391-5-1-.05 Safety and General Conditions of Use.

(1) Vehicles.

(a) State Law and Supplementary Rules.

1. All applicable sections of Title 40, Official Code of Georgia Annotated, regulating the equipment and operation of vehicles on Georgia roads will be enforced in all sites.

2. Supplementary rules in this chapter provide regulations applicable to all sites.

(b) Traffic Control. Site managers and associates are authorized to direct traffic in sites. All persons shall comply with lawful orders, signals, and direction of such site managers and associates. All persons shall observe and comply with posted traffic control devices and signs.

(c) Speed of Vehicles. No person shall operate a vehicle in a site at a speed greater than is reasonable or prudent, having due regard for the weather, surface, width and condition of paving and the traffic thereon. Speed shall not exceed 35 miles per hour. Speed shall not exceed 15 miles per hour within 200 feet of an intensive-use area as defined by law.

(d) Motor Vehicles. Motor vehicles are restricted to site roads, through roads, and parking areas. The operation of motor vehicles within a site after normal operating hours is limited to division associates and registered overnight guests, except in an emergency.
(e) **Bicycles.**

1. Bicycles shall be ridden on designated bicycle trails or roads only. They may be pushed by hand over open spaces, such as lawns or beaches, or paved areas reserved for pedestrian use. Bicycles shall be neither ridden or pushed along designated nature trails or footpaths.

2. Where provided, bicycle racks must be used for parking bicycles. Bicycles shall not be chained and locked to trees or site structures or placed so as to obstruct pedestrian or vehicular movement.

(f) **Obstructing Traffic.** No person shall cause or permit any vehicle to obstruct traffic by unnecessary stopping. In the event of mechanical difficulties, the driver shall report the occurrence at once to site associates and make arrangements for the expeditious removal of the vehicle. No vehicle shall be left standing or parked on any site road at night without lights visible for at least two hundred feet (200') from both front and rear of the vehicle.

(g) **Trucks.** No trucks or other vehicles commonly used for carrying freight, merchandise or goods for sale, unless traversing the site on a through highway, shall operate on site roads without obtaining written permission from the site manager, except when such vehicles are used in connection with delivery of supplies, site work, activities, or concessions, or are used for transporting persons to a site for recreational purposes and not for compensation.

(h) **Towing Other Vehicles.** No person shall operate or park within any site, a vehicle in tow of another vehicle, except boat, camping or travel trailers or recreational vehicles towing auxiliary automobiles.

(i) **Soliciting Rides or Fares.** No person shall solicit rides from any driver, nor shall any driver of a vehicle, other than an authorized concessionaire, solicit riders for compensation.

(j) **Parking.**

1. Parking vehicles at any place within a site, including upon the right of way of any county, state, or federal highway which traverses the site, is prohibited except in designated parking areas in accordance with markings and signs and any instructions given by site associates. Double parking or obstructing traffic is prohibited.

2. No person shall park a motor vehicle in any site without a parking pass except as set forth in Rule 391-5-1-.03(3).

(k) **Exemptions.** This subparagraph shall not be applicable to vehicles engaged in official business of the department or law enforcement agencies or used in emergency rescue in accordance with the directions of the site manager.

(2) **Aircraft.**

(a) No person operating or responsible for any aircraft shall cause such aircraft to land in or take off from any site or deliver by air any person, material or equipment by parachute or other means, except in emergencies threatening human life or when authorized in writing by the director.

(b) This paragraph shall not be applicable to aircraft engaged in official business of federal, state or local governments or law enforcement agencies, aircraft used in emergency rescue in accordance with the directions of the site manager, or aircraft forced to land due to circumstances beyond the control of the operator.
(3) **Skating, Skateboards, and Similar Devices.** Using roller skates, roller blades, skateboards, roller skis, coasting vehicles, or similar devices is prohibited, except in designated areas.

(4) **Weapons.** The use and possession of weapons are prohibited in all sites except:

(a) When used or possessed by authorized federal, state and local law enforcement officers in the performance of their official duties;

(b) When unloaded and packed, cased or stored in a manner that will prevent their ready use; or

(c) When such use or possession has been authorized in restricted areas and under terms and conditions specified in writing by the director.

(5) **Explosives and Fireworks.** Using, possessing, storing, or transporting explosives, blasting agents or explosive materials, fireworks and firecrackers is prohibited in all sites, unless authorized in writing by the director. When permitted, the use, possession, storage and transportation shall be in accordance with applicable federal and state laws and such terms and conditions as the director may establish. In an emergency, the discharge of distress signals or flares is permitted.

(6) **Alcoholic Beverages; Intoxication.**

(a) The possession and consumption of alcoholic beverages must be in accordance with state law.

