

# Rewriting a Short Rule: Step by Step

By John Strylowski

In conducting plain-language training over the years, I've found that one of the challenges my audiences often face is rewriting an existing document, rather than starting from scratch. To illustrate one approach to that challenge, I often use this example, which I've broken down into steps to help clarify the process.

The “before” document is a National Park Service rule for using off-road vehicles at Cape Cod National Seashore. While all the words are from the original rule, I've taken great liberties in condensing so that the example isn't too unwieldy. Also, while we have published the rewrite, the “moving up” to higher levels must, for technical reasons, await a future reorganization of the rule.

## Old Rule

### Some problems:

- Material is buried far down in a section (this is paragraph (a)(3), two levels down)
- Paragraph (3) covers more than travel restrictions, although the title doesn't say that
- Who would look for the material in paragraph (vii) under the heading “Travel restrictions”?

§ 7.525 Cape Cod National Seashore

(a) ...

(3) Travel restrictions. The operation of a motor vehicle on oversand routes is subject to all applicable provisions of this chapter, including part 4 as well as the specific provisions of this section.

(i) Route limits.

(A) On the beach, a vehicle operator will drive in a corridor extending from a point 10 feet seaward of the spring high tide drift line to the berm crest.

An operator may drive below the berm crest only to pass a temporary cut in the beach, but will regain the crest immediately following the cut. Delineator posts mark the landward side of the corridor in critical areas.

(B) On an inland oversand route, a vehicle operator will drive only in a lane designated by pairs of delineator posts showing the sides of the route.

- (ii) An oversand route is closed at any time that tides, nesting birds or surface configuration prevent vehicle travel within the designated corridor.
- (iii) When two vehicles meet on the beach, the operator of the vehicle with the water on the left will yield.
- (iv) When two vehicles meet on a single-lane oversand route, the operator of the vehicle in the best position to yield will pull out of the track only so far as necessary to allow the other vehicle to pass safely, and then will move back into the established track before resuming the original direction of travel.
- (v) When the process of freeing a vehicle that has been stuck results in ruts or holes, the operator will fill the ruts or holes created by such activity before removing the vehicle from the immediate area.
- (vi) The following are prohibited:
  - (A) Driving off a designated oversand route.
  - (B) Exceeding a speed of 15 miles per hour unless posted otherwise.
  - (C) Parking a vehicle in an oversand route so as to obstruct traffic.
  - (D) Riding on a fender, tailgate, roof, door or any other location on the outside of a vehicle.
  - (E) Driving a vehicle across a designated swimming beach at any time when it is posted with a sign prohibiting vehicles.
  - (F) Operating a motorcycle on an oversand route.
- (vii) Boat trailering and launching by permitted ORVs in designated open route corridors is permitted.

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## Step 1—Divide the rule into more logical units

✓ One group for general travel restrictions  
(where you are allowed to go)

- (3) Travel restrictions. The operation of a motor vehicle on oversand routes is subject to all applicable provisions of this

chapter, including part 4 as well as the specific provisions of this section.

- (i) Route limits.
  - (A) On the beach, a vehicle operator will drive in a corridor extending from a point 10 feet seaward of the spring high tide drift line to the berm crest. An operator may drive below the berm crest only to pass a temporary cut in the beach, but will regain the crest immediately following the cut. Delineator posts mark the landward side of the corridor in critical areas.
  - (B) On an inland oversand route, a vehicle operator will drive only in a lane designated by pairs of delineator posts showing the sides of the route.
- (ii) An oversand route is closed at any time that tides, nesting birds or surface configuration prevent vehicle travel within the designated corridor.

✓ One group for special rules of the road  
(what to do when you meet others)

- (iii) When two vehicles meet on the beach, the operator of the vehicle with the water on the left will yield.
- (iv) When two vehicles meet on a single-lane oversand route, the operator of the vehicle in the best position to yield will pull out of the track only so far as necessary to allow the other vehicle to pass safely, and then will move back into the established track before resuming the original direction of travel.

✓ One group for what to do when you get stuck

- (v) When the process of freeing a vehicle that has been stuck results in ruts or holes, the operator will fill the ruts or holes created by such activity before removing the vehicle from the immediate area.

✓ One group for prohibitions (what you can't do)

- (vi) The following are prohibited:
  - (A) Driving off a designated oversand route.
  - (B) Exceeding a speed of 15 miles per hour unless posted otherwise.
  - (C) Parking a vehicle in an oversand route so as to obstruct traffic.
  - (D) Riding on a fender, tailgate, roof, door or any other location on the outside of a vehicle.
  - (E) Driving a vehicle across a designated swimming beach at any time when it is posted with a sign prohibiting vehicles.
  - (F) Operating a motorcycle on an oversand route.

