles on a parkway.

(i) *Public omnibuses.* Public omnibuses having a seating capacity of more than 12 passengers. Any applicant for such a permit shall also have the rates of fares approved by the commissioner and both the permit and rates must be clearly displayed on the omnibus. This provision shall not apply to the use of such vehicles on a parkway.

(j) *Toy or model rockets or aircraft.* The use or operation of toy or model rockets or aircraft.

(k) *Research and educational projects.* The conducting of a research or educational project including, but not limited to, the collection and possession of specimens.

(l) *Picnics and outings.*

(1) The conducting of a picnic or outing by a group or organization in excess of 25 persons, including educational field trips.

(2) Notwithstanding paragraph (1) of this subdivision, in the ninth park region a permit shall be required for a picnic or outing conducted by a group or organization in excess of 50 persons.

(m) Within the ninth park region only, the use and operation of four-wheel drive vehicles in designated areas off the improved portion of a park road, notwithstanding the provisions of section 378.1(e) of this Title.

(n) *Archaeological excavations.* The exploration for and excavation and gathering of archaeological or paleontological objects. Permits shall be subject to the approval of the New York State Education Department.

(o) *Metal detectors.* The use or operation of a metal detector or other mechanical device to locate buried or concealed metal. Permits shall be granted for use of metal detectors in designated areas only.

(p) *Bows and arrows and muzzle-loading weapons.* Except for hunting where permitted by a rule or regulation of a regional park, recreation and historic preservation commission, the use or possession of any bow and arrow or muzzle-loading weapon. Permits shall be subject to the following conditions:

(1) The use of bows and arrows shall be restricted to areas specifically designated and established for that purpose. Such use shall at all times be under the direction of a qualified supervisor.

(2) The use of muzzle-loading weapons shall be limited to demonstrations and interpretive programming conducted by staff members at State historic sites and to special events sponsored by the office, such as the reenacting of Revolutionary or Civil War battles. The weapons shall be loaded with blanks only.

PART 374. LOST ARTICLES

Section 374.1 Return of lost articles.

Any person finding or taking possession of lost property not his own, of the value of \$20 or more, shall immediately return such property to its lawful owner or custodian. If the lawful owner or custodian cannot be immediately found or ascertained, the property shall be turned over to a member of the regional State park police or if no member of the regional park police can be located, an employee of the office, who shall issue a receipt therefor.

PART 375. PROHIBITED ACTIVITIES

Section 375.1 Activities absolutely prohibited.

The activities and uses enumerated in this section shall be absolutely prohibited on property under the jurisdiction, custody and control of the office.

(a) [Reserved]

(b) *Pollution of waters.* No person shall in any manner cause to be placed in waters or into any storm sewer, drain or stream flowing into such waters any sewage, garbage, trash, litter, debris, waste material or any nauseous or offensive matter.

(c) *Littering.* No person shall in any manner cause any rubbish, garbage, refuse, organic or inorganic waste, diseased or dead animal, or other offensive matter or any abandoned property or material to be placed or left in or on any property, except in receptacles provided for that purpose.

(d) *Drains and sewers.* No person shall discharge into any openings or gutter leading into any sewer, receiving basin or drain in or leading into any property any gas or vapor, or any substance which may form a deposit tending to choke same, or any volatile liquid which may emit an inflammable vapor at a temperature below 160 degrees Fahrenheit, or any steam or water above 100 degrees Fahrenheit.

(e) *Injury to property.* No person shall make an excavation on or injure, destroy, deface, remove, fill in, tamper with or cut any real or personal property, tree or other plant life.

(f) *Disorderly conduct.* No person shall do any of the following:

(1) disobey a lawful order of any officer or employee of the office or the directions of any sign erected by or at the direction of the office;

(2) use abusive or obscene language or make an obscene gesture;

(3) throw stones or other objects or missiles which may inflict bodily injury or damage to property;

(4) obstruct vehicular or pedestrian traffic;

(5) climb upon any wall, fence, structure or monument;

(6) engage in or encourage fighting or violent or threatening behavior;

(7) spit upon grounds or other surfaces;

(8) make any unreasonable noise;

(9) throw away or discard any lighted match, cigar, cigarette, charcoal or other burning object other than in a receptacle provided for that purpose;

(10) operate any watercraft, wheeled vehicle, snowmobile, or other equipment in such a manner as to endanger other persons or property or in such a manner so as to create an unreasonable noise or disturbance;

(11) commit an act which may result in injury to any person or damage to real or personal property or create a hazardous or offensive condition by any act which serves no legitimate purpose;

(12) without lawful authority, disturb any lawful assembly or meeting of persons; and

(13) congregate with other persons and refuse to comply with a lawful order to disburse.

