

TEXAS STATE PARK RULES AND REGULATIONS

§59.131. Definitions.

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

(1) Arms and firearms—Any device from which shot, a projectile, arrow, or bolt is fired by the force of an explosion, compressed air, gas, or mechanical device. To include, but not limited to, rifle, shotgun, handgun, air rifle, pellet gun, longbow, cross bow, sling shot, blow gun, or dart gun.

(2) Bicycle—A device that a person may ride, that is propelled by human power, and has two tandem wheels at least one of which is more than 14 inches in diameter.

(3) Artifacts—Objects used or modified by humans, including, but not limited to, arrow points, dart points, stone, bone, or shell implements or any other prehistoric or historic objects.

(4) Boat—A vessel not more than 65 feet in length, measured from end to end over the deck, excluding sheer, and manufactured or used primarily for noncommercial use.

(5) Camping—The act of:

(A) occupying a designated camping facility;

(B) erecting a tent, or arranging bedding, or both, for the purpose of, or in such a manner as will permit, remaining overnight; and/or

(C) using a trailer, camper, or other vehicle for the purpose of sleeping during nighttime hours.

(6) Cultural features—Include, but are not limited to, state archeological landmarks, archeological sites, historic sites and structures, pictographs and petroglyphs.

(7) Department—The Texas Parks and Wildlife Department.

(8) Director—The executive director of the Texas Parks and Wildlife Department or his or her designee.

(9) Equine—A species of animal belonging to the family equidae, including horses, ponies, donkeys, and mules.

(10) Garbage—Trash, refuse, rubbish, household waste, medical waste, rubble, spoil, construction debris, yard clippings, offal, or any other similarly useless, noxious, or offensive material.

(11) Motor Vehicle—For purposes of this subchapter, a motor vehicle does not include a wheelchair, a motorized wheelchair or a motorized mobility device. A motor vehicle is a motor powered vehicle, including, but not limited to:

(A) any motor driven or propelled vehicle required to be registered under the laws of this state;

(B) an all-terrain vehicle as defined in Transportation Code, §502.001;

(C) a motorcycle as defined in Transportation Code, §501.002 and

§541.201;

(D) a golf cart, as defined in Transportation Code, §502.001;

(E) a moped as defined in Transportation Code, §541.201;

(F) a neighborhood electric vehicle as defined in Transportation Code,

§551.301;

(G) a pocket bike or mini-motorbike, as defined in Transportation Code,

§551.301;

(H) an electric bicycle; or

(I) a motor assisted scooter, as defined in Transportation Code,

§551.301.

(12) Motorized mobility device—A device designed for transportation of persons with physical disabilities that:

(A) has three or more wheels;

(B) is propelled by a battery-powered motor;

(C) has not more than one forward gear; and

(D) is not capable of speeds exceeding eight miles per hour.

(13) Night—Any time from 1/2 hour after sunset to 1/2 hour before sunrise.

(14) Person—Natural persons, firms, partnerships, corporations, clubs, and all associations or combinations of persons acting individually, or by an agent, servant, or employee.

(15) Pet—A domesticated companion animal accompanying a person who enters or uses a state park. In no event shall a pet under this subchapter include the following:

(A) a dangerous wild animal, as defined in Health and Safety Code,

§822.101;

(B) wildlife;

(C) livestock and exotic livestock as defined in Agriculture Code,

§§1.003, 142.001, and 161.001;

(D) any species of animal that is not ordinarily domesticated; or

(E) any species of animal that a person may not legally possess.

(16) Plant life—All plants including trees, dead or downed wood, shrubs, vines, wildflowers, grass, sedge, fern, moss, lichen, fungus, or any other member of the plant family.

(17) Public place—Any place to which the public or a substantial group of the public has access. The interior spaces of the following are not considered public places:

(A) department cabins, screened shelters, recreation halls, group barracks, and lodges; and

(B) tents, campers, trailers, motor homes, or any enclosed vehicle(s) that are used as camping equipment.

(18) State park—A state park, state historic site, or state natural that is administered, operated, or managed by the department.

(19) Unattended pet—A pet that is unaccompanied or not under immediate control of the person responsible for the pet. Pets tied or secured outside of camping equipment or buildings are not considered under immediate control.

(20) Wildlife—A species, including each individual of a species, that normally lives in a state of nature and is not ordinarily domesticated.

§59.134. Rules of Conduct in Parks.

(a) Abandoned and unattended property. It is an offense for any person to:

(1) abandon a vehicle or other personal property;

(2) leave a vehicle, boat, barge, or other property unattended in a unit of the state park system in such a manner as to create a hazardous or unsafe condition; or

(3) leave property unattended in a state park without having received prior permission from the director or to leave a vehicle unattended after the closing hour, unless such person is legally in the park after closing, and unless he has parked the vehicle in a place designated by the director or he has prior permission from the director.

