

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:

- 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 ~~[(a)]~~ (i) the division reasonably believes is in violation of Section 23-27-201; [or]
- 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.