(g) *Charges.* No person shall enter upon or use any facility or property for the use of which a charge or fee is imposed, unless he shall have first paid such charge or fee.

(h) *Property closed to public.* No person shall enter or remain upon any property or within any structure during such hours, seasonal or indefinite

periods that such property or structure has been designated as closed by a sign or by an employee of the office.

(i) *Use of established ways.* No person shall use other than trails, overlooks, roads and other ways established and provided for public use by the office. No liability shall attach to the State, its officers, employees or agents for injuries to persons resulting from the use of other than such established trails, overlooks, roads or ways.

(j) *Minors.*

(1) No person having custody or control of a minor shall permit such minor to do any act in violation of a rule or regulation of the office. Minors under 10 years of age shall at all times be under the supervision and control of a parent, guardian or responsible custodian.

(2) Notwithstanding paragraph (1) of this subdivision, within the twelfth park region minors under six years of age only shall at all times be under the supervision and control of a parent, guardian or responsible custodian.

(k) *Hitchhiking.* No person shall solicit a ride or hitchhike. No person shall pick up a hitchhiker.

(l) *Gambling.*

(1) Gambling, lotteries, games of chance and fortune-telling are prohibited.

(2) Notwithstanding paragraph (1) of this subdivision, the sale of tickets for the New York State Lottery by concessioners approved by the commissioner shall be permitted in those park regions where the approval of the regional park, recreation and historic preservation commission has been given.

(m) No person shall introduce, possess or use any machete or cutting tool other than an axe, hatchet or sheath knife for the purpose of preparing wood for a cooking fire.

(n) *Animals.* No person shall introduce or possess any animal except as otherwise provided in this Subchapter or in the rules and regulations of a regional park, recreation and historic preservation commission.

(o) *All-terrain vehicle.*

(1) No person shall use or operate an all-terrain vehicle or other similar wheeled or air-cushioned vehicle designed or equipped to operate

outside of highways. This prohibition shall not be interpreted to include snowmobiles unless equipped with a wheeled conversion to an all-terrain vehicle.

(2) Notwithstanding the provisions of paragraph (1) of this subdivision, a nonambulatory person who has been issued by the Department of Environmental Conservation, according to the provisions of subdivision (2) of section 11- 0931 of the Environmental Conservation Law, a permit to possess a loaded firearm in or on a motor vehicle may, pursuant to a permit issued by the commissioner, operate an all-terrain vehicle on property under the jurisdiction of the office for the purposes of hunting.

(i) Application for a permit to operate an all-terrain vehicle for hunting shall be made in writing to the commissioner and shall include a copy of the permit for loaded firearm in a vehicle issued by the Department of Environmental Conservation.

(ii) A permit issued pursuant to this subdivision shall be for a specified period and shall contain such terms and conditions as the commissioner shall deem necessary to assure the safety and protection of the general public, park resources and the permittee. Such terms and conditions may include, but need not be limited to, the specific areas designated for non-ambulatory hunting and the types of vehicles allowed.

(p) *Firearms and weapons.*

(1) Notwithstanding the provisions of paragraph (2) of this subdivision, no person, other than a member of a Federal, State or municipal law enforcement agency, shall introduce or possess, either upon the person or within a vehicle, or use any firearm or any instrument or weapon the propelling force of which is a spring, rubber or air or any ammunition or propellant therefor, or a bow and arrow, except for hunting where permitted by a rule or regulation of a regional park, recreation and historic preservation commission or pursuant to a permit issued according to the provisions of section 376.1(r)* of this Title.

(2) Any person employed by a private security firm which has contracted with the office or with a lessee or licensee of the office for services on property under the jurisdiction, custody and control of the office shall be permitted, with the approval of the office, to carry a firearm supplied by his or her employer in the course of his or her employment on such property, provided that such person is licensed pursuant to section 400.00 of the Penal Law and meets such minimum qualifications as

**It should be noted that this is how the regulation appears in the actual text. However, due to changes in the regulations, the proper reference for this section is 372.7.*

may be established by the commissioner. In addition, any firm providing security services on lands under the jurisdiction of the office shall provide public liability insurance, naming the State as an insured party, in such amounts as the commissioner shall require.

