

**REVISED PROPOSED REGULATION OF THE
ADMINISTRATOR OF THE
DIVISION OF STATE PARKS OF THE STATE DEPARTMENT OF
CONSERVATION AND NATURAL RESOURCES**

LCB File No. R019-21

September 27, 2021

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§ 1-8, NRS 407.0475 and 407.065.

A REGULATION relating to state parks; authorizing the Division of State Parks of the State Department of Conservation and Natural Resources to collect certain fees at a park or office of the Division; revising certain requirements relating to the issuance of an all access annual permit for disabled veterans; revising provisions relating to certain fees for the use of parks; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law requires the Administrator of the Division of State Parks of the State Department of Conservation and Natural Resources to adopt such regulations as he or she finds necessary to carry out the provisions of chapter 407 of NRS governing state parks and recreational areas in this State. (NRS 407.0475) Existing law requires the Administrator to impose and collect fees for entering, camping and boating in state parks and recreational areas in this State. (NRS 407.065) Existing law also authorizes the Administrator to collect a fee for the repair, operation and maintenance of sewer, water, communication and electrical systems. (NRS 407.0765, as amended by section 2 of Senate Bill No. 53, chapter 23, Statutes of Nevada 2021, at page 98) **Section 1** of this regulation authorizes the Division to collect such fees at a park or office maintained by the Division.

Existing law provides for the issuance of: (1) annual permits that authorize a holder to enter and use the facilities at each state park and recreational area in the State without paying the entrance fee; and (2) annual permits that authorize a holder to enter and use the facilities of a specific state park or recreational area without paying the entrance fee. (NRS 407.065) Existing regulations provide for the issuance of: (1) all access permits, which authorize the holder to enter, camp and boat in all parks without paying certain fees; and (2) annual permits, which authorize the holder to enter, camp and boat in a specific state park or recreational area without paying the entrance fee. (NAC 407.052, 407.055) **Section 2** of this regulation replaces the term “all access permit” with “all access annual permit.” **Section 3** of this regulation replaces the term

“annual permit” with “day use annual permit.” **Sections 5, 6 and 7** of this regulation make conforming changes to reflect this change in terminology. **Section 5** specifies that an all access annual permit does not authorize the holder to attend special events. **Section 6** increases, from \$200 to \$250, the fee for an all access annual permit. **Section 6** also increases, from \$75 to \$100, the fee for a day use annual permit for the use of certain parks. Finally, **section 6** imposes an additional entrance fee of \$5 per vehicle for each vehicle per day that is not registered with the Nevada Department of Motor Vehicles.

Under existing law, the Division is required to issue an annual permit to certain persons without charge. (NRS 407.065) Assembly Bill No. 102 of the 2021 Legislative Session eliminates the requirement that certain veterans must have incurred a permanent service-connected disability of 10 percent or more in order to be eligible to receive such a permit without charge. (Section 1 of Assembly Bill No. 102, chapter 103, Statutes of Nevada 2021, at page 439) **Section 4** makes a conforming change relating to the provisions of Assembly Bill No. 102 by eliminating the requirement that a person must provide proof to the Division of a permanent service connected disability of 10 percent or more to obtain an all access annual park permit for disabled veterans.

Existing regulations limit the fees the Division may charge and collect for camping reservations. (NAC 407.050) **Section 4** of this regulation clarifies that: (1) a third-party system or vendor may impose a fee or service charge for making camping reservations in a park; and (2) such a charge or fee is in addition to and not subject to the limitations applicable to the Division. **Section 4** also limits the fee the Division may charge and collect for the reservation of lodging for large groups to not more than \$2,500 per day.

Existing regulations provide that fees charged for the use of a park will not be refunded if the user’s privileges are rescinded as a result of the infraction of a park regulation. (NAC 407.060) **Section 8** of this regulation provides that administrative fees collected for the issuance of a permit will not be refunded if the user’s privileges are rescinded or a permit is revoked as a result of the infraction of a park regulation.

