

**RULES
OF
GEORGIA DEPARTMENT OF NATURAL RESOURCES
COASTAL RESOURCES DIVISION**

CHAPTER 391-2-2

SHORE PROTECTION

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391-2-2-.03 Beach Driving Authorizations.

391-2-2-.03 Beach Driving Authorizations.

(1) Purpose. The purpose of these Rules is to implement the authority of the Board of Natural Resources to promulgate rules and regulations to establish criteria under which the Shore Protection Committee may issue authorizations to drive motor vehicles on Georgia dynamic dune field and beaches consistent with the purposes of the Shore Protection Act.

(2) Definitions used in this rule.

(a) "Wet Sand Beach" means the area below the high tide line that is covered with water when the tide is high during an average high tide. The wet sand beach does not include the area where the dry sand is covered with water during a spring or otherwise exceptionally high tide.

(b) "Own or have an interest in real property" means to hold fee simple title, to have a life estate or other retained right, or to have a bona fide leasehold interest (other than a usufruct) for a term of one year or more, individually or as a partner or tenant in common,

in and to a parcel of land. Own or have an interest in real property shall not include holding a rental agreement, license, or other right to use real property which does not constitute an interest in real property; in addition, such term does not include holding an easement over or across a tract of land. After the effective date of this section of this rule, such term shall not include newly-created undivided interests smaller than one-fifth except if created by inheritance or devise.

(3) Authorizations.

(a) Authorizations to operate motor vehicles on, over, or across the dynamic dune field or beaches, as provided by O.C.G.A. 12-5-248, shall be in accordance with the following criteria.

1. Authorizations may be issued only to those persons who have demonstrated to the satisfaction of the Shore Protection Committee that they meet one or more of the following criteria which justify driving on the beach when the Committee has determined that the proposed driving on the beach is not inconsistent with the public interest:

(i) are engaged in bona fide educational activities or scientific research as such activities are defined in O.C.G.A. Section 27-1-2 (24) and (62), or other bona fide educational activities or scientific research, and that require beach driving;

(ii) are a legal resident or full-time resident on the island for which the authorization is requested;

(iii) are involved in beach maintenance or security which makes driving a vehicle necessary;

(iv) own or have an interest in real property on the island in question, or are the spouses, parents, children, grandchildren and other lineal descendants (and their spouses) of such individuals.

2. Authorizations will be valid for five (5) years from the date of issuance.

3. Authorizations are non-transferable.

4. Authorizations will be barrier island specific.

5. Authorizations are issued to persons only, except as provided in paragraph 11 of this section, which covers General Authorizations provisions of the rules.

6. Authorizations will be issued only to persons with valid driver's licenses from the State of Georgia or other state, nation, or territory, and authorizations must be in possession of the person to whom the authorization was issued when that person is engaged in beach driving.

7. Beach driving during the period May 1 to October 31 shall be restricted to daylight hours (1/2 hour before sunrise to 1/2 hour after sunset), except that authorizations allowing beach driving at night during such time period only for the purposes of scientific research, predator control, educational activities, or law enforcement may be issued to persons engaged in such activities.

8. Driving shall be permitted only on the wet sand beach, except and to the extent necessary to drive around a slough or other impassable area on the beach. Access to the wet sand beach shall be from access points as set forth in Appendix A, or from other Department-approved access routes from the upland.

9. Drivers shall minimize any disturbance of shorebirds, turtles or other wildlife and shall avoid disturbance altogether if possible.

10. Drivers receiving authorizations will be required to limit their speed to a maximum of 25 mph from August 1 through March 31 and 20 mph from April 1 through July 31, except in the case of an emergency. Nothing in these rules shall supersede any lower speed limit established on any barrier island.

11. General Authorizations: The Shore Protection Committee may grant a general beach driving authorization to a governmental entity or island manager which will cover all those persons who possess a valid driver's license and are under their employ or supervision and who are engaged in bona fide research, beach cleanup, law enforcement, animal control, resource management or beach maintenance activities during the time they are engaged in these activities. In this instance, individual authorizations will not be required provided the government entity or island manager submits to the Shore Protection Committee, and revises from time to time as appropriate, a list of the names of those individuals who will be covered by a general authorization.

12. Applications: Applications for beach driving authorization shall be made on forms provided by the Shore Protection Committee whose address is One Conservation Way, Brunswick, GA 31520-8687.

13. Revocation of Authorization: The Shore Protection Committee may revoke any authorization issued for failure to comply with these rules and regulations or any other rules and regulations promulgated under O.C.G.A. Title 12 Conservation and Natural Resources or Title 27 Game and Fish.

14. Authorizations to drive on a beach shall not be required during a medical, life-saving, or other emergency.

15. Nothing in these rules shall supersede any ordinances which further restrict driving on the beach.

16. Any person who is aggrieved or adversely affected by any order or action of the Shore Protection Committee may appeal as provided in O.C.G.A. 12-5-244.

APPENDIX A

EXISTING BEACH ACCESS SITES FOR
MOTOR VEHICLES ON ALL BARRIER ISLANDS

Tybee Island – 8 sites:

1. 32.026074, -80.85440
2. 32.020677, -80.841897
3. 32.009207, -80.840885
4. 32.007381, -80.841133
5. 31.988713, -80.847710
6. 31.987458, -80.848989
7. 31.989780, -80.852916
8. 31.993685, -80.853925

Wassaw Island – 8 sites:

1. 31.988687, -80.847676
2. 31.009243, -80.840786
3. 31.885429, -80.961886
4. 31.871877, -80.978499
5. 31.868440, -80.982223
6. 31.865409, -80.985146
7. 31.860399, -80.989749
8. 31.862197, -81.002351

Ossabaw Island – 3 sites:

1. 31.792999, -81.053320
2. 31.785600, -81.059209
3. 31.726108, -81.127790

St. Catherines Island – 2
sites:

1. 31.574974, -81.159849
2. 31.596356, -81.14977

Blackbeard Island – 2 sites:

1. 31.536435, -81.202928
2. 31.480794, -81.202232

Sapelo Island – 2 sites:

1. 31.431524, -81.238369
2. 31.405821, -81.257556

Little St. Simons Island – 4
sites:

1. 31.260636, -81.273294
2. 31.249341, -81.277909
3. 31.240672, -81.285103
4. 31.228378, -81.314572

Sea Island – 3 sites:

1. 31.204002, -81.322251
2. 31.192733, -81.335061
3. 31.176346, -81.349613

St. Simons Island – 2 sites:

1. 31.144313, -81.370264
2. 31.140149, -81.377192

Jekyll Island – 2 sites:

1. 31.04519, -81.409302
2. 31.025582, -81.417810

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Little Cumberland Island – 2 sites:

1. 30.960949, -81.404948
2. 30.964806, -81.423060

Cumberland Island – 8 sites:

1. 30.910029, -81.403749
2. 30.886412, -81.413119
3. 30.810618, -81.445867
4. 30.786812, -81.455557
5. 30.777787, -81.457786
6. 30.771379, -81.45869
7. 30.745572, -81.458547
8. 30.725289, -81.451715

Authority Ga. L. 1979, p. 1636, et seq. O.C.G.A. Title 12.