

AQUATIC INVASIVE SPECIES AMENDMENTS

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Logan Wilde

Senate Sponsor: _____

LONG TITLE

General Description:

This bill addresses aquatic invasive species interdiction.

Highlighted Provisions:

This bill:

- ▶ requires a person to remove all plugs and similar devices and to drain water systems on a conveyance before transporting the conveyance on a highway in the state;
- ▶ permits the division to temporarily stop, detain, and inspect a conveyance that the division reasonably believes has not complied with the draining requirements; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

23-27-301, as last amended by Laws of Utah 2014, Chapter 274

ENACTS:

23-37-304, Utah Code Annotated 1953

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



28 Section 1. Section **23-27-301** is amended to read:

29 **23-27-301. Division's power to prevent invasive species infestation.**

30 To eradicate and prevent the infestation of a Dreissena mussel, the division may:

31 (1) (a) establish inspection stations located at or along:

32 (i) highways, as defined in Section [72-1-102](#);

33 (ii) ports of entry, if the Department of Transportation authorizes the division to use the
34 port of entry; and

35 (iii) publicly accessible:

36 (A) boat ramps; and

37 (B) conveyance launch sites; and

38 (b) temporarily stop, detain, and inspect a conveyance or equipment that:

39 (i) the division reasonably believes is in violation of Section [23-27-201](#);

40 (ii) the division reasonably believes is in violation of Section [23-27-304](#);

41 ~~[(ii)]~~ (iii) is stopped at an inspection station; or

42 ~~[(iii)]~~ (iv) is stopped at an administrative checkpoint;

43 (2) conduct an administrative checkpoint in accordance with Section [77-23-104](#);

44 (3) detain and quarantine a conveyance or equipment as provided in Section
45 [23-27-302](#);

46 (4) order a person to decontaminate a conveyance or equipment; and

47 (5) inspect the following that may contain a Dreissena mussel:

48 (a) a water body;

49 (b) a facility; and

50 (c) a water supply system.

51 Section 2. Section **23-37-304** is enacted to read:

52 **23-37-304. Removal of drain plug or similar device during transport.**

53 (1) Before transporting a conveyance on a highway, as defined in Section [72-1-102](#), in
54 the state, a person shall:

55 (a) remove the plugs and similar devices that prevent drainage of raw water systems on
56 the conveyance; and

57 (b) to the extent feasible, drain all water from live wells, bilges, ballast tanks, or
58 similar compartments on the conveyance.

59 (2) A person who fails to comply with Subsection (1) is guilty of a class C
60 misdemeanor.