Section 1. Chapter 407 of NAC is hereby amended by adding thereto a new section to read as follows:

A fee imposed pursuant to NRS 407.065 or 407.0765, as amended by section 2 of Senate Bill No. 53, chapter 23, Statutes of Nevada 2021, at page 98, may be collected by the Division at a park or office maintained by the Division.

Sec. 2. NAC 407.00605 is hereby amended to read as follows:

407.00605 “All access *annual* permit” means a permit that, for 12 months, authorizes the holder to enter all parks and use the facilities of the parks without paying the entrance, camping or boating fees imposed pursuant to NAC 407.055.

Sec. 3. NAC 407.0062 is hereby amended to read as follows:

407.0062 ~~“Annual”~~ “*Day use annual* permit” means a permit which, for 12 months, authorizes the holder to enter a park and use the facilities of the park without paying the entrance fee imposed pursuant to NAC 407.055.

Sec. 4. NAC 407.050 is hereby amended to read as follows:

407.050 1. The Division will issue a permit for senior citizens to a person who is a resident of Nevada and applies for such a permit if the person:

- (a) Is 65 years of age or older;
- (b) Pays a \$30 administrative fee to the Division;
- (c) Provides proof of age and residence in Nevada to the Division; and
- (d) Possesses a Nevada driver’s license or an identification card issued by the Department of Motor Vehicles.

↪ A permit for senior citizens authorizes the holder to enter, camp in and boat in all parks for 12 months after the date the permit is issued. The permit does not authorize the use of hook-ups without payment of the fee set forth in this section.

2. The Division will issue a permit for disabled veterans to a person who is a resident of Nevada and applies for such a permit if the person:

- (a) Provides proof to the Division of:
 - (1) A permanent service-connected disability ; ~~of 10 percent or more;~~
 - (2) The status required by NRS 407.065;

- (3) An honorable discharge from the Armed Forces of the United States; and
- (4) Residence in Nevada; and

(b) Pays a \$30 administrative fee to the Division.

↪ A permit for disabled veterans authorizes the holder to enter, camp in and boat in all parks for 12 months after the date the permit is issued. The permit does not authorize the use of hook-ups without payment of the fee set forth in this section.

3. The Division may issue a permit that authorizes the landing of not more than two nonemergency aircraft in designated areas of a park. If the Division issues such a permit, the Division will charge a fee of \$200 per event per day for the permit.

4. The Division will charge and collect the following fees:

(a) For the use of a facility for the dumping of sewage by a person not camping in the park The entrance fee for the park.

(b) For the use of the showers by a person not camping in the park The entrance fee for the park, not including any additional charges at coin-operated showers.

(c) For making a camping reservation for individual campsites or cabins or related activities in a park designated by the Administrator as being available for camping reservations Not more than \$25 per reservation for a campsite or cabin, day use or other related activities.

(d) For the reservation of stage areas The fee established by agreement or a special use permit, or both.

(e) To replace an all access permit, an annual permit, a permit for senior citizens or a permit for disabled veterans \$10.

(f) For the use of a campsite at which a hook-up is available \$10 per vehicle.

(g) For the reservation of lodging for large groups Not more than \$2,500 per day.

5. For commercial bus tours, the Division will charge and collect the established entrance fee or \$2 per person, whichever is greater, or the fee established by a special use permit. A special use permit may provide for monthly billings.

