

22-4-401 Citation

This subchapter may be cited as the “Arkansas Trails System Act”.

22-4-402 Definitions

As used in this subchapter:

- (1) “Right-of-way” means the strip of land over which a trail is constructed whether acquired by easement or fee simple title; and
- (2) “Trail” means any road, pathway, route, or other identifiable linear facility designated, constructed, and maintained to provide specific recreational experiences to the public. Trails may be established for hiking, biking, boating, canoeing, motorcycling, horse riding, use by individuals with disabilities, and other trail-oriented uses.

22-4-403 Administration

A statewide trails system to be called the “Arkansas Trails System” is authorized to be administered by the State Parks Division of the Department of Parks and Tourism. The administration shall include:

- (1) Coordination of trail development between state, federal, county, municipal, and private entities;
- (2) Development of a wide variety of types of trails to provide maximum trail opportunities for the citizens of Arkansas;
- (3) Establishment of an interconnected trails system by developing new trails or by connecting existing trails or recreation areas;
- (4) Encouraging the development of trails in or near population centers;
- (5) Providing technical assistance for trail development and maintenance; and
- (6) Providing information about Arkansas trails.

22-4-404 Establishment

- (a) An advisory body to the State Parks Division of the Department of Parks and Tourism, to be known as the “Arkansas Trails Council”, is created for the purpose of informing the division, other trail-providing agencies, and the public at large of public need, use, and ongoing and planned trail development and to provide a public forum for discussion of trail-related issues.
- (b) The council is a voluntary organization open to representatives of all state and federal agencies with an interest in or potential for trail development, to all local governments with interests in trails, to public or to private utility companies the rights-of-way of which hold trail potential, to private landowners, and to trail users.
- (c) The Department of Parks and Tourism's representative on the council shall serve as the council's executive secretary.
- (d) The council may make suggestions to the division concerning methods to meet trail needs within the state and shall assist the division in coordinating trail development within the state.
- (e)(1) The council shall review nominations to the Arkansas Trail System and make recommendations to the division regarding the acceptance or rejection of each application based on criteria outlined in [§ 22-4-405](#) .
(2) The Director of the State Parks Division may add a qualifying trail to the system after a review of recommendations made by the council.
- (f) The council shall periodically review the components of the system and submit information concerning those trails of superior quality to the Heritage Conservation and Recreation Service of the United States Department of the Interior for consideration as components in the National Trails System.
- (g) The council shall assist in updating the Arkansas Trails Plan, a part of the Statewide Comprehensive Outdoor Recreation Plan.

- (h) The council shall periodically review member trails of the system for compliance with [§ 22-4-405](#) and shall report its findings to the division in order to maintain high quality within the system.
- (i) Trails accepted into the system which do not fulfill the requirements established in this subchapter or prescribed by the division and the council may be removed from the system by the division after consultation with the council and after appropriate opportunity has been given for correction of the inadequacies.
- (j) The council shall not have the power of eminent domain.

22-4-405 Trails System Acceptance Criteria

Trails accepted into the Arkansas Trails System shall meet criteria as established by the Arkansas Trails Council and the State Parks Division of the Department of Parks and Tourism, which shall include:

- (1) A guaranteed right-of-way for public use for a minimum period of five (5) years;
- (2) Trail operation and maintenance for a minimum period of five (5) years by an acceptable responsible organization;
- (3) Adherence to state trails standards and guidelines for the trail type designated;
- (4) Readiness of the trail for public use;
- (5) Proper marking and signing; and
- (6) Conformity of the trail with goals established in the Statewide Comprehensive Outdoor Recreation Plan or the Arkansas Trails Plan.

22-4-406 Trails Classification

Trails in the Arkansas Trails System shall be classified according to their designated use and shall include, but not be limited to, the following classifications:

- (1) Interpretive trail--a route having natural, cultural, or historical points of interest identified to the public through the use of markers, plaques, brochures, or other readily recognizable means;
- (2) Hiking trail--a route designated, designed, and maintained for foot travel;
- (3) Bicycle trail--a route designated, designed, and maintained primarily for bicycle travel;
- (4) Motorcycle trail--a route designated, designed, and maintained primarily for trail activity by motorcycle;
- (5) Boat trail--a separate route or lane designated and maintained for trail activity by boat;
- (6) Canoe trail--a route designated and maintained for canoeing experiences;
- (7) Automobile trail--a properly marked roadway designated and maintained for recreational automobile travel;
- (8) Equestrian trail--a route designated, designed, and maintained for trail activity for horse riding;
- (9) Handicap trail--a route designated for trail activity by special groups as well as the general public; and
- (10) Recreational trail--a route designed to meet specific recreational and physical fitness needs.

22-4-407 Public Rights or Privileges

Nothing in this subchapter shall be construed to give the public any greater right or privilege of access to private lands than that permitted by easement granted by the landowner.