Amends 312 IAC 8-2-5 to authorize possession and consumption of alcohol on the licensed premises of a pavilion authorized by IC 14-18-2-3 and to prohibit possession and consumption of alcohol at a designated youth tent area. Amends 312 IAC 8-2-6 to allow release of a pet or service animal from its leash where authorized by the department. Amends 312 IAC 8-2-8 to clarify a person using a trail on a department property may leave the trail if participating in an activity authorized by a department license. Effective 30 days after filing with the Publisher.

IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses

312 IAC 8-2-5; 312 IAC 8-2-6; 312 IAC 8-2-8

SECTION 1. 312 IAC 8-2-5 IS AMENDED TO READ AS FOLLOWS:

312 IAC 8-2-5 Alcohol beverages
Authority: IC 14-10-2-4; IC 14-11-2-1
Affected: IC 14-18-2-3

Sec. 5. A person must not possess or consume an alcoholic beverage at any of the following locations:
(1) Indiana Dunes State Park, except on the licensed premises of a pavilion authorized by IC 14-18-2-3.
(2) Redbird State Recreation Area.
(3) Interlake State Recreation Area.
(4) A swimming beach or pool.
(5) A shooting range.
(6) A designated youth tent area.


SECTION 2. 312 IAC 8-2-6 IS AMENDED TO READ AS FOLLOWS:

312 IAC 8-2-6 Animals brought to DNR properties
Authority: IC 14-10-2-1; IC 14-10-2-4; IC 14-11-2-1
Affected: IC 14; IC 35-46-3-11.5

Sec. 6. (a) A person who possesses a pet or service animal must:
(1) except as provided in subsection (b), keep the animal caged or on a leash not more than six (6) feet long; and
(2) attend the animal at all times.

This (b) Subsection (a)(1) does not apply:
(1) where the DNR authorizes a person to release a pet or service animal from its leash; or
(2) to activities governed by section 3(e) 3(g) of this rule.

(b) (c) If a pet or service animal appears likely to:
(1) endanger a person or property; or
(2) create a nuisance;
the owner may be required to immediately remove the pet or service animal from a DNR property.

(e) (d) A person must not take or possess a cat, a dog, or other pet to a:
(1) swimming beach;
(2) swimming pool enclosure;
(3) rental facility; or
(4) public building.
A service animal used by a person with a disability is exempted from this subsection.

(d) (e) A person must acquire an annual or daily horse tag or receipt for each horse that is brought into a designated DNR property from April 1 through November 30. The tag or receipt must be:
(1) kept in the person's immediate possession; and
(2) provided to an authorized representative upon request.

(e) (f) A person must not do the following:
(1) Allow livestock or domesticated animals to enter or remain upon a DNR property. These animals may be removed by the department and disposed or held at the owner's expense.
(2) Release an animal on DNR property except under license issued by an authorized representative under this subdivision. To receive a license, a person must demonstrate the animal is healthy and unlikely to endanger public safety or the environment. A person in violation of this subdivision shall reimburse the department for any expenses reasonably incurred.

(f) (g) For purposes of this section, a pet is not a service animal under IC 35-46-3-11.5.

For purposes of this section, a pet is not a service animal under IC 35-46-3-11.5.

SECTION 3. 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. A person must remain on the designated pathway for the trail.

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:

1. Launch, dock, or moor a boat, except:
   - (1) for approved periods; and
   - (2) at sites designated by the department for those purposes.

2. Leave a boat unattended in a courtesy dock provided by the department; or

3. 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. Operate 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 schedule 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 land, taxi, take off, park, or moor:

1. an airborne human transportation device; or
2. a motor-driven airborne device;

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