6. For each day or partial day that a person engages in an activity requiring a photography permit in a park pursuant to section 3 of LCB File No. R123-20, the Division will charge and collect the following fee according to the total number of vehicles or the total number of persons, whichever results in a higher fee:

Number of Vehicles or Persons	Fee Per Day
Class A: 1 to 3 vehicles or 2 to 15 persons	\$50

Number of Vehicles or Persons	Fee Per Day
Class B: 4 to 7 vehicles or 16 to 30 persons.....	200
Class C: 8 to 11 vehicles or 31 to 50 persons.....	350
Class D: 12 to 15 vehicles or 51 to 75 persons	500
Class E: 16 to 20 vehicles or 76 to 100 persons.....	800
Class F: 21 to 50 vehicles or 101 to 400 persons.....	2,100
Class G: More than 50 vehicles or more than 400 persons.....	3,500

7. A person may request an annual class A photography permit for the activities that require a photography permit pursuant to section 3 of LCB File No. R123-20. Upon approval of such a request, the Division will charge and collect from the person a fee of \$500. An annual class A photography permit will be recognized at all parks for 12 months after the date of issuance. A person to whom is issued an annual class A photography permit shall:

(a) Pay the entrance fee required pursuant to NAC 407.055 each time he or she enters a park to engage in an activity requiring a photography permit pursuant to section 3 of LCB File No. R123-20;

(b) Maintain adequate insurance coverage for the entire period he or she holds such a permit and provide proof to the Division of such coverage;

(c) Contact in advance the office of the park that he or she intends to use to confirm the availability of the areas where the person intends to engage in an activity requiring a photography permit pursuant to section 3 of LCB File No. R123-20; and

(d) Obtain a special use permit if a special use permit is required pursuant NAC 407.053.

8. A park supervisor or regional manager in charge of a region in which a park is located may determine the area of the park that can be used under a photography permit.

9. A person who has obtained a photography permit may request that the Division reserve an area within the park for use on a specific day in accordance with the terms of the permit.

Upon approval of such a request, the Division will charge and collect from the person a reservation fee of \$100. The reservation fee is in addition to any fee charged and collected pursuant to subsection 6 or 7.

10. The Division may not charge an entrance fee for the park for a reporter or other person who is employed in any news media, including, without limitation, newspapers and television.

11. If a user of a park does not deposit the required fee in the available self-service devices, the Division:

(a) Must charge the user a fee of \$10 for collection service, in addition to other fees; and

(b) May file criminal charges against the user for theft as defined in NRS 205.0832.

12. For each special use permit or commercial use permit, the Division will charge a processing fee of \$25 in addition to any other fee charged for the permit.

13. The Division must reduce by \$1 any entrance fee established pursuant to this chapter charged to a person who upon entrance to the park:

(a) Presents a disability placard;

(b) Is in a vehicle displaying a special license plate for persons with disabilities;

(c) Is in a vehicle displaying a special license plate for veterans; or

(d) Presents a military identification card issued by any branch of the Armed Forces of the United States.

14. Nothing in this section shall be construed to prohibit a third-party system or vendor from imposing a fee or service charge for making a camping reservation in a park. Such a service charge or fee is in addition to and not subject to the limitation set forth in paragraph (c) of subsection 4.

Sec. 5. NAC 407.052 is hereby amended to read as follows:

407.052 1. A person who applies for an all access *annual* permit will be issued such a permit upon payment of a fee of ~~1\$2001~~ *\$250* pursuant to NAC 407.055.

2. An all access *annual* permit issued pursuant to subsection 1 authorizes the holder of the permit to enter, camp in and boat in all parks without paying the entrance, camping and boating fees imposed by NAC 407.055. An all access *annual* permit does not authorize the holder of the permit to *attend special events or* use a hook-up.

Sec. 6. NAC 407.054 is hereby amended to read as follows:

407.054 1. ~~1An1~~ *A day use* annual permit does not authorize the holder to:

- (a) Engage in camping or boating;
- (b) Attend special events; or
- (c) Use a hook-up.

2. The holder of ~~1an1~~ *a day use* annual permit who wishes to engage in camping or boating, to attend special events or to use a hook-up must pay the fee established for the respective activity.

