

teer, if the regional multientity pass agreement under which the regional multientity pass was established provides for the issuance of the pass to volunteers.

(Pub. L. 108-447, div. J, title VIII, §811, Dec. 8, 2004, 118 Stat. 3389.)

REFERENCES IN TEXT

Section 6804 of this title, referred to in subsecs. (b) to (d), was in the original a reference to section 5, and was translated as meaning section 805 of title VIII of div. J of Pub. L. 108-447, to reflect the probable intent of Congress.

§ 6811. Enforcement and protection of receipts

(a) Enforcement authority

The Secretary concerned shall enforce payment of the recreation fees authorized by this chapter.

(b) Evidence of nonpayment

If the display of proof of payment of a recreation fee, or the payment of a recreation fee within a certain time period is required, failure to display such proof as required or to pay the recreation fee within the time period specified shall constitute nonpayment.

(c) Joint liability

The registered owner and any occupant of a vehicle charged with a nonpayment violation involving the vehicle shall be jointly liable for penalties imposed under this section, unless the registered owner can show that the vehicle was used without the registered owner's express or implied permission.

(d) Limitation on penalties

The failure to pay a recreation fee established under this chapter shall be punishable as a Class A or Class B misdemeanor, except that in the case of a first offense of nonpayment, the fine imposed may not exceed \$100, notwithstanding section 3571(e) of title 18.

(Pub. L. 108-447, div. J, title VIII, §812, Dec. 8, 2004, 118 Stat. 3390.)

REFERENCES IN TEXT

This chapter, referred to in subsecs. (a) and (d), was in the original "this Act", and was translated as reading "this title", meaning title VIII of div. J of Pub. L. 108-447, Dec. 8, 2004, 118 Stat. 3377, known as the Federal Lands Recreation Enhancement Act, to reflect the probable intent of Congress. For complete classification of title VIII to the Code, see Short Title note set out under section 6801 of this title and Tables.

§ 6812. Repeal of superseded admission and use fee authorities

(a) Land and Water Conservation Fund Act

Subsections (a), (b), (c), (d), (e), (f), (g), and (i) (except for paragraph (1)(C)) of section 4¹ of the Land and Water Conservation Fund Act of 1965 are repealed, except that the Secretary may continue to issue Golden Eagle Passports, Golden Age Passports, and Golden Access Passports under such section until the date the notice required by section 6804(a)(3) of this title is published in the Federal Register regarding the es-

tablishment of the National Parks and Federal Recreational Lands Pass.

(b) Recreational fee demonstration program

Section 315¹ of the Department of the Interior and Related Agencies Appropriations Act, 1996 (as contained in section 101(c) of Public Law 104-134), is repealed.

(c) Admission permits for refuge units

Section 3911 of this title is repealed.

(d) National park passport, Golden Eagle Passport, Golden Age Passport, and Golden Access Passport

Effective on the date the notice required by section 6804(a)(3) of this title is published in the Federal Register, the following provisions of law authorizing the establishment of a national park passport program or the establishment and sale of a national park passport, Golden Eagle Passport, Golden Age Passport, or Golden Access Passport are repealed:

(1) Section 502¹ of the National Parks Omnibus Management Act of 1998 (Public Law 105-391).

(2) Title VI¹ of the National Parks Omnibus Management Act of 1998 (Public Law 105-391).

(e) Treatment of unobligated funds

(1) Land and water conservation fund special accounts

Amounts in the special accounts established under section 4(i)(1)¹ of the Land and Water Conservation Fund Act of 1965 for Federal land management agencies that are unobligated on December 8, 2004, shall be transferred to the appropriate special account established under section 6806 of this title and shall be available to the Secretary in accordance with this chapter. A special account established under section 4(i)(1)¹ of the Land and Water Conservation Fund Act of 1965 for a Federal agency that is not a Federal land management area, and the use of such special account, is not affected by the repeal of section 4¹ of the Land and Water Conservation Fund Act of 1965 by subsection (a) of this section.