(q) *Attire*. No person shall appear nude in public as defined in section 235.20(2) of the Penal Law, dress or undress other than in facilities provided therefor, enter or remain in any area or facility in such attire as may be prohibited by a sign or by an employee of the office or bathe in other than a bathing suit safe and suitable for such purpose.

(r) *Artificial swimming aids*. No person shall use tubes, floats, swim fins, Aqua-lungs or skin diving equipment of any kind, or any other inflated or buoyant objects or artificial or mechanical aids for swimming or diving, except under the following circumstances:

(1) when the use of skin or scuba diving equipment is authorized in accordance with the terms of a permit issued by the commissioner; or

(2) when the use of personal flotation devices at designated facilities is specifically authorized by the commissioner. Only United States Coast Guard-approved personal flotation devices of types I, II and III shall be allowed.

(s) The use of property of the Niagara Reservation, Whirlpool or Devil's Hole State Parks for the purpose of launching a vessel or watercraft on the Niagara River or for the purpose of negotiating the Niagara River by any means whatsoever.

PART 377. REGULATED ACTIVITIES

Section 377.1 Regulated activities.

The following activities are prohibited on property under the jurisdiction, custody and control of the office, except in areas specifically designated therefor, during such hours or seasonal periods specifically authorized and subject to such conditions as may be contained herein.

(a) The throwing, striking, kicking or catching of any ball, horseshoe or other object or the conduct of any game or athletic activity, or the use of any device or equipment used in any such game or athletic activity.

(b) The engaging in toy or model boating or automobiling.

(c) The use or riding of saddle horses:

(1) No horse shall be left unattended or in an unenclosed space without being securely fastened to a device provided for such purpose.

(2) Saddle horses shall be used or ridden in such a manner so as not to endanger the safety of the public or interfere with the use and enjoyment of a park by others.

(d) The building, kindling, lighting or maintaining of any fire. Fires may be built and maintained only in fireplaces, grills or stoves suitable for cooking purposes, and no fire shall be started or maintained unless under the constant supervision of a responsible person.

(e) The use of a sled, skis, skates or other vehicle, equipment or device used for the purpose of moving over snow or ice on runners, wheels or other means

(f) Roller skating and skateboarding.

(g) Kite flying.

(h) Swimming, diving, bathing or wading in swimming pools or other waters or walking upon the frozen surface thereof.

(i) *The use, launching, beaching, docking, mooring or anchoring of a boat or watercraft used as a means of transportation on water.*

(1) No boat or watercraft shall be operated within a bathing or surfing area. For the purposes of the ninth park region only, a bathing or surfing area shall be deemed to include the water area adjacent to and within 1,000 feet of any bathing beach or surfing area on the Atlantic Ocean, Long Island Sound and the bays along the shores of Long Island.

(2) No boat or watercraft shall be operated at a speed greater than five miles per hour in any area designated as a boat basin or anchorage area.

(3) No boat or watercraft shall be operated at a speed greater than 12 miles per hour in those waters designated as the channel system within the ninth park region.

(4) Within those waters designated as the channel system within the ninth park region, no person shall permit a vessel to be moored or anchored except at the edge of a channel and in no case shall a vessel

be moored to or anchored within 50 feet of a channel marker or so as to interfere with the full use of the channel.

(5) If any boat or watercraft shall burn, submerge or become disabled, such boat or watercraft shall be removed immediately by its owner or other person having custody thereof. If such boat or watercraft is not removed within 24 hours, the office may have it removed and charge the owner or other person having custody thereof with any expense incurred in relation thereto.

(6) No person shall operate a vessel without having the exhaust from the engine run through a muffler so constructed and used as to muffle the noise of exhaust in a reasonable manner.

(7) Use and operation of vessels in Allegany State Park.

(i) Vessels are permitted only in waters designated for vessel operation.

(ii) The use of inflatable vessels is prohibited.

(iii) The use of motorized (sic) vessels is permitted in the Allegany Reservoir.

(iv) In the waters of Quaker Lake, motorized vessels utilizing electric motors of no more than five horsepower are permitted.

(j) *Use and operation of vessels on Cuba Lake.*

(1) Overnight occupancy of vessels is prohibited.

(2) No motorboat shall be operated until the owner has registered with a designated employee of the office. Such registration may be revoked by the office at any time.

