

26 **65A-2-6. Permitted areas at Bear Lake for launching and retrieving watercraft --**  
 27 **Rulemaking authority.**

28 [~~(1)~~ If a person owns property adjacent to state lands surrounding Bear Lake, the  
 29 division shall issue a permit that allows the person to launch or retrieve a vessel in an area  
 30 adjacent to the person's property.]

31 (1) As used in this section, "motorboat" means the same as that term is defined in  
 32 Section 73-18-2.

33 (2) The division shall issue a permit to an applicant that allows the applicant to launch  
 34 or retrieve a motorboat on state lands surrounding Bear Lake.

35 (3) A permit is required to launch or retrieve a motorboat on state lands surrounding  
 36 Bear Lake.

37 (4) A permit authorizes a person to launch or retrieve a motorboat if:

38 (a) the person owns private property adjacent to state lands surrounding Bear Lake, or  
 39 has legal right to occupy or use private property adjacent to state lands surrounding Bear Lake,  
 40 and the person accesses the water from that private property; or

41 (b) the person accesses the water from a recorded point of public access that allows  
 42 motor vehicle traffic.

43 [~~(2)~~] (5) The division shall, in accordance with Title 63G, Chapter 3, Utah  
 44 Administrative Rulemaking Act, make rules to administer [~~Subsection (1)~~] this section.

45 Section 2. Section **65A-3-1** is amended to read:

46 **65A-3-1. Trespassing on state lands -- Penalties.**

47 (1) As used in this section:

48 (a) "Anchored" [~~is as~~] means the same as that term is defined in Section 73-18-2.

49 (b) "Beached" [~~is as~~] means the same as that term is defined in Section 73-18-2.

50 (c) "Motorboat" means the same as that term is defined in Section 73-18-2.

51 [~~(e)~~] (d) "Vessel" [~~is as~~] means the same as that term is defined in Section 73-18-2.

52 (2) ~~§~~ → [f] A [~~+~~ ~~Except as provided in Subsection (4), a~~ ← ~~§~~] person is guilty of a class B  
 53 misdemeanor and liable for the civil damages prescribed in Subsection [~~(4)~~] (5) if, without  
 54 written authorization from the division, the person:

55 (a) removes, extracts, uses, consumes, or destroys any mineral resource, gravel, sand,  
 56 soil, vegetation, or improvement on state lands;

88 person is permitted to launch or retrieve a vessel, parks or operates a motor vehicle within an  
89 area between the water's edge and a line posted by the division;

90 (e) except as allowed and posted by the division, travels in a motor vehicle parallel to  
91 the water's edge;

92 (f) parks or operates a motor vehicle between the hours of 10 p.m. and 7 a.m.; or

93 (g) starts a campfire or uses fireworks.

94 (4) Notwithstanding the provisions of Subsections ~~§~~→ [(2) and] ←~~§~~ (3) ~~§~~→ (a), (b), and

94a (d) ←~~§~~ , a person ~~§~~→ at Bear Lake ←~~§~~ :

95 (a) may use a motor vehicle to transport an individual or equipment from a recorded  
96 point of ~~§~~→ [public] legal ←~~§~~ access that allows motor vehicle traffic, to and from a beach site  
96a area that the

97 person has a legal right to access and use; and

98 (b) who has received a permit from the division under Subsection 65A-2-6(1) to launch  
99 or retrieve a motorboat shall, after launching or retrieving a motorboat, park the motor vehicle  
100 and other equipment used to launch or retrieve the motorboat a minimum of 100 feet from the  
101 water's edge.

102 [~~4~~] (5) A person who commits any act described in Subsection (2) or (3) is liable for  
103 damages in the amount of:

104 (a) three times the value of the mineral or other resource removed, destroyed, or  
105 extracted;

106 (b) three times the value of damage committed; or

107 (c) three times the consideration which would have been charged by the division for  
108 use of the land during the period of trespass.

109 [~~5~~] (6) In addition to the damages described in Subsection [~~4~~] (5), a person found  
110 guilty of a misdemeanor under Subsection (2) or (3) is subject to the penalties provided in  
111 Section 76-3-204.

112 [~~6~~] (7) Money collected under this section shall be deposited in the fund in which  
113 similar revenues from that land would be deposited.