

Proposed Rule
LSA Document #17-52

DIGEST

Amends [312 IAC 8-2-8](#) to prohibit the use of an airborne human transportation device on a DNR property or an unmanned motor-driven airborne device on or over a DNR property, unless by permit or in an area designated for that activity. Effective 30 days after filing with the Publisher.

[IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses](#)

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

SECTION 1. [312 IAC 8-2-8](#) IS AMENDED TO READ AS FOLLOWS:

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

Authority: [IC 14-10-2-1](#); [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 or curves or where posted; or
- (2) except as provided in section 17 of this rule, other than on a public road.

(b) A person must not park:

- (1) a vehicle;
- (2) a boat; 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:
 - (i) is at least sixty-five (65) years of age that is evidenced by the valid driver's license; or
 - (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, if operated between the hours of sunset and sunrise, have a lamp on the:
 - (A) front exhibiting a white light visible at least five hundred (500) feet ahead of the motorized cart; and
 - (B) 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, "motorized cart" has the meaning set forth in [IC 14-19-1-0.5](#).

(d) Unless an activity is licensed or exempted from licensure under this rule, a person must not do the following:

- (1) Leave the designated pathway for a trail while moving cross-country.
- (2) Except on a trail designated for the purpose:
 - (A) hike;
 - (B) bike;
 - (C) ski;
 - (D) horseback ride; or
 - (E) operate an off-road vehicle or snowmobile.
- (3) Except where designated by the department, ride, lead, drive, or hitch an animal.

- (e) A person must not launch, dock, or moor a boat, except:
 - (1) for approved periods; and
 - (2) at sites designated by the department for those purposes.

(f) A person must not:

- (1) leave a boat unattended in a courtesy dock provided by the department; or
- (2) moor a boat at a designated group dock or mooring post unless the boat exhibits a valid mooring permit.

(g) A person must not operate or maintain a boat on a lake unless the person does each of the following:

- (1) Operates the boat according to any horsepower or speed restrictions applicable to the lake.
- (2) Except as provided in subdivisions (3) and (6), obtains and displays a valid annual boat lake permit as follows:

- (A) Purchase from the department a boat lake permit under a fee schedule approved by the commission.

- (B) Affix the permit in a visible location on the forward half of the boat.

- (3) Except as provided in subdivision (6), for a motorboat, obtains and displays a valid annual motorboat lake permit as follows:

- (A) Purchase from the department a motorboat lake permit under a fee scheduled approved by the commission.

- (B) Affix the permit in a visible location on the port (left) side immediately following the excise tax decal or registration number.

- (4) For a lake containing fewer than three hundred (300) acres, operates a motorboat only if the motorboat is either of the following:

- (A) Powered by an electric trolling motor with not more than:

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

- (ii) one (1) 24-volt battery.

- (B) Operated on Loon Lake, Otter Lake, or Blue Grass Pit in the Blue Grass Fish and Wildlife Area at not greater than idle speed.

- (5) Removes a boat from the lake before the expiration of fourteen (14) consecutive days, unless the boat is moored in an area where the department has approved mooring for a longer duration.

- (6) A lake located on a DNR property administered by the division of fish and wildlife is exempted from subdivisions (2) and (3).

(h) A person must not leave a vehicle, boat, 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.

(i) A person must not:

- (1) land, taxi, take off, park, or moor ~~(1)~~ an airborne human transportation device; or**

- (2) a knowingly land, taxi, take off, park, moor, or operate over DNR property an unmanned motor-driven airborne device;**

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](#); filed Jun 29, 2007, 2:32 p.m.: [20070725-IR-312060333FRA](#); readopted filed Mar 25, 2010, 2:58 p.m.: [20100421-IR-312100037RFA](#); filed Aug 18, 2011, 11:38 a.m.: [20110914-IR-312100668FRA](#); filed Feb 6, 2012, 3:07 p.m.: [20120307-IR-312110442FRA](#), eff Jan 1, 2013; filed Feb 11, 2014, 3:12 p.m.: [20140312-IR-312130294FRA](#); readopted filed Sep 27, 2016, 1:57 p.m.: [20161026-IR-312160151RFA](#))

[Notice of Public Hearing](#)

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