(3) All rowboats, canoes, sailboats and kayaks shall display on both sides a number at least three inches high. Cottage owners shall display the letter "C" on such vessels owned by them followed by the number corresponding to the number of their cottage.

(4) Races between vessels may be held only on days designated by the office.

(5) No more than two persons may be towed behind a motorboat at one time for waterskiing purposes. All waterskiers shall wear Coast Guard approved life preservers or ski belts.

(k) *The towing of persons on waterskis, aquaplanes or the use of a surfboard.* A surfboard must have securely fastened to it a tether not exceeding eight feet in length, the free end of which must be securely bound to either the ankle or waist of the surfer.

(l) *The use or operation of a snowmobile as defined in subdivision 3 of section 21.05 of the Parks, Recreation and Historic Preservation Law.*

(1) Notwithstanding the foregoing provision, the operation of a snowmobile during the period beginning one-half hour after sunset and ending at sunrise or the holding of a special event for snowmobiles, including but not limited to races and competitions, shall be permitted only pursuant to a written permit issued by the commissioner.

(2) The operator of any snowmobile shall carry liability insurance in an amount equal to that prescribed by law for such operation on highways and carry evidence of same.

(3) No person shall operate a snowmobile in any area where the snow cover is less than three inches.

(4) No person under 10 years of age may operate a snowmobile on property under the jurisdiction, custody or control of the office.

(5) No person under 16 years of age may operate a snowmobile without having received and in his possession a snowmobile safety certificate issued by the commissioner or unless such person is accompanied by a person at least 18 years of age.*

(m) *Golf.* Engaging in the game of golf or in practice therefor:

(1) golfers and caddies must register before play;

**It should be noted that this is how the regulation appears in the actual text. However, a change in the New York Parks, Recreation and Historic Preservation Law §25.19(1) provides as follows: Age of operation. No person under eighteen years of age shall operate a snowmobile except as provided for in this subdivision. (a) No person under the age of fourteen years shall operate a snowmobile except upon land owned or leased by his or her parent or guardian. Leased lands as used in this section shall not include lands leased by an organization of which said operator or his or her parent or guardian is a member. (b) A person ten years of age or older but less than fourteen years of age who holds a valid snowmobile safety certificate issued by the commissioner may operate a snowmobile on any lands upon which snowmobiling is allowed if accompanied by a person over eighteen years of age. For the purpose of this section, "accompanied" shall mean within five hundred feet of the person over eighteen years of age. (c) A person fourteen years of age or older but less than eighteen years of age, who either holds a valid snowmobile safety certificate issued by the commissioner or is accompanied by a person over eighteen years of age, may operate a snowmobile in the same manner as a person over eighteen years of age.*

(2) only registered golfers and their caddies may enter upon a golf course or practice area or search for lost balls in adjacent areas; and

(3) no person shall commence play at other than designated starting tees.

(n) *Taxis and limousines.*

(1) Taxis and limousines shall be permitted to pick up and discharge passengers, but shall not be permitted to cruise or solicit passengers. The provision shall not apply to the use or operation of a taxi or limousine in a parkway.

(2) Notwithstanding paragraph (1) of this subdivision, within the Watkins Glen State Park and within the fifth park region, taxis shall be permitted only pursuant to a permit issued by the commissioner.

(o) *Motorized two- and three-wheeled vehicles.* Motorized two- and three-wheeled vehicles may be operated on the improved portion of park roads and other designated areas.

(p) *Bicycling.*

PART 378. TRAFFIC

Section 378.1

Use and operation of motor vehicles on property under the jurisdiction, custody and control of the office.

(a) No person shall cause or permit a vehicle to be towed or pushed by another vehicle, except that a disabled vehicle may be towed to the nearest park or parkway exit by a tow truck operated for such purpose. Disabled vehicles shall be moved off the paved portion of a parkway or road so as to prevent obstruction of traffic, but a disabled vehicle shall be permitted to remain off the pavement only until temporary repairs are made or until power can be obtained to remove it. If such vehicle is not removed within 24 hours, it may be removed by the office at the expense of the owner or person in charge thereof. Any vehicle left on the paved portion of a parkway or park road may be immediately removed by the office at the expense of the owner or person in charge thereof.

(b) No motor vehicle shall contain any person or object protruding or hanging outside or on the top thereof, except that sports and recreation equipment may be carried on the rear of such vehicle or on a rack designed for such purpose and attached to the top thereof. Fastenings shall be secure

and substantial, and in no case shall any such equipment be permitted to protrude to the extent that it may create a hazard to other vehicles.