Sec. 7. NAC 407.055 is hereby amended to read as follows:

407.055 1. Except as otherwise provided in NAC 407.050, or unless waived, the Division will charge and collect the following fees for the use of parks:

Park	All Access Annual Permit Fee	Day Use Annual Permit Fee	Entrance Fee Per Vehicle	Camping Fee Per Vehicle	Boating Fee Per Vehicle	Day Use Group Fee Per Day	Group Camping Reservation Fee Per Day	Miscellaneous Fees
Beaver Dam	200 250	75 100	\$5	\$10	N/A	\$25 plus the entrance fee per vehicle	\$25 plus the entrance and camping fees per vehicle	N/A
Berlin-Ichthyosaur	200 250	75 100	\$5	\$10	N/A	\$25 plus the entrance fee per vehicle	\$25 plus the entrance and camping fees per vehicle	Guided Tours: \$5 per person Children 12 and under free
Big Bend of the Colorado	200 250	75 100	\$10	\$10 plus \$10 per vehicle at campsites with utility hook-ups	\$10	N/A	N/A	N/A
Cathedral Gorge	200 250	75 100	\$5	\$10	N/A	\$25 plus the entrance fee per vehicle	\$25 plus the entrance and camping fees per vehicle	N/A
Cave Lake	200 250	75 100	\$5	\$10	\$5	\$25 plus the entrance fee per vehicle	\$25 plus the entrance and camping fees per vehicle	N/A
Dayton	200 250	75 100	\$5	\$10	N/A	\$75 for 6 to 50 persons \$100 for 51 to 100 persons \$150 for 101 to 150 persons \$200 for 151 or more persons plus the entrance fee per vehicle	N/A	N/A
Echo Canyon	200 250	75 100	\$5	\$10	\$5	\$25 plus the entrance fee per vehicle	\$25 plus the entrance and camping fees per vehicle	N/A
Elgin School House	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Museum admission: \$3 adults children 12 and under free
Fort Churchill	200 250	75 100	\$5	\$10	N/A	\$25 plus the entrance fee per vehicle	\$25 plus the entrance and camping fees per vehicle	N/A
Fort Churchill-Buckland Station	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Museum admission: \$3 adults children 12 and under free
Fort Churchill-Carson River Ranches	\$0	\$0	\$5	\$10	N/A	\$25 plus the entrance fee per vehicle	\$25 plus the entrance and camping fees per vehicle	N/A

Park	All Access Annual Permit Fee	Day Use Annual Permit Fee	Entrance Fee Per Vehicle	Camping Fee Per Vehicle	Boating Fee Per Vehicle	Day Use Group Fee Per Day	Group Camping Reservation Fee Per Day	Miscellaneous Fees
Ice Age Fossils	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Museum admission: \$3 adults children 12 and under free
Kershaw-Ryan	200 250	75 100	\$5	\$10	N/A	\$25 plus the entrance fee per vehicle	N/A	N/A
Lahontan	200 250	75 100	\$5	\$10	\$10	\$25 plus the entrance fee per vehicle	\$25 plus the entrance and camping fees per vehicle	N/A
Lake Tahoe: Cave Rock	200 250	75 100	\$10 or \$2 for 15 min. photo stop	N/A	\$10	N/A	N/A	N/A
Sand Harbor	200 250	75 100	\$10	N/A	\$10	\$400 plus the entrance fee per vehicle	N/A	N/A
Spooner Lake	200 250	75 100	\$10 plus \$2 per bike for vehicles with more than 4 bikes	N/A	N/A	N/A	\$75 for 1 to 50 persons \$100 for 51 to 100 persons \$150 for 101 to 150 persons	N/A
Van Sickle	200 250	75 100	\$10 plus \$2 per bike for vehicles with more than 4 bikes	N/A	N/A	N/A	N/A	N/A
Mormon Station	N/A	N/A	N/A	N/A	N/A	\$150 for 6 to 50 persons \$200 for 51 to 100 persons \$250 for 101 to 150 persons \$300 for 151 or more persons plus the entrance fee per vehicle	N/A	Museum admission: \$3 adults children 12 and under free
Old Las Vegas Mormon Fort	N/A	N/A	N/A	N/A	N/A	\$100 for 6 to 100 persons \$200 for 101 or more persons plus the entrance fee per vehicle	N/A	Museum admission: \$3 adults children 12 and under free
Rye Patch	200 250	75 100	\$5	\$10	\$5	\$25 plus the entrance fee per vehicle	\$25 plus the entrance and camping fees per vehicle	N/A
South Fork	200 250	75 100	\$5	\$10	\$5	\$25 plus the entrance fee per vehicle	\$25 plus the entrance and camping fees per vehicle	N/A

