

TITLE 312 DEPARTMENT OF NATURAL RESOURCES

DIGEST

Amends 312 IAC 8-2-3 to remove the requirement a person hold a valid unlimited license to carry firearm in order to possess the firearm on department property in compliance with Indiana law. Amends 312 IAC 8-2-8 to allow a person to operate a motorized cart on department property if the person: is using the motorized cart within a campground and meets the requirements of IC 14-19-1-(2)(A), meets the requirements of IC 14-19-1(2)(B), or holds a valid driver's license and is transporting another person as authorized under either provision. Amends 312 IAC 8-2-8 to allow for Class 1 electric bicycles to be operated on department trails designated by the department as a mountain bike trail. Adds 312 IAC 8-1.5-5.5 to add the definition of a class I electric bicycle. Deletes 312-8-1.5-14, definition of motorized cart.

ARTICLE 8. PUBLIC USE OF NATURAL AND RECREATIONAL AREAS

SECTION 1. 312 IAC 8-1.5-5.5 IS AMENDED TO READ AS FOLLOWS:

312 IAC 8-1.5-5.5 "Class I electric bicycle" defined

Authority: IC 14-10-2-4; IC 14-11-2-1

Affected: IC 14

Sec. 5.5. "Class I electric bicycle" has the meaning set forth in IC 9-13-2-26.

SECTION 2. 312 IAC 8-1.5-14 IS AMENDED TO READ AS FOLLOWS:

312 IAC 8-1.5-14 "Motorized cart" defined

Authority: IC 14-10-2-4; IC 14-11-2-1

Affected: IC 9-13-2; IC 14

Sec. 14. (a) "Motorized cart" has the meaning set forth in IC 14-19-1-0.5.

~~(a) "Motorized cart" means a conveyance that is:~~

~~(1) motor driven, either by gas or electricity;~~

~~(2) used to carry passengers or equipment; and~~

~~(3) smaller than the types of motor vehicles required to be registered by the bureau of motor vehicles such as a:~~

~~(A) passenger motor vehicle (as defined in IC 9-13-2-123);~~

~~(B) recreational vehicle (as defined in IC 9-13-2-150); or~~

~~(C) truck (as defined in IC 9-13-2-188).~~

~~(b) A motorized cart may be characterized as a golf cart, utility cart, or similar form of motor vehicle.~~

~~(c) The term does not include:~~

~~(1) an electric personal assistive mobility device (as defined in IC 9-13-2-49.3);~~

~~(2) a motorcycle (as defined in IC 9-13-2-108);~~

- ~~(3) a motor scooter (as defined in IC 9-13-2-104 [IC 9-13-2-104 was repealed by P.L.221-2014, SECTION 10, effective January 1, 2015.]);~~
- ~~(4) a motorized bicycle (as defined in IC 9-13-2-109 [IC 9-13-2-109 was repealed by P.L.221-2014, SECTION 14, effective January 1, 2015.]); or~~
- ~~(5) an off-road vehicle.~~

SECTION 3. 312 IAC 8-2-3 IS AMENDED TO READ AS FOLLOWS:

312 IAC 8-2-3 Firearms, hunting, and trapping

Authority: IC 14-10-2-4; IC 14-11-2-1; IC 14-22-2-6

Affected: IC 14-22-11-1; IC 35-47-2

Sec. 3. (a) A person must not possess a firearm or bow and arrows on a DNR property unless one (1) of the following conditions apply:

- (1) The firearm or bow and arrows are:
 - (A) unloaded and uncocked; and
 - (B) placed in a case or locked within a vehicle.
- (2) The firearm or bow and arrows are possessed at, and of a type designated for usage on:
 - (A) a rifle;
 - (B) a pistol;
 - (C) a shotgun; or
 - (D) an archery;

range.

