

Superseded 5/12/2015

41-22-12.7 Enhanced penalties for unlawful motor vehicle use on public or private property.

- (1) A person is guilty of a class B misdemeanor for unlawful cross-country use of a motor vehicle on public land or unlawful motor vehicle use on private property if the person:
 - (a) violates Section 41-22-12.2, 41-22-12.5, or 41-22-13; and
 - (b)
 - (i) has been convicted of violating Section 41-22-12, 41-22-12.2, 41-22-12.5, or 41-22-13 within the last two years; or
 - (ii) knowingly, intentionally, or recklessly:
 - (A) damages vegetation, trees, wetlands, riparian areas, fences, structures, or improvements;
or
 - (B) harasses wildlife or livestock.
- (2) As part of any sentence for a conviction of a violation described in Subsection (1), the court may:
 - (a) impose a fine not to exceed \$300;
 - (b) require the person to pay restitution not to exceed \$1,000 for damage caused by the unlawful motor vehicle use; and
 - (c) require the person to perform community service in the form of repairing any damage to the public land caused by the unlawful motor vehicle use.
- (3) As part of any sentence for a conviction described in Subsection (1) that is within five years of a prior conviction described in Subsection (1), the court may:
 - (a) impose a fine not to exceed \$1,000;
 - (b) require the person to pay restitution not to exceed \$2,000 for damage caused by the unlawful motor vehicle use; and
 - (c) require the person to perform community service in the form of repairing any damage caused by the unlawful motor vehicle use.