

TEXAS STATE PARK RULES AND REGULATIONS

§59.131. Definitions

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

All-terrain vehicle – Any motor vehicle having a saddle for the use of the rider, designed to propel itself with three or four tires in contact with the ground.

Arms and firearms – Any device from which a shot, 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, crossbow, sling shot, blow gun, or dart gun.

Artifacts – Objects used or modified by humans, including, but not limited to, arrowpoints, dart points: stone, bone, or shell implements or any other prehistoric or historic objects.

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.

Cultural features – Include, but are not limited to, state archeological landmarks, archeological sites, historic sites and structures, Indian rock art, or historic rock art.

Department – The Texas Parks and Wildlife Department.

Director – The executive director of the Texas Parks and Wildlife Department or his designee.

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

Motorcycle – A two-wheeled vehicle propelled by an internal combustion engine to include motorbikes, mini-bikes, and trail bikes.

Night – Any time from 1/2 hour after sunset to 1/2 hour before sunrise.

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

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.

Public place – Any place to which the public or a substantial group of the public has access. In the state park system areas that are not considered a public place are cabins, screened shelters, recreation halls, group barracks, lodges, tents, campers, trailers, motor homes, or any vehicle(s) that are used as camping equipment.

Public nudity – To disrobe or appear nude in public. Females are considered to be disrobed when their breasts below the top of the areola are exposed except when nursing a baby.

State park – A park, park site, historical park, natural area, recreational area, or fishing pier, administered, operated, or managed by the department.

Unattended pet – A pet that is unaccompanied or not under immediate control. Pets tied or secured outside of camping equipment or buildings are not considered under immediate control.

Wildlife – Any wild animal, bird, amphibian, reptile, fish, shellfish, aquatic life, or invertebrate.

§59.132. General Rules

(a) Upon finding a need for public safety or welfare, or preservation of park resources, the director may impose restriction on public activity and conduct and may limit the use of any area or facility in a state park or a portion thereof. It is an offense for a person to enter or remain in an area or participate in an activity so restricted by the director.

(b) An employee of the department, peace officers, and emergency personnel are exempt from this chapter when this chapter conflicts with the discharge of their official duties to the extent of that conflict.

(c) Any vehicle, boat, trailer, or other property found parked, stored, or left in a state park in violation of any law or rule may be removed and stored at the owner's expense.

§59.133. Closing Hours and Overnight Use

(a) The director may establish closing hours and opening hours for a state park or a portion of a state park. Closing hours or opening hours shall be posted.

(b) Except for persons duly authorized to use camping, trailer space, shelter, cabin or lodge facilities, or boat ramp, or for persons who have paid the overnight activity use fee, it is an offense for a person to enter into or remain within a state park between the closing hour and the opening hour.

§59.134. Rules of Conduct in Parks

(a) **Entrance/user fees: payment.** It is an offense to enter, use, or occupy a facility in any portion of a state park for which a fee has been established,

unless the person has first paid the fee or satisfied the requirements for waiver of the fee, has received an entrance permit issued by the department, and has attached the permit to his vehicle as and when required by the permit. If the office is closed, payment will be made according to posted instructions or signage.

(b) **Use of facilities:** It is an offense to:

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

(2) keep, use, or arrange a motor vehicle, trailer, camping, or other equipment except as specified by the director. All vehicles and trailers must remain on paved surfaces and in designated areas only, unless otherwise specified by the director.

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

(d) **Fires; smoking; firewood; fireworks.** It is an offense 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;

(2) notwithstanding paragraph (1) of this subsection, portable camp stoves may be used in designated campsites or picnic areas;

(3) 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.

(e) **Animals.** It is an offense to:

(1) bring into or possess within a state park a pet or other domesticated animal, unless the animal is secured by a leash not exceeding six feet in length, or confined in a vehicle, or to permit an animal to enter into or remain in a unit of the state park unless so secured;

(2) permit a pet or other animal to remain unattended or create a disturbance or hazard within a state park;

(3) permit an animal (except a trained assistance animal with 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;

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

(5) bring into, permit to range, or release into a state park a wild animal, pet, fowl, or livestock, except as authorized in this chapter or a permit issued under this chapter or by law;

(6) possess a noisy, vicious, or dangerous animal, or one which is disturbing to other persons, in a state park;

(7) ride, drive, lead, or keep equines, except in designated areas;

(8) ride equines in a manner that is dangerous to a person or animal;

(9) allow equines to stand unattended or insecurely tied; and

(10) hitch equines to a tree, shrub, or structure in any manner that may cause damage.

(f) **Arms and firearms.** It is an offense to:

(1) possess a firearm with a cartridge or projectile in any portion of the mechanism, except when authorized by the commission or the director;

(2) display a firearm except when authorized by the director or the commission;

(3) discharge across, in, or into a state park any arm, firearm, or device capable of injuring or killing any person or animal or damaging or destroying public or private property, except when authorized by the director.

(g) **Assembly.** It is an offense to conduct or participate in an assembly or public demonstration except with written permission of the director.

(h) **Nudity and disrobing.** It is an offense to appear nude.