(2) National parks passport

Any funds collected under title VI¹ of the National Parks Omnibus Management Act of 1998 (Public Law 105-391) that are unobligated on the day before the publication of the Federal Register notice required under section 6804(a)(3) of this title shall be transferred to the special account of the National Park Service for use in accordance with this chapter. The Secretary of the Interior may use amounts available in that special account to pay any outstanding administration, marketing, or close-out costs associated with the national parks passport.

(3) Recreational fee demonstration program

Any funds collected in accordance with section 315¹ of the Department of the Interior and Related Agencies Appropriations Act, 1996 (as contained in section 101(c) of Public Law 104-134), that are unobligated on the day before December 8, 2004, shall be transferred to the appropriate special account and shall be available to the Secretary in accordance with this chapter.

¹ See References in Text note below.

(4) Admission permits for refuge units

Any funds collected in accordance with section 3911 of this title that are available as provided in subsection (c)(A) of such section and are unobligated on the day before December 8, 2004, shall be transferred to the special account of the United States Fish and Wildlife Service for use in accordance with this chapter.

(f) Effect of regulations

A regulation or policy issued under a provision of law repealed by this section shall remain in effect to the extent such a regulation or policy is consistent with the provisions of this chapter until the Secretary issues a regulation, guideline, or policy under this chapter that supercedes the earlier regulation.

(Pub. L. 108-447, div. J, title VIII, §813, Dec. 8, 2004, 118 Stat. 3390; Pub. L. 109-54, title I, §132(a), Aug. 2, 2005, 119 Stat. 526; Pub. L. 113-287, §5(d)(37), Dec. 19, 2014, 128 Stat. 3268.)

REFERENCES IN TEXT

Section 4 of the Land and Water Conservation Fund Act of 1965, referred to in subssecs. (a) and (e)(1), was section 4 of Pub. L. 88-578, title I, as added Pub. L. 92-347, §2, July 11, 1972, 86 Stat. 459, which was classified to former section 4601-6a of this title. Subssecs. (a) to (g) and (i) (except par. (1)(C)) of section 4 were repealed by subsec. (a) of this section. Subsec. (h) of section 4 was previously repealed by Pub. L. 104-66, title I, §1081(f), Dec. 21, 1995, 109 Stat. 721. Subssecs. (i)(1)(C) and (j) to (n) of section 4 were repealed and restated as section 100904 of Title 54, National Park Service and Related Programs, by Pub. L. 113-287, §§3, 7, Dec. 19, 2014, 128 Stat. 3094, 3272.

The date the notice required by section 6804(a)(3) of this title is published in the Federal Register, referred to in subssecs. (a), (d), and (e)(2), is Dec. 19, 2006. See 71 F.R. 75935.

Sections 6804 and 6806 of this title, referred to in subssecs. (a), (d), and (e)(1), (2), were in the original references to sections 5 and 7, respectively, and were translated as meaning section 805 and 807, respectively, of title VIII of div. J of Pub. L. 108-447, to reflect the probable intent of Congress.

Section 315 of the Department of the Interior and Related Agencies Appropriations Act, 1996, referred to in subssecs. (b) and (e)(3), is Pub. L. 104-134, title I, §101(c) [title III, §315], Apr. 26, 1996, 110 Stat. 1321-156, 1321-200, which was set out as a note under former section 4601-6a of this title, prior to repeal by subsec. (b) of this section.

The National Parks Omnibus Management Act of 1998, referred to in subssecs. (d) and (e)(2), is Pub. L. 105-391, Nov. 13, 1998, 112 Stat. 3497. Section 502 of the Act was classified to section 5982 of this title, and title VI of the Act was classified generally to subchapter V (§5991 et seq.) of chapter 79 of this title, prior to repeal by subsec. (d) of this section. For complete classification of this Act to the Code, see Tables.