- (3) The firearm or bow and arrows are being used in the lawful pursuit of either of the following:
 - (A) A wild animal on a DNR property authorized for that purpose.
 - (B) A groundhog as authorized under a license.
- (4) The person possesses a handgun on a DNR property other than a reservoir owned by the U.S. Army Corps of Engineers or Falls of the Ohio State Park:
 - ~~(A) with a valid unlimited license to carry a handgun,~~
 - ~~(i) issued under IC 35-47-2-3; or~~
 - ~~(ii) recognized under IC 35-47-2-21(b); or~~
 - ~~(B) pursuant to an exemption to handgun licensure requirements as authorized under IC 35-47-2-2 [IC 35-47-2-2 was repealed by P.L. 175-2022, SECTION 10, effective July 1, 2022.].~~

(b) Except as provided in subsection (a)(1) or (a)(4), a firearm or bow and arrows may not be possessed on DNR properties within any of the following:

- (1) A nature preserve or another property administered by the division of nature preserves unless hunting is authorized under subsection (d).
- (2) A property administered by the division of state museums and historic sites.
- (3) A campground.
- (4) A picnic area.

- (5) A beach.
- (6) A service area.
- (7) A headquarters building.
- (8) A hunter check station.
- (9) A developed recreation site.
- (c) A person must not discharge a firearm or bow and arrows on a DNR property except as follows:

- (1) As authorized for a law enforcement officer.
- (2) In the lawful defense of persons or property.
- (3) Under a department permit that authorizes the discharge.
- (4) As authorized at a shooting range.
- (5) In the lawful pursuit of wild animals. The exception provided in this subdivision does not apply within two hundred (200) feet of any of the following:

- (A) A campsite.
- (B) A boat dock.
- (C) A launching ramp.
- (D) A picnic area.
- (E) A bridge.

- (d) A person may hunt on the following DNR properties:

- (1) A state forest administered by the division of forestry, including a portion of a state forest that is a nature preserve.
- (2) A reservoir property administered by the division of state parks and reservoirs.
- (3) A wildlife area administered by the division of fish and wildlife, including a portion of a wildlife area that is a nature preserve.
- (4) A nature preserve or another property administered by the division of nature preserves, if approved in a written authorization by:

- (A) the director of the division of nature preserves; and
- (B) the owner of the nature preserve, if the owner is other than the state of Indiana.

- (e) A person hunting on any of the areas described in subsection (d) must do the following:

- (1) Comply with all federal and state:
 - (A) hunting;
 - (B) trapping; and
 - (C) firearms;

laws.

- (2) On a fish and wildlife area and a reservoir property, obtain a one (1) day hunting permit and record from a checking station. The person must:

- (A) retain the permit and record card while in the field for the authorized date; and
- (B) as directed, return them to the department.

- (3) Refrain from hunting on a nature preserve if prohibited by signage posted at the site.

(f) Unless otherwise posted or designated on a property map, a person must not place a trap except as authorized by a license issued for a property by an authorized representative. This license is in addition to the licensing requirement for traps set forth in IC 14-22-11-1.

- (g) A person must not run dogs, except:

- (1) during the lawful pursuit of wild animals; or
- (2) as authorized by a license for field trials or in a designated training area.

A property administered by the division of fish and wildlife may be designated for training purposes without requiring a field trial permit. Only dogs may be used during field trials on a DNR property, except where authorized by a license on a fish and wildlife property.

(h) A person may construct or place a tree stand or hunting blind on a DNR property during the hunting season for the animal being hunted:

(1) Except as provided in subdivisions (2) and (3), a stand or blind may only be left overnight if it is legibly marked with the:

(A) name, address, and telephone number of the owner of the stand or blind in the English language;
or

(B) owner's customer identification number issued by the department.

(2) A blind or stand used for deer hunting must comply with 312 IAC 9-3-3.

(3) A blind used for hunting migratory birds or waterfowl must:

(A) comply with 312 IAC 9-4-2; and

(B) be legibly marked with the:

(i) name, address, and telephone number of the owner of the stand or blind in the English language; or

(ii) owner's customer identification number issued by the department.

(i) The following terms apply to the use of shooting ranges:

(1) A person must not use a shooting range unless the person is:

(A) at least eighteen (18) years of age; or

(B) accompanied by a person who is at least eighteen (18) years of age.

(2) A person must:

(A) register with the department; and

(B) pay any applicable fees; before using a shooting range.

