

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.

Section 6804 of this title, referred to in subsecs. (d) and (e), 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.

§ 6807. Expenditures

(a) Use of fees at specific site or area

Amounts available for expenditure at a specific site or area—

(1) shall be accounted for separately from the amounts collected;

(2) may be distributed agency-wide; and

(3) shall be used only for—

(A) repair, maintenance, and facility enhancement related directly to visitor enjoyment, visitor access, and health and safety;

(B) interpretation, visitor information, visitor service, visitor needs assessments, and signs;

(C) habitat restoration directly related to wildlife-dependent recreation that is limited to hunting, fishing, wildlife observation, or photography;

(D) law enforcement related to public use and recreation;

(E) direct operating or capital costs associated with the recreation fee program; and

(F) a fee management agreement established under section 6805(a) of this title or a visitor reservation service.

(b) Limitation on use of fees

The Secretary may not use any recreation fees for biological monitoring on Federal recreational lands and waters under the Endangered Species Act of 1973 [16 U.S.C. 1531 et seq.] for listed or candidate species.

(c) Administration, overhead, and indirect costs

The Secretary may use not more than an average of 15 percent of total revenues collected under this chapter for administration, overhead, and