✓ Highlight the special permitted activity by putting it by itself (it doesn't fit with anything else)

- (vii) Boat trailering and launching by permitted ORVs in designated open route corridors is permitted.

## Step 2—Retitle new units and move them up as high as you can

- Each unit is now a section—headings make material stand out for the user
- Logical headings also help the user find specific material
- Citations are now much more compact  
(former § 7.525(a)(3)(vi)(A) is now § 7.528(a))
- In §§ 7.527 and .729, a new section aids users by highlighting a separate item

### § 7.525 Where can I drive on the beach?

⊕ Travel restrictions. The operation of a motor vehicle on oversand routes is subject to all applicable provisions of this chapter, including part 4 as well as the specific provisions of this section.

⊕ Route limits:

- (a) (A) On the beach, a vehicle operator will drive in a corridor extending from a point 10 feet seaward of the spring high tide drift line to the berm crest. Delineator posts mark the landward side of the corridor in critical areas. [This sentence moved here from below.]
- (b) An operator may drive below the berm crest only to pass a temporary cut in the beach, but will regain the crest immediately following the cut. ~~Delineator posts mark the landward side of the corridor in critical areas.~~ [This sentence moved above to be where it logically belongs.]
- (c) (B) On an inland oversand route, a vehicle operator will drive only in a lane designated by pairs of delineator posts showing the sides of the route.
- (d) (ii) An oversand route is closed at any time that tides, nesting birds or surface configuration prevent vehicle travel within the designated corridor.

### § 7.526 What must I do when I meet another vehicle on the beach?

- (a) (iii) When two vehicles meet on the beach, the operator of the vehicle with the water on the left will yield.
- (b) (iv) When two vehicles meet on a single-lane oversand route, the operator of the vehicle in the best position to yield will pull out of the track only so far as necessary to allow the other vehicle to pass safely, and then will move back into the established track before resuming the original direction of travel.

### § 7.527 What must I do when I get stuck?

- ⊕ When the process of freeing a vehicle that has been stuck results in ruts or holes, the operator will fill the ruts or holes created by such activity before removing the vehicle from the immediate area.

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## § 7.528 What activities are prohibited?

- (vii) The following are prohibited:
- (a) ~~(A)~~ Driving off a designated oversand route.
  - (b) ~~(B)~~ Exceeding a speed of 15 miles per hour unless posted otherwise.
  - (c) ~~(C)~~ Parking a vehicle in an oversand route so as to obstruct traffic.
  - (d) ~~(D)~~ Riding on a fender, tailgate, roof, door, or any other location on the outside of a vehicle.
  - (e) ~~(E)~~ Driving a vehicle across a designated swimming beach at any time when it is posted with a sign prohibiting vehicles.
  - (f) ~~(F)~~ Operating a motorcycle on an oversand route.

## § 7.529 May I launch a boat from a designated open-route corridor?

- (viii) Boat trailering and launching by permitted ORVs in designated open-route corridors is permitted.

## Step 3—Replace passive voice with active voice, add pronouns, simplify language

- In § 7.526(b), one long sentence is split into three shorter sentences
- In § 7.526(c), eliminating lots of excess words makes the sentences shorter and easier to read

## § 7.525 Where can I drive on the beach?

You must follow ~~The operation of a motor vehicle on oversand routes is subject to~~ all applicable provisions of this chapter, including part 4 as well as the specific following ~~specific~~ provisions of this section.

- (a) On the beach, you must ~~a vehicle operator will~~ drive in a corridor extending from a point 10 feet seaward of the spring high-tide drift line to the berm crest. Delin-eator posts mark the landward side of the corridor in critical areas.
- (b) You may ~~An operator may~~ drive below the berm crest only to pass a temporary cut in the beach. You must but will ~~will~~ regain the crest immediately following after you pass ~~following~~ the cut.
- (c) On an inland oversand route, you must ~~a vehicle opera-tor will~~ drive only in a lane designated by pairs of delin-eator posts showing the sides of the route.
- (d) You must not drive on an oversand route ~~is closed at any time that~~ when ~~when~~ tides, nesting birds, or surface configura-tion prevent vehicle travel within the ~~designated~~ corridor.