(b) Alcoholic beverages. It is an offense for any person to:

(1) consume or display an alcoholic beverage in a public place; or

(2) sell alcoholic beverages within a state park.

(c) Animals. Except as provided in this subsection, it is an offense for any person to bring into a state park, possess while in a state park, or release into a state park any species of animal. A pet, equine, or llama may be brought into and possessed within a state park as provided in this subsection.

(1) Equine or llama. It is an offense for any person to:

(A) ride, drive, lead, or keep an equine or llama, except in designated areas;

(B) ride an equine or llama in a manner that is dangerous to a person or animal;

(C) allow an equine or llama to stand unattended or insecurely tied; or

(D) hitch an equine or llama to a tree, shrub, or structure in any manner that may cause damage.

(2) Pets. It is an offense for any person to:

(A) bring into, possess, or permit to roam within a state park a pet, unless the pet is secured by a leash not exceeding six feet in length, confined in a vehicle, or confined in a suitable cage;

(B) bring into or possess within a state park an unattended pet;

(C) fail to immediately collect and properly dispose of fecal material deposited by a pet for which a person is responsible. For purposes of this paragraph, "properly dispose" means to deposit fecal material in an appropriate solid waste collection container;

(D) bring a pet into an area where pets are prohibited;

(E) permit a pet (except a trained assistance animal accompanying a person with a disability) to enter into or remain in any building or enclosure designated for public use including, but not limited to, a restaurant, snack bar, cabin, lodge room, restroom, park store, shelter, refectory building, amphitheater, administration building, or railroad coach;

(F) permit a pet in the water of a designated swimming area or to permit a pet animal (except a trained assistance animal accompanying a person with a disability) within the land or beach area adjacent to the water of a designated swimming area; or

(G) possess a noisy, vicious, or dangerous pet, or a pet which creates a disturbance to or hazard within a state park.

(3) Wildlife. It is an offense for any person to:

(A) harm, harass, disturb, trap, confine, catch, possess, or remove any wildlife, or portions of wildlife from a unit of the state park system, except by a permit issued by the director or as provided by the Parks and Wildlife Code, Chapter 62, Subchapter D;

(B) release or introduce any species of animal life within a park (including waters within a park), except as authorized by the Parks and Wildlife Code and written order of the Executive Director or designee; or

(C) feed or offer food to any wildlife or exotic wildlife, or to leave food unsecured in a manner that makes the food available to wildlife or exotic wildlife, unless specifically authorized by the department. The feeding of birds may be permitted on a park-by-park basis as prescribed by the department.

(d) Arms and Firearms. It is an offense for any person to display or discharge an arm or firearm in a state park, unless:

(1) the person is participating in a public hunting activity within the state park that has been authorized by written order of the director so long as the person is in compliance with the applicable public hunting rules and regulations;

(2) the person is fishing by means of lawful archery equipment or is participating in an authorized, supervised recreational or educational activity;

(3) the person is licensed to possess and carry a handgun under Government Code, Chapter 411, Subchapter H, and is in possession of and/or carrying the handgun in compliance with applicable law, including, but not limited to, applicable regulations adopted pursuant to Government Code, Chapter 411, Subchapter H; or

(4) the person has been authorized by written order of the director.

(e) Closed Area. It is an offense for any person to:

(1) prevent or interfere with development, construction, or management of a state park; or

(2) enter or remain in an area of a state park that has been closed by the director for any reason, including security, safety, preservation, or restoration.

(f) Entrance and User Fees and Permits: It is an offense for any person to enter, use, or occupy a facility in any portion of a state park for which a fee has been established or a permit is required unless the person has first paid the fee or satisfied the requirements of the permit, has received an entrance/use permit issued by the department, has displayed the permit as required, and agrees to comply with applicable permit conditions. If the office is closed, payment must be made according to posted instructions or signage.

(g) Facilities Use. It is an offense for any person to:

(1) use an area or facility for any purpose contrary to its designated purpose; or

(2) keep, use, or arrange a motor vehicle, trailer, camping, or other equipment except as specified by the director. All vehicles and trailers are restricted to designated roads and parking areas, unless otherwise specified by permit;

(3) enter into, or remain in, an area or facility for which a public use limit has been established when such action will have the effect of exceeding the established limitations;

(4) exceed the public use limit establishing a maximum number of persons and, if appropriate, the number and type of motor vehicles, trailers, and equipment permitted to enter into, or remain in, a designated area or facility at any time;

(5) continue to occupy a facility past check-out time when a check-out time has been established by the director; or

(6) engage in camping except as authorized by permit in areas designated or marked for that purpose.