(i) **Closed area.** It is an offense to:

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

(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.

(j) **Alcoholic beverages.** It is an offense to consume or display an open container of an alcoholic beverage in public or sell alcoholic beverages within a state park.

(k) **Soliciting.** It is an offense to solicit funds or donation of any item, or offer to sell any goods, wares, merchandise, liquid, or edibles, or render any service for hire, or distribute written material, in a state park, except by authority of an approved concession agreement approved by the director.

(l) **Metal detector.** It is an offense to operate or use a metal detector.

(m) **Responsibility for minor children.** It is an offense to permit a child or ward to violate a regulation when such child or ward is under 17 years of age.

(n) **Speed limit.** It is an offense to drive a vehicle within a state park at a speed:

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

(2) which endangers the safety of persons or property;

(3) which exceeds the posted speed limit in any portion of the state park system.

(o) **Vehicle operation.** It is an offense to operate a vehicle in a state park except on roads, driveways, parking areas, and areas designated open for vehicles.

(p) **Parking.** It is an offense to:

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

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

(q) **Motorcycles.** It is an offense to operate a motorcycle that is not licensed and inspected as authorized by Texas motor vehicle laws.

(r) **Trail use.** It is an offense to operate or use a vehicle, including a motorcycle, a motorbike, a mini-bike, an all-terrain vehicle, a golf cart, or a bicycle on a trail or path not designated and posted for use by such vehicles (wheelchairs and electric scooters used by persons with a disability are exempt) or use the trail in a manner that is dangerous to a person or animal.

(s) **Traffic.** It is an offense to:

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

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

(t) **Camping.** It is an offense to camp except as authorized by permit in areas designated or marked for that purpose. Camping is defined as:

(1) occupying a designated camping facility;

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

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

(u) **Minors, camping.** It is an offense to remain in a state park between the park closing hour and opening hour, if the person is under the age of 17, except the following:

(1) a person who is accompanied by a parent or legal guardian;

(2) a person who furnishes to the park headquarters the written consent of and the full name, residence, and telephone number of parent or legal guardian;

(3) a person who is part of a group which is supervised during those hours by at least one responsible adult for each 15 persons under the age of 17; and

(4) married couples.

(v) **Peace and quiet.** It is an offense to:

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

(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 time without specific permission of the director;

(4) create a disturbance by causing excessive noise by any means.

(w) **Abandoned and unattended property.** It is an offense 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; and

(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.

(x) **Water skiing; swimming.** It is an offense to:

(1) engage in water skiing, surfboarding while being towed, towing a person or a similar device, or operate a motorized ski device on lakes of less than 650 surface acres located in a state park;

(2) enter water or swim in an area closed for that activity;

(3) swim at night unless otherwise posted; and

(4) introduce, carry into, or possess, use, break, dispose of, throw, or abandon any glass container in the water of a swimming area, swimming pool, or in the beach area adjacent to the water of a swimming area.

(y) **Mooring.** It is an offense to:

(1) moor, dock, or berth a boat or any other object between the hours of 10 p.m. and 6 a.m., except in mooring areas designated by the director; and

(2) moor, dock, or berth a commercial vessel at any part of a state park except by permit from the director.

(z) **Public use limit.** It is an offense to:

(1) 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; and

(2) 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.

(aa) **Check-out time.** It is an offense to continue to occupy a facility past check-out time when a check-out time has been established by the director.

(bb) **Wildlife.** It is an offense to:

(1) 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; and

(2) release any fish into the waters of any state park, except as authorized by the Parks and Wildlife Code.

(3) 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.

(cc) **Geological features.** It is an offense 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.

(dd) **Cultural features and/or artifacts.** It is an offense to take, remove, destroy, deface, tamper with, or disturb any artifact or cultural feature except by permit issued by the director.

(ee) **Waste water, sewage, and gray water.** It is an offense to:

(1) deposit wastewater, sewage, or effluent from sinks, toilets, or other plumbing fixtures directly on the ground or into the water;

(2) use any water fountain, drinking fountain, pool, sprinkler, reservoir, lake or any other water body contained in the park for bathing, laundering, and washing dishes, pets, or vehicles; and

(3) deposit fish parts at any location except park fish cleaning facilities.

(ff) **Garbage.**

(1) It is an offense for any person to discard, deposit, or dump garbage in a state park, except for:

(A) garbage generated inside the park during the course of park visitation; or

(B) an amount of garbage consistent with what ordinarily would accumulate in a vehicle in the course of a day's travel.

(2) It is an offense for any person to dispose of garbage except in a receptacle provided for that use or as may otherwise be specifically authorized by department personnel.

§59.135. Vehicles, Trailers, Motor Homes, Camping Equipment, or Personal Belongings

All vehicles, trailers, motor homes, camping equipment, or personal belonging may be removed at the owner's expense when exceeding the check-out time limitation of a facility.

§59.136. Penalties

Penalties for violations of §§59.132-59.134 of this title (relating to General Rules, Closing Hours and Overnight Use, and Rules of Conduct) are Class C Misdemeanors as provided in the Texas Parks and Wildlife Code, Chapter 13.112.

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