This chapter, referred to in subssecs. (e) and (f), was in the original “this Act”, and was translated as reading “this title”, meaning title VIII of div. J of Pub. L. 108-447, Dec. 8, 2004, 118 Stat. 3377, known as the Federal Lands Recreation Enhancement Act, to reflect the probable intent of Congress. For complete classification of title VIII to the Code, see Short Title note set out under section 6801 of this title and Tables.

AMENDMENTS

2014—Subsec. (a). Pub. L. 113-287, §5(d)(37)(A), which directed amendment of “subsection (A)” by striking out “(16 U.S.C. 4601-6a et seq.)”, was executed by striking out that language after “1965” in subsec. (a) to reflect the probable intent of Congress.

Subsec. (b). Pub. L. 113-287, §5(d)(37)(B), struck out “; 16 U.S.C. 4601-6a” after “Public Law 104-134”.

Subsec. (d)(1). Pub. L. 113-287, §5(d)(37)(C)(i), which directed amendment of subsec. (c)(1) by striking out “; 16 U.S.C. 5982”, was executed by striking out that language after “(Public Law 105-391)” in subsec. (d)(1), to reflect the probable intent of Congress.

Subsec. (d)(2). Pub. L. 113-287, §5(d)(37)(C)(ii), which directed amendment of subsec. (c)(2) by striking out “; 16 U.S.C. 5991-5995”, was executed by striking out that language after “(Public Law 105-391)” in subsec. (d)(2), to reflect the probable intent of Congress.

Subsec. (e)(1). Pub. L. 113-287, §5(d)(37)(D)(i), struck out “(16 U.S.C. 4601-6a(i)(1))” after “accounts established under section 4(i)(1) of the Land and Water Conservation Fund Act of 1965”.

Subsec. (e)(2). Pub. L. 113-287, §5(d)(37)(D)(ii), struck out “; 16 U.S.C. 5991-5995” after “(Public Law 105-391)”.

Subsec. (e)(3). Pub. L. 113-287, §5(d)(37)(D)(iii), struck out “; 16 U.S.C. 4601-6a” after “Public Law 104-134”.

2005—Subsec. (a). Pub. L. 109-54 inserted “(except for paragraph (1)(C))” after “and (i)”.

EFFECTIVE DATE OF 2005 AMENDMENT

Pub. L. 109-54, title I, §132(d), Aug. 2, 2005, 119 Stat. 526, provided that: “This section [amending this section and former section 4601-6a of this title and enacting provisions set out as a note under section 100904 of Title 54, National Park Service and Related Programs] and the amendments made by this section take effect as of December 8, 2004.”

§ 6813. Relation to other laws and fee collection authorities**(a) Federal and State laws unaffected**

Nothing in this chapter shall authorize Federal hunting or fishing licenses or fees or charges for commercial or other activities not related to recreation, affect any rights or authority of the States with respect to fish and wildlife, or repeal or modify any provision of law that permits States or political subdivisions of States to share in the revenues from Federal lands or, except as provided in subsection (b), any provision of law that provides that any fees or charges collected at particular Federal areas be used for or credited to specific purposes or special funds as authorized by that provision of law.

(b) Relation to revenue allocation laws

Amounts collected under this chapter, and the existence of a fee management agreement with a governmental entity under section 6805(a) of this title, may not be taken into account for the purposes of any of the following laws:

- (1) The sixth paragraph under the heading “FOREST SERVICE” in the Act of May 23, 1908 (16 U.S.C. 500).
- (2) Section 13 of the Act of March 1, 1911 (16 U.S.C. 500; commonly known as the Weeks Act).
- (3) The fourteenth paragraph under the heading “FOREST SERVICE” in the Act of March 4, 1913 (16 U.S.C. 501).
- (4) Section 1012 of title 7.
- (5) Title II of the Act of August 8, 1937,¹ and the Act of May 24, 1939 (43 U.S.C. 1181f [1181f-1] et seq.).
- (6) Section 869-4 of title 43.
- (7) Chapter 69 of title 31.
- (8) Section 715s of this title.

¹ See References in Text note below.