

BEAR LAKE SOVEREIGN LANDS AMENDMENTS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jani Iwamoto

House Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions related to launching and retrieving a vessel on Bear Lake and transporting individuals or equipment near Bear Lake.

Highlighted Provisions:

This bill:

▶ amends provisions related to launching and retrieving a vessel on Bear Lake and transporting individuals or equipment near Bear Lake.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

65A-3-1, as last amended by Laws of Utah 2013, Chapter 370

Be it enacted by the Legislature of the state of Utah:

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

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

(1) As used in this section:

(a) "Anchored" is as defined in Section **73-18-2**.



28 (b) "Beached" is as defined in Section 73-18-2.

29 (c) "Vessel" is as defined in Section 73-18-2.

30 (2) A person is guilty of a class B misdemeanor and liable for the civil damages
31 prescribed in Subsection [~~(4)~~] (5) if, without written authorization from the division, the
32 person:

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

35 (b) grazes livestock on state lands;

36 (c) uses, occupies, or constructs improvements or structures on state lands;

37 (d) uses or occupies state lands for more than 30 days after the cancellation or
38 expiration of written authorization;

39 (e) knowingly and willfully uses state lands for commercial gain;

40 (f) appropriates, alters, injures, or destroys any historical, prehistorical, archaeological,
41 or paleontological resource on state lands;

42 (g) camps on the beds of navigable lakes or rivers except in posted and designated
43 areas;

44 (h) camps on sovereign land for longer than 15 consecutive days at the same location
45 or within one mile of the same location;

46 (i) camps on sovereign land for 15 consecutive days, and then returns to camp at the
47 same location before 15 consecutive days have elapsed after the day on which the person left
48 that location;

49 (j) leaves an anchored or beached vessel unattended for longer than 48 hours on
50 sovereign land or navigable lakes or rivers;

51 (k) anchors or beaches a vessel for longer than 72 hours at the same location, on
52 sovereign land or navigable lakes or rivers, and then fails to move the vessel at least two miles
53 from that location; or

54 (l) parks or operates motor vehicles on the beds of navigable lakes and rivers except in
55 those areas supervised by the Division of Parks and Recreation or other state or local
56 enforcement entity and which are posted as open to vehicle use.

57 (3) [~~A~~] Except as provided in Subsection (4), a person is guilty of a class C
58 misdemeanor and liable for civil damages described in Subsection [~~(4)~~] (5) if, on state lands

59 surrounding Bear Lake and without written authorization of the division, the person:

60 (a) parks or operates a motor vehicle in an area on the exposed lake bed that is not
61 specifically posted by the division as open for usage;

62 (b) launches or retrieves a vessel in an area not specifically designated by the division
63 as open for launching or retrieving a vessel;

64 (c) exceeds a speed limit of 15 miles per hour while operating a motor vehicle;

65 (d) except as necessary while launching or retrieving a vessel in an area where the
66 person is permitted to launch or retrieve a vessel, parks or operates a motor vehicle within an
67 area between the water's edge and a line posted by the division;

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

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

71 (g) starts a campfire or uses fireworks.

72 (4) Notwithstanding the provisions of Subsection (3), a person who has received a
73 permit from the division under Subsection 65A-2-6(1) to launch or retrieve a vessel:

74 (a) may use a motor vehicle to transport an individual or equipment to and from an area
75 immediately adjacent to the property owned by the person; and

76 (b) shall, after launching or retrieving a vessel, park the motor vehicle and other
77 equipment used to launch or retrieve the vessel a minimum of 100 feet from the water's edge.

78 [~~4~~] (5) A person who commits any act described in Subsection (2) or (3) is liable for
79 damages in the amount of:

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

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

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

85 [~~5~~] (6) In addition to the damages described in Subsection [~~4~~] (5), a person found
86 guilty of a misdemeanor under Subsection (2) or (3) is subject to the penalties provided in
87 Section 76-3-204.

88 [~~6~~] (7) Money collected under this section shall be deposited in the fund in which
89 similar revenues from that land would be deposited.

Legislative Review Note
as of 12-30-14 10:26 AM

Office of Legislative Research and General Counsel