(c) No person shall operate a motor vehicle unless duly licensed in accordance with the laws of the State of New York, and no person having custody or control of a motor vehicle shall permit the same to be operated by another person not duly licensed in accordance with the laws of the State of New York. Persons having a learner's permit issued in accordance with the provisions of section 501 of the Vehicle and Traffic Law shall be permitted to operate a motor vehicle on such parkways or park roads specifically designated for such purpose.

(d) No person shall cause or permit the interior of a motor vehicle to be closed from view, except those vehicles designed or used for camping purposes and then only when being used for camping.

(e) No person shall cause or permit a motor vehicle to be driven or otherwise moved off the improved or paved portion of a parkway, park road or designated parking area except by designated access drive or except as otherwise provided in this Chapter.

(f) No person shall cause or permit a motor vehicle to be parked or to stand, except in designated areas.

(g) No person shall cause or permit a motor vehicle to enter or leave property under the jurisdiction, custody or control of the office, except by designated routes.

(h) No person shall cause or permit a motor vehicle to make a U-turn, except around a plaza or other place where designated.

(i) No person shall cause or permit a motor vehicle to unnecessarily stop or obstruct traffic

(j) No person shall cause or permit a motor vehicle to be driven at such a slow speed as to impede or block the normal and reasonable movement of traffic, except where such reduced speed is necessary for safe operation or in compliance with the directions of an employee of the office.

(k) No person shall cause or permit a motor vehicle to cross a solid longitudinal traffic line, except when directed to do so by an employee of the office.

(l) No person shall cause or permit a motor vehicle to weave in and out of traffic, change its course, enter or change traffic lanes in such a manner or at such a speed as to unreasonably interfere with the operation of any other vehicle.

(m) No person shall cause or permit a motor vehicle to be driven or backed on a traffic lane opposite to that of the movement of traffic in such lane.

(n) No person shall cause or permit a motor vehicle to be stopped on the improved or paved portion of any parkway or other road for the purpose of removing or replacing a tire or making any repair to a vehicle.

(o) During any period declared to be a snow emergency by the commissioner, any motor vehicle determined by the commissioner to be abandoned shall be removed by the office at the expense, including towing and storage, of the owner or other person in charge of such vehicle.

(p) During any period declared to be a snow emergency by the commissioner, no person shall cause or permit a vehicle to be operated, unless the powered wheels of such vehicle are equipped with chains or snow tires. Worn or damaged tires which no longer provide effective traction or which fail to meet the requirements of the Commissioner of Motor Vehicles established pursuant to the Vehicle and Traffic Law shall not constitute snow tires regardless of their original classification.

(q) All persons shall heed and comply with the directions of the regional park police and other employees of the office and the directions of all traffic signs and signals.

(r) Except for emergencies, no person shall cause or permit a motor vehicle to be stopped, other than within an authorized parking area, on the following parkways:

(1) Loop Parkway. Beginning at Lido Boulevard easterly to Meadowbrook Causeway.

(2) Meadowbrook Parkway. Beginning at the south end of the sloop channel bridge northerly to Merrick Road.

(3) Wantagh Parkway. Beginning at a point one-half mile north of the Jones Beach State Park water tower (south end of gas station plaza) northerly to Merrick.

(4) Ocean Parkway. Beginning at the easterly boundary of Jones Beach State Park (east side of entrance to Parking Field No. 9) easterly to the entrance to Captree State Park.

(5) Robert Moses Causeway. Beginning at the Robert Moses State Park water tower northerly to Montauk Highway.

(s) Except pursuant to a permit issued by the commissioner, during the period from December 15th through March 31st of each year, no person shall operate or cause to be operated any motor-driven vehicle except a snowmobile upon the customarily unplowed roads of Allegany State Park which are part of the designated snowmobile trail system of the park. Such roads include, but are not limited to, the following:

(1) Allegany State Park Route 1, from the Red House store parking lot southerly to the intersection with ASP Route 3;

(2) Bay State Road, the unpaved portion;

(3) France Brook Road;

(4) Thunder Rocks Road;

(5) Limestone Ridge Road;

(6) Limestone Run Road, the portion within the Town of Red House; and

(7) Stone Tower Ridge Road.

(t) Traffic using the driveway to the regional administration building, Red House Area, Allegany State Park, shall travel one-way in a north-to-south direction.