(b) The possession of open containers of alcoholic beverages in state parks and historic sites is prohibited except where the consumption of alcoholic beverages is permitted, or where such open containers are stored under lock and key so as not to be readily accessible for consumption.

(7) **Noise.** It is prohibited to operate televisions, radios, tape or compact disk players, public address systems, musical instruments, vehicles, or other noise-making devices or machines at volume levels which are unreasonable, considering the nature and purpose of the actor's conduct, location, time of day or night, purpose for which the area is operated, impact on site users, and other factors that would govern the conduct of a reasonably prudent person under the circumstances.

(8) **Disorderly Conduct.** No person shall unreasonably disturb or annoy others through abrasive, loud, insulting or threatening words or actions, or physically harm or threaten any other person, or act in a manner resulting in a breach of the peace.

(9) **Interfering with Agency Functions.** The following are prohibited:

(a) Threatening, resisting, intimidating, or intentionally interfering with a government employee or agent engaged in an official duty or on account of the performance of an official duty.

(b) Disobeying any lawful order of a law enforcement official, site manager, or authorized associates.

(c) Knowingly giving a false or fictitious report or other false information:

1. To a government employee or agent in the conduct of official duties; or

2. On an application, registration form, or other document required by law or regulation.

(10) **Segregation by Sex.** No person over the age of five years shall enter into or loiter near any site structure or section thereof reserved and designated for exclusive use by the opposite sex.
(11) **First Amendment Activities.**

(a) Public assemblies, meetings, gatherings, demonstrations, religious activities and other public expressions of views under the First Amendment of the U.S. Constitution, including the distribution of noncommercial printed matter, are allowed within sites, provided a permit therefore has been issued by the director or site manager.

(b) An application for such a permit shall set forth the name of the applicant; the name of the organization (if any); the date, time, duration, nature and place of the proposed event or activity; the estimated number of persons expected to participate; the equipment and facilities to be used; and any other information required by the permit application form.

(c) Where the number of persons expected to attend or participate is ten or fewer, a permit may be issued by the site manager. If more than ten persons are expected to attend or participate, approval of the director is required.

(d) The site manager or director shall, without unreasonable delay, issue a permit on proper application unless:

1. A prior application for a permit for the same time and place has been made that has been or will be granted and the activities authorized by that permit do not reasonably allow multiple occupancy of that particular area; or

2. It reasonably appears that the event or activity will threaten the health, safety, and welfare of persons using the site; or

3. The event or activity is of such nature or duration that it cannot reasonably be accommodated in the particular location applied for, considering such things as damaged to site resources or facilities, impairment of the atmosphere of peace and tranquility in natural or historic areas, interference with interpretive, visitor service, program, or administrative activities, or impairment of public use facilities or services of concessionaires or contractors; or

4. The event or activity would constitute a violation of an applicable law or regulation.

(e) The permit may contain such conditions as are reasonably consistent with protection and use of the site for the purposes for which it is operated including limitations on the time, location, number of participants, use and facilities, and number and types of equipment used, but not on the content or the message. Locations which are not appropriate for first amendment activities include, but are not limited to: museums; archaeological and interpretive areas, historic structures; ruins; trails; sensitive or fragile natural areas; and the habitats of threatened or endangered species.

(f) No permit shall be issued for a period in excess of 14 consecutive days, provided that permits may be extended for like periods, upon a new application, unless another applicant has requested use of that same location and multiple occupancy of that location is not reasonably possible.

(g) If a permit is denied, the applicant shall be so informed in writing, with the reason(s) for the denial set forth.

(h) It is prohibited for persons engaged in activities covered under this section to obstruct or impede pedestrians or vehicles, or harass site visitors with physical contact or persistent demands.

(i) Participants in events and activities covered under this section shall be subject to usual fees for site parking, admission, or use.
(j) Violation of the terms and conditions of a permit issued in accordance with this section may result in the suspension or revocation of the permit.

(12) Special Events.

(a) Special events, attractions, and entertainments are allowed, provided there is a meaningful association between the site and the events, or the observance contributes to visitor understanding of the significance of the site, and a permit therefore has been issued by the director. A permit shall be denied if such activities would:

1. have an undesirable impact on site resources; or

2. threaten the health, safety, and welfare of persons using the site; or

3. be contrary to the purposes for which the site is operated or compromise the atmosphere of peace and tranquility maintained in natural or historic areas; or

4. interfere with normal site usage or operations.

(b) An application for such a permit shall set forth the name of the applicant, the name of the organization (if any) the date, time, duration, nature and place of the proposed event, an estimate of the number of persons expected to attend, a statement of equipment and facilities to be used, and any other information required by the permit application form. The application shall be submitted so as to reach the director at least thirty days in advance of the proposed event.

