

2018 Regular Session

HOUSE BILL NO. 130

BY REPRESENTATIVE SCHEXNAYDER

WILDLIFE/MGT AREAS: Provides for the establishment of airboat trails on wildlife management areas

1 AN ACT

2 To amend and reenact R.S. 56:109.1, relative to use of vehicles on wildlife management  
3 areas; to provide for the operation of airboats; to provide for the establishment of  
4 airboat trails; to provide for requirements; to provide for rules and regulations; to  
5 provide for penalties; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 56:109.1 is hereby amended and reenacted to read as follows:

8 §109.1. Use of all-terrain vehicle trails and airboat trails on wildlife management  
9 areas

10 A. The department shall keep at least one all-terrain vehicle trail on each  
11 department-owned wildlife management area that has such a trail open throughout  
12 the year. The department may temporarily close the year-round trail if weather or  
13 other conditions render the use of the trail a public safety or an environmental  
14 hazard. Access to the year-round trail shall be granted for use by all-terrain vehicles,  
15 motorcycles, horses, and bicycles, under rules and regulations promulgated under the  
16 Administrative Procedure Act. Persons using the year-round all-terrain vehicle trails  
17 shall possess a WMA permit.

18 B. Use of airboats on wildlife management areas shall be limited to airboat  
19 trails. Such trails shall be established by rules and regulations promulgated by the  
20 commission, pursuant to the Administrative Procedure Act, on every wildlife

1 management area where airboat operation is feasible and in a manner to best protect  
2 public safety and wildlife resources and habitats. An airboat trail shall only be  
3 established on trails or rights of way existing as of February 1, 2018. Such rules and  
4 regulations shall also include the following:

5 (1) Require the exhaust of any internal combustion engine used on any  
6 airboat operated on airboat trails be equipped with an automotive-style factory  
7 muffler, underwater exhaust, or other manufactured device capable of adequately  
8 muffling the sound of the exhaust of the engine.

9 (2) Limit the size of the internal combustion engine of any airboat operated  
10 on airboat trails to no greater than three hundred fifty-one cubic inches.

11 (3) Require every person using an airboat trail to possess a WMA permit, to  
12 notify the department annually of the airboat's registration number, and to make such  
13 airboat available for inspection by department personnel.

14 (4) Prohibit the use of established airboats trails by airboats between  
15 September first and the following January thirty-first.

16 C. A violation of the provisions of the Section, or rules and regulations  
17 promulgated pursuant thereto, shall constitute a class one violation. Additionally,  
18 any person violating the provisions of Subsection B of this Section, or any rule or  
19 regulation promulgated pursuant to those provisions, three times within a ten-year  
20 period shall be prohibited from operating an airboat on any wildlife management  
21 area.

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 130 Engrossed

2018 Regular Session

Schexnayder

**Abstract:** Authorizes the Wildlife and Fisheries Commission to establish airboat trails on wildlife management areas.

Proposed law limits the use of airboats on wildlife management areas to airboat trails established by the Wildlife and Fisheries Commission. Further provides that the trails be established by rules and regulations promulgated in accordance with the APA on every

wildlife management area where airboat operation is feasible and in a manner to best protect public safety and wildlife resources and habitats.

Proposed law limits airboat trails to trails or rights of way existing as of Feb. 1, 2018.

Proposed law provides that such rules and regulations require mufflers and limitations on the engine size on airboats and requires the operator to possess a WMA permit, to annually notify the Dept. of Wildlife and Fisheries of the airboat's registration number, to make the airboat available for inspection, and to prohibit use of the trails by airboats between Sept. 1st and the following Jan. 31st.

Proposed law prohibits any person from operating an airboat on any wildlife management area if that person violates proposed law or any rule or regulation promulgated pursuant to proposed law, three times within a 10-year period.

Present law requires the Dept. of Wildlife and Fisheries to keep at least one all-terrain vehicle trail open throughout the year at each wildlife management area that has all-terrain vehicle trails. Specifies that any violation of the provisions in present law is a class one violation.

Proposed law retains present law and specifies that violations of proposed law are also class one violations.

(Amends R.S. 56:109.1)

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Natural Resources and Environment to the original bill:

1. Add that the rules and regulations governing airboat trails prohibit their use between Sept. 1st and the following Jan. 31st.
2. Make technical changes.