(3) Except as otherwise provided in this subdivision, a person must shoot only at paper targets placed on target holders provided by the department. An authorized representative may approve the use of alternative targets on a supervised shooting range if the department determines a hazard to public safety would not result.

(4) A person must fire downrange and take reasonable care to assure any projectile is stopped by the range backstop.

(5) Shot not larger than size 6 must be used on a shotgun range.

(6) A person must not:

(A) discharge a firearm using automatic fire;

(B) use tracer, armor-piercing, or incendiary rounds;

(C) play on, climb on, walk on, or shoot into or from the side berms; or

(D) shoot at clay pigeons, except on a site designated for shooting

clay pigeons. Glass and other forms of breakable targets must not be used on a shooting range.

(7) A person must dispose of the targets used by the person under section 2(a) of this rule.

(8) Permission must be obtained from the department in advance for a shooting event that involves any of the following:

(A) An entry fee.

(B) Competition for any of the following:

(i) Cash.

- (ii) Awards.
- (iii) Trophies.
- (iv) Citations.
- (v) Prizes.

(C) The exclusive use of the range or facilities.

(D) A portion of the event occurring between sunset and sunrise.

(9) On a field course, signs and markers must be staked. Trees must not be marked or damaged.

(j) A person must not take a reptile or amphibian unless the person is issued a scientific purposes license under 312 IAC 9-10-6. Exempted from this subsection are:

- (1) eastern snapping turtles;
- (2) smooth softshell turtles;
- (3) spiny softshell turtles;
- (4) bullfrogs; and
- (5) green frogs;

taken under 312 IAC 9-5-6 from a DNR property where hunting or fishing is authorized.

(k) A person must not possess lead shot while hunting mourning doves on a DNR property.

(l) A person may place a trail or game camera as follows:

(1) The trail or game camera must be legibly marked with the:

- (A) name, address, and telephone number of the owner of the camera in the English language; or
- (B) the individual's customer identification number issued by the department.

(2) A trail or game camera may only be placed on the following DNR properties:

- (A) A property administered by the division of fish and wildlife, including a portion of that property that is a nature preserve.
- (B) A state forest or recreation area administered by the department, including a portion of that property that is a nature preserve.

(3) Placement of a trail or game camera must not damage a tree.

(m) A person must not place bait on a DNR property, except as follows:

- (1) bait or food placed for management as authorized by the department;
- (2) the result of authorized agricultural operations on the property; or
- (3) a bird feeder placed by a department employee.

(n) As used in this section, "bait" includes:

- (1) a food that is transported to and placed for consumption, including, but not limited to, piles of corn and apples placed on the property;
- (2) a prepared solid or liquid that is manufactured and intended for consumption by livestock, wild deer, or birds, including, but not limited to, commercial baits and food supplements;
- (3) salt; or
- (4) mineral supplements.

SECTION 4. 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 DNR property ~~except as follows: unless~~

(1) the person ~~must demonstrate both of the following~~ is using the motorized within a campground and:

(A) ~~The person holds a valid driver's license.~~ **meets the requirements set forth in IC 14-19-1-**

1(2)(A);

(B) ~~The person:~~

— (i) ~~is at least sixty five (65) years of age that is evidenced by the a valid driver's license; or~~

— (ii) ~~has a disability, as defined by the federal Social Security Administrative guidelines (42-~~

~~U.S.C 416), that is evidenced by documentation from the Social Security Administration~~ **meets**

the requirements of set forth in IC 14-19-1-1(2)(B); or

(C) holds a valid driver's license and is transporting another person as authorized under

(A) or (B).

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

~~(3)~~ **(2) The motorized cart must**, if operated between the hours of sunset and sunrise, ~~have~~ has 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)(3)~~ **A restriction The operator of the motorized cart complies with all restrictions** 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 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 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 following:

(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 withnot 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 longer duration.

(6) A lake located on a DNR property administrated 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 an airborne human transportation device; or

(2) knowingly land, taxi, take off, park, or moor on DNR property an unmanned motor-driven airborne device.

(j) A person may operate a class 1 electric bicycle on a trail designated by the department as a mountain bike trail.