(h) Fires, Firewood, Smoking and Fireworks. Portable gas-fueled camp stoves may be used in designated campsites or picnic areas; however, it is an offense for any person to:

(1) light, build, or maintain a fire within a state park except in a facility or device provided, maintained, or designated for such purposes or to smoke or build fires when an extreme fire hazard has been posted by the department or a burn ban has been instituted by local government ordinance;

(2) gather firewood except when authorized by permit;

(3) leave a fire unattended; or

(4) possess within a state park any fireworks, explosives, or similar devices capable of explosion, or to discharge, set off, or cause to be discharged in or into a state park any such device or substance, except with written authorization from the director.

(i) Metal detector. It is an offense for any person to operate or use a metal detector, except as authorized by permit.

(j) Minors and children.

(1) A person younger than 15 years who enters a state park, must be supervised by a parent, legal guardian, or other responsible adult over the age of 17 years at all times.

(2) A person 15 years or older, but younger than 17 years may not enter or remain in a state park during overnight hours unless:

(A) the person is supervised by a parent, legal guardian or other responsible person over the age of 17 years;

(B) the person furnishes written consent of a parent or legal guardian to park personnel at the state park headquarters. For purposes of this subsection, written consent consists of a statement from a parent or legal guardian authorizing the person to enter the park and stating the full name, residence address, and telephone number of the parent or legal guardian; or

(C) the person is legally married.

(3) For purposes of this subsection, a person who is required by this subsection to be supervised and is part of a group will be considered supervised by a parent, legal guardian or other responsible person if there is at least one supervising adult over the age of 17 years for every 15 persons for whom supervision is required by this subsection.

(4) For purposes of this subsection, "overnight hours" is the time between a state park's closing time and opening time.

(5) It is an offense for a parent, legal guardian or other responsible person charged with supervision of a person under 17 years of age to permit the person under 17 years of age to violate a regulation contained in this subchapter.

(k) Motor Vehicle Use, Possession and Operation.

(1) Operation. It is an offense for any person to:

(A) operate a motor vehicle in a state park except on roads, driveways, parking areas, and areas designated as open for motor vehicle use;

(B) operate a motor vehicle in a state park if the motor vehicle is not licensed and inspected as required by the Texas Transportation Code or other law regarding the operation of motor vehicles, except as specifically authorized by permit; or

(C) operate a motor vehicle in a state park in a manner not authorized by the Texas Transportation Code or other laws regarding the operation of motor vehicles.

(2) Parking. It is an offense for any person to:

(A) park a motor vehicle or trailer in a state park except in areas designed, constructed, or designated for that purpose; or

(B) park, store, or leave a motor vehicle or trailer in violation of this section when signs have been posted in the affected areas.

(3) Speed Limit. It is an offense for any person to drive a motor vehicle within a state park at a speed:

(A) greater than is reasonable or prudent, having due regard for the traffic and the road conditions then existing;

(B) that endangers the safety of persons or property; or

(C) that exceeds the posted speed limit in any portion of the state park system.

(4) Traffic. It is an offense for any person to:

(A) operate a motor vehicle in a state park between the park closing hour and 6 a.m. opening hour, except for emergency or necessary purposes; or

(B) operate a motor vehicle in an indiscriminate or unnecessary manner (cruising).

(5) Trail use. It is an offense for any person to operate or use a motor vehicle or a bicycle on an unpaved road, trail, or path not designated and posted for use by such a motor vehicle or bicycle or use the trail in a manner that is dangerous to a person or animal.

(l) Natural and Cultural Resources.

(1) Plant life. It is an offense for any person to willfully mutilate, injure, destroy, pick, cut, remove, or introduce any plant life except by permit issued by the director.

(2) Geological features. It is an offense for any person to take, remove, destroy, deface, tamper with, or disturb any rock, earth, soil, gem, mineral, fossil, or other geological deposit except by permit issued by the director.

(3) Cultural resources. It is an offense for any person to take, remove, destroy, deface, tamper with, disturb, or otherwise adversely impact any pre-historic or historic resource, including but not limited to, buildings, structures, cultural features, rock art, or artifacts, except by written order of the director.

(m) Peace and quiet. It is an offense for any person to:

(1) disturb other persons in sleeping quarters or in campgrounds between the hours of 10 p.m. and 6 a.m.;

(2) cause, create, or contribute to any noise which is broadcast, or caused to be broadcast, into sleeping quarters or campgrounds, or which emits sound beyond the person's immediate campsite, between the hours of 10 p.m. and 6 a.m., whether by shouting or singing, by using a radio, phonograph, television, or musical instrument, or by operating mechanical or electronic equipment;

(3) use electronic equipment, including electrical speakers, at a volume which emits sound beyond the immediate individual camp or picnic site at any