(c) As a condition of permit issuance, the director may require:

1. The filing of a bond payable to the department in an amount adequate to cover costs such as restoration, rehabilitation, and cleanup of the area used, and other costs resulting from the special event. In lieu of a bond, a permittee may elect to deposit cash equal to the amount of the required bond. No interest shall be paid by the department on cash deposits.

2. Compliance with other statutory requirements, including but not limited to bonds for fireworks displays.

3. The acquisition of liability insurance in which the State of Georgia is name as co-insured in an amount sufficient to protect the State of Georgia.

(d) Permits may contain such conditions as are reasonably consistent with protection and use of the site for the purposes for which it is operated. It may also contain reasonable limitations on the equipment used and the time and area within which the event is allowed.

(e) Concession agreements.

1. Persons sponsoring or conducting special events at which money will be collected must be covered under a concession agreement signed by the director. The concession agreement shall require payment to the department of a fee based on a percentage of the gross revenue collected in compensation for the impact on the resource.

2. The director may waive the required fees when he deems such waiver to be in the best interest of the division.
3. No concession agreement is required for site-sponsored special events where all moneys are collected by site associates.

4. Exhibitors or demonstrators at site-sponsored arts and crafts shows who sell wares to the public must obtain a permit from the site manager.

5. Food and beverage vendors at all special events, whether or not site-sponsored, must be covered under a concession agreement.

(f) Violation of the terms and conditions of a permit or concession agreement issued in accordance with this section is prohibited and may result in the suspension or revocation of the permit or concession agreement.

(13) Solicitation. No person shall solicit contributions in any site in the form of money, goods, services, or otherwise for any purpose. This paragraph shall not apply to contributions made by members of the department for the benefit of state parks and historic sites.

(14) Vending, Advertising, Signs, and Broadcasts.

(a) Vending. No person, other than a licensed concessionaire, citizen support group, or authorized site associates, shall offer for sale, lease, rent or hire any goods, perishable or non-perishable, services, property, or merchandise, or engage in any business or erect any building, booth, tent, stall or any other structure whether temporary or permanent in nature for purposes of offering for sale, lease, rent, or hire any goods, services, property or merchandise.

(b) Advertising.

1. No person shall display, distribute, post or fix any handbill, pamphlet, literature, circular, poster or other printed matter containing advertising within any site; provided, however, authorization may be obtained from the site manager to post, at specified locations, announcements of site-sponsored or authorized events and gatherings.

2. This section shall not apply to signs placed or authorized by the site manager advertising goods or services available at the site or to informational brochures published by governmental or non-profit organizations describing natural or historic attractions in Georgia to which admission may be charged.

3. No person shall operate, park, moor or station in a site any vehicle or vessel displaying a sign advertising goods or services for sale or exchange. This paragraph shall not apply to commercial vehicles making deliveries or providing services to the site.

(c) Signs. No signs or notices of any kind shall be posted in any site without permission of the site manager.

(d) Broadcasts. No musical instrument, radio, tape recording, television or sound tract shall be operated or any noise made which demonstrates, advertises or calls attention to any article or service for sale, rent or hire, except as provided for in a written concession agreement approved by the director.

(e) Still and Motion Pictures. No person shall take still or motion pictures, either commercial or private, involving the use of special settings or structures or the performance of a cast of persons, either amateur or professional, without first obtaining written permission from the director.
(15) Authorization of Special Uses. Authorization of special uses of government-owned property administered by the division shall be in writing on forms prescribed by the division, and must be approved by the director.

(16) Property.

(a) Unattended and Abandoned Property. No personal property of any kind shall be abandoned or left unattended on site lands or waters. Unattended personal property shall be presumed to be abandoned after a period of 24 hours, or at any time after a posted closure hour, except in locations where longer time periods have been designated or in accordance with conditions established by the site manager.

(b) Found Property. Found property shall be turned in to the site manager as soon as practicable.

(c) Impounding of Property.

1. Found or abandoned property shall be impounded and stored at a point designated by the site manager.

2. Unattended property that interferes with visitor safety, orderly management of the site, or presents a threat to site resources may be impounded by the site manager at any time.

3. Impounded property shall be inventoried to determine ownership and safeguard personal property.

(d) Disposition of Found and Abandoned Property.

1. Abandoned motor vehicles shall be disposed of in accordance with the provisions of Title 40 of the Official Code of Georgia Annotated. Abandoned vessels shall be disposed of in accordance with the provisions of Title 52 of the Official Code of Georgia Annotated.

2. All other abandoned or found property remaining unclaimed after 90 days shall be disposed of in accordance with procedures established by the director pursuant to state law.

(17) Reporting Accidents. Accidents involving bodily injury, death, or damage to property shall be reported to site associates as expeditiously as possible.