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**TITLE 312 NATURAL RESOURCES COMMISSION**

**Final Rule**

LSA Document #05-344(F)

**DIGEST**

Amends [312 IAC 8-2-8](#) to provide for the use of motorized carts at state parks and recreation areas consistent with amendments to [IC 14-19-1-1](#) that were enacted through HEA 1765-2005. Effective 30 days after filing with the Secretary of State.

**[312 IAC 8-2-8](#)**

SECTION 1. [312 IAC 8-2-8](#), AS AMENDED AT 29 IR 463, SECTION 3, IS AMENDED TO READ AS FOLLOWS:

**[312 IAC 8-2-8](#) Vehicles, trails, watercraft, and aircraft**

**Authority:** [IC 14-10-2-4](#); [IC 14-11-2-1](#); [IC 14-19-1-1](#)

**Affected:** [IC 14-19-1-0.5](#); [IC 14-22-11-1](#)

Sec. 8. (a) A person must not operate a vehicle:

(1) at a speed greater than:

(A) thirty (30) miles per hour on straight, open stretches of road; or

(B) fifteen (15) miles per hour on steep grades, curves, or where posted; or

(2) other than on a public road.

(b) A person must not park:

(1) a vehicle;

(2) watercraft; or

(3) associated equipment;

except at a site designated by the department.

**(c) A person must not operate a motorized cart on a DNR property except as follows:**

**(1) The person must demonstrate both of the following:**

**(A) The person holds a valid driver's license.**

**(B) The person is either of the following:**

**(i) At least sixty-five (65) years of age that is evidenced by the valid driver's license.**

**(ii) Has a disability, as defined by the federal Social Security Administration guidelines (42 U.S.C. 416), that is evidenced by documentation from the Social Security Administration.**

**(2) A person must not operate a motorized cart other than within a campground.**

**(3) A motorized cart must meet the following lighting requirements if operated between the hours of sunset and sunrise:**

**(A) Have a lamp on the front exhibiting a white light visible at least five hundred (500) feet ahead of the motorized cart.**

**(B) Have a lamp on the rear exhibiting a red light visible at least five hundred (500) feet behind the motorized cart.**

**(4) A restriction applicable to the operation, parking, or other use of a vehicle under this section also applies to a motorized cart.**

**(5) As used in this subsection, "campground" means an area where provisions are made for the accommodation of any of the following:**

**(A) Tents.**

**(B) Recreational vehicles.**

**(C) Vacation mobile homes.**

**(6) As used in this subsection, "motorized cart" has the meaning set forth in [IC 14-19-1-0.5](#).**

~~(e)~~ **(d)** A person moving cross-country on a trail must remain on the designated pathway for the trail. A person must not:

(1) hike;

- (2) bike;
- (3) ski;
- (4) horseback ride; or
- (5) operate an off-road vehicle or snowmobile;

except on a trail designated for the purpose. A person must not ride, lead, drive, or hitch an animal, except where designated by the department.

~~(d)~~ **(e)** A person must not operate or maintain a watercraft on a lake:

(1) containing fewer than three hundred (300) acres unless powered only by an electric trolling motor with not more than:

(A) two (2) 12-volt batteries; or

(B) one (1) 24-volt battery;

(2) except under motor horsepower and speed zone requirements applicable to the lake; and

(3) for fourteen (14) consecutive days without removal from the lake unless otherwise moored in a designated area.

~~(e)~~ **(f)** A person must not launch, dock, or moor a watercraft or another floating device, except for approved periods and at sites designated by the department for those purposes. A person must not:

(1) leave a watercraft unattended in a courtesy dock provided by the department; or

(2) moor a watercraft at a designated group dock or mooring post unless the watercraft exhibits a valid mooring permit.

~~(f)~~ **(g)** A person must not leave a vehicle, watercraft, or associated equipment at a DNR property unless the person is actively engaged in the use of:

(1) a DNR property; or

(2) an adjacent:

(A) public freshwater lake; or

(B) navigable waterway.

~~(g)~~ **(h)** A person must not land, taxi, take-off, park, or moor:

(1) an aircraft;

(2) a hang glider;

(3) an ultralite;

(4) a powered model aircraft; or

(5) a hot air balloon;

except at a site designated for that purpose or pursuant to a license.

*(Natural Resources Commission; [312 IAC 8-2-8](#); filed Oct 28, 1998, 3:32 p.m.: 22 IR 741, eff Jan 1, 1999; filed Nov 5, 1999, 10:14 a.m.: 23 IR 555, eff Jan 1, 2000; filed Jun 17, 2002, 4:13 p.m.: 25 IR 3715; readopted filed Nov 17, 2004, 11:00 a.m.: 28 IR 1315; filed Sep 14, 2005, 2:45 p.m.: 29 IR 463, eff Jan 1, 2006; filed Jun 9, 2006, 3:40 p.m.: [20060705-IR-312050344FRA](#))*

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