Park	All Access Annual Permit Fee	Day Use Annual Permit Fee	Entrance Fee Per Vehicle	Camping Fee Per Vehicle	Boating Fee Per Vehicle	Day Use Group Fee Per Day	Group Camping Reservation Fee Per Day	Miscellaneous Fees
Spring Mountain Ranch	200 250	75 100	\$10	N/A	N/A	\$200 plus the entrance fee per vehicle	N/A	N/A
Spring Valley	200 250	75 100	\$5	\$10	\$5	\$25 plus the entrance fee per vehicle	\$25 plus the entrance and camping fees per vehicle	N/A
Valley of Fire	200 250	75 100	\$10	\$10 plus \$10 per vehicle at campsites with utility hook-ups	N/A	\$25 plus the entrance fee per vehicle	\$25 plus the entrance and camping fees per vehicle	N/A
Walker River	200 250	75 100	\$5	\$10 plus \$10 per vehicle at campsites with utility hook-ups	N/A	N/A	N/A	N/A
Ward Charcoal Ovens	200 250	75 100	\$5	\$10	N/A	N/A	\$25 plus the entrance and camping fees per vehicle	N/A
Washoe Lake	200 250	75 100	\$5	\$10	\$5	Equestrian Group Use \$50 plus the entrance fee per vehicle Main Group Use \$75 for 6 to 50 persons \$100 for 51 to 100 persons \$150 for 101 to 150 persons \$200 for 151 or more persons Plus the entrance fee per vehicle	Equestrian Group Camping \$50 plus the entrance and camping fees per vehicle	\$50 for use of Arena
Wild Horse	200 250	75 100	\$5	\$10	\$5	N/A	\$25 plus the entrance and camping fees per vehicle	N/A
Cabins or Yurts	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Rental not to exceed \$150 per night plus the entrance fee per vehicle

2. A person who pays a camping fee for a park pursuant to subsection 1 is authorized to use the camping facilities of the park from 2 p.m. until 11 a.m.

3. A person who pays an entrance fee pursuant to subsection 1 is not authorized to use the facilities of the park from 10 p.m. until 6 a.m. unless the person also pays the camping fee for the park.

4. The Division will charge and collect from each person who rides a bicycle or horse, walks or enters by a nonmotorized vessel into a park an entrance fee of \$2.

5. The Division will not charge a fee for any vehicle that is towed into a park.

6. The Division will charge, in addition to any other fee imposed pursuant to this chapter, a fee of ~~1\$5~~ :

(a) Five dollars for each watercraft in excess of two that is launched from a boat ramp or set adrift from shore.

(b) Five dollars per day for each vehicle that:

(1) Enters a park for which an entrance fee has been established by the Administrator;
and

(2) Is not registered with the Nevada Department of Motor Vehicles.

7. If a person purchases an annual permit to a park for a vehicle, the person may purchase at the same time a second annual permit to the same park at a discounted price equal to one-half of the price of the annual permit. The annual permit purchased at a discounted price must be for a vehicle registered to the same owner at the same residence as the owner of the vehicle for which the permit was purchased at regular price.

Sec. 8. NAC 407.060 is hereby amended to read as follows:

407.060 Fees charged for the use of a park , *including, without limitation, administrative fees collected by the Division for the issuance of a permit*, will not be refunded if the user's privileges are rescinded *or the permit is revoked* as a result of the infraction of a park regulation.