## § 7.526 What must I do when I meet another vehicle on the beach?

- (a) If you ~~When two vehicles~~ meet another vehicle on the beach, you must yield if the operator of the vehicle with the water is on your ~~on the left will~~ yield.
- (b) If you ~~When two vehicles~~ meet another vehicle on a single-lane oversand route, you must the operator of the vehicle in the best position to yield if you are in the bet-ter position to yield. When yielding, you must:
  - (1) will ~~will~~ pull out of the track only so far enough as neces-sary to let allow ~~so far enough as neces-sary to let allow~~ the other vehicle to pass safely; and
  - (2) and then will ~~and then will~~ move back into the established track before you drive on resuming the in your ~~you drive on resuming the in your~~ original di-rection of travel. ~~of travel.~~

## § 7.527 What must I do when I get stuck?

- (c) If you ~~When the process of~~ make a hole while ~~make a hole while~~ freeing a stuck ~~stuck~~ vehicle that has been stuck results in ruts or holes, you must the operator will ~~that has been stuck results in ruts or holes, you must the operator will~~ fill the rut or hole created by such activity before removing you drive away the vehicle from the immediate area. ~~removing you drive away the vehicle from the immediate area.~~

## § 7.528 What activities are prohibited?

You must not:

- (a) drive ~~Driving~~ off a designated oversand route; ;
- (b) exceed ~~Exceeding~~ a speed of 15 miles per an ~~an~~ hour unless posted otherwise; ;
- (c) park ~~Parking~~ a vehicle in an oversand route so as to ob-struct traffic; ;
- (d) ride ~~Riding~~ on a fender, tailgate, roof, door, or any other location on the outside of a vehicle; ;
- (e) drive ~~Driving~~ a vehicle across a designated swimming beach at any time when it is posted with a sign prohib-it-ing vehicles; ; or
- (f) operate ~~Operating~~ a motorcycle on an oversand route.

## § 7.529 May I launch a boat from a designated open-route corridor?

You may launch a boat ~~trailer-ing and launching by permitted ORVs in from a designated open-route corridor is permitted.~~ You must have an NPS permit for the vehicle that you use to haul your boat.

## The finished product—a plain-language rule!

## § 7.525 Where can I drive on the beach?

You must follow all applicable provisions of this chapter, in-cluding part 4, as well as the following provisions of this section.

- (a) On the beach, you must drive in a corridor extending from a point 10 feet seaward of the spring high-tide drift

line to the berm crest. Delineator posts mark the landward side of the corridor in critical areas.

- (b) You may drive below the berm crest only to pass a temporary cut in the beach. You must regain the crest immediately after you pass the cut.
- (c) On an inland oversand route, you must drive only in a lane designated by pairs of delineator posts showing the sides of the route.
- (d) You must not drive on an oversand route when tides, nesting birds, or surface configuration prevent vehicle travel within the corridor.

#### § 7.526 What must I do when I meet another vehicle on the beach?

- (a) If you meet another vehicle on the beach, you must yield if the water is on your left.
- (b) If you meet another vehicle on a single-lane oversand route, you must yield if you are in the better position to yield. When yielding, you must:
  - (1) pull out of the track only far enough to let the other vehicle pass safely; and
  - (2) move back into the established track before you drive on in your original direction.

#### § 7.527 What must I do when I get stuck?

If you make a hole while freeing a stuck vehicle, you must fill the hole before you drive away.

#### § 7.528 What activities are prohibited?

You must not:

- (a) drive off a designated oversand route;
- (b) exceed 15 miles an hour unless posted otherwise;
- (c) park a vehicle in an oversand route so as to obstruct traffic;
- (d) ride on a fender, tailgate, roof, door, or any other location on the outside of a vehicle;
- (e) drive a vehicle across a designated swimming beach at any time when it is posted with a sign prohibiting vehicles; or
- (f) operate a motorcycle on an oversand route.

#### § 7.529 May I launch a boat from a designated open-route corridor?

You may launch a boat from a designated open-route corridor, but you must have an NPS permit for the vehicle that you use to haul your boat. ■

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## Contest Winner

In the February column, I offered a free copy of *Lifting the Fog of Legalese: Essays on Plain Language* to the first person who sent me an A revision of this sentence:

“A successful showing by our client that his action of voluntarily reducing his income was due to his desire to avoid the stress of a large law firm should result in a reduction of his child-support obligation by the court.”

The sentence uses several nouners—nouns derived from verbs. And the resulting fogginess makes it rather unclear whether to use an *if* (our client shows) or a *because* (our client has shown) in revising. That’s one trouble with the nouner style: it tends to obscure logical relationships.

At any rate, the winner is David Collins, of the General Motors Legal Staff, for this entry:

“If our client shows that he voluntarily reduced his income to avoid the stress of a large law firm, the court should reduce his child-support obligation.”

—JK