Enrolled Copy	S.B. 21	2

INVASIVE SPECIES AMENDMENTS
2014 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Peter C. Knudson
House Sponsor: Melvin R. Brown
LONG TITLE
General Description:
This bill modifies the Division of Wildlife Resources' ability to eradicate and prevent
the infestation of the Dreissena mussel.
Highlighted Provisions:
This bill:
 authorizes the Division of Wildlife Resources to establish inspection stations to
temporarily stop, detain, and inspect a conveyance or equipment that may be
contaminated with Dreissena mussel;
 provides that a person who proceeds through an inspection station or administrative
checkpoint during normal hours of operation without presenting a conveyance for
inspection is guilty of a class B misdemeanor; and
makes technical changes.
Money Appropriated in this Bill:
None
Other Special Clauses:
None
Utah Code Sections Affected:
AMENDS:
23-27-201, as enacted by Laws of Utah 2008, Chapter 284
23-27-301, as enacted by Laws of Utah 2008, Chapter 284

S.B. 212 Enrolled Copy

30	Section 1. Section 23-27-201 is amended to read:
31	23-27-201. Invasive species prohibited Administrative inspection authorized.
32	(1) Except as authorized in this title or a board rule or order, a person may not:
33	(a) possess, import, export, ship, or transport a Dreissena mussel;
34	(b) release, place, plant, or cause to be released, placed, or planted a Dreissena mussel
35	in a water body, facility, or water supply system; or
36	(c) transport a conveyance or equipment that has been in an infested water within the
37	previous 30 days without decontaminating the conveyance or equipment.
38	(2) A person who violates Subsection (1):
39	(a) is strictly liable;
40	(b) is guilty of an infraction; and
41	(c) shall reimburse the state for all costs associated with detaining, quarantining, and
42	decontaminating the conveyance or equipment.
43	(3) A person who knowingly or intentionally violates Subsection (1) is guilty of a class
44	A misdemeanor.
45	(4) A person may not proceed past or travel through an inspection station or
46	administrative checkpoint, as described in Section 23-27-301, while transporting a conveyance
47	during an inspection station's or administrative checkpoint's hours of operations without
48	presenting the conveyance for inspection.
49	(5) A person who violates Subsection (4) is guilty of a class B misdemeanor.
50	Section 2. Section 23-27-301 is amended to read:
51	23-27-301. Division's power to prevent invasive species infestation.
52	To eradicate and prevent the infestation of a Dreissena mussel, the division may:
53	(1) (a) establish inspection stations located at or along:
54	(i) highways, as defined in Section 72-1-102;
55	(ii) ports of entry, if the Department of Transportation authorizes the division to use the
56	port of entry; and
57	(iii) publicly accessible:

Enrolled Copy S.B. 212

58	(A) boat ramps; and
59	(B) conveyance launch sites; and
60	[(1)] (b) temporarily stop, detain, and inspect a conveyance or equipment that:
61	$[\frac{a}{a}]$ (i) the division reasonably believes is in violation of Section 23-27-201; $[\frac{a}{a}]$
62	[(b)] (ii) is stopped at [a port-of-entry;] an inspection station; or
63	(iii) is stopped at an administrative checkpoint;
64	[(2) require a motor vehicle transporting a conveyance or equipment to stop for an
65	inspection at a port-of-entry if the Department of Transportation authorizes the division to use
66	the port-of-entry;]
67	[(3)] (2) conduct an administrative checkpoint in accordance with Section 77-23-104;
68	[(4)] (3) detain and quarantine a conveyance or equipment as provided in Section
69	23-27-302;
70	[(5)] (4) order a person to decontaminate a conveyance or equipment; and
71	[(6)] (5) inspect the following that may contain a Dreissena mussel:
72	(a) a water body;
73	(b) a facility; and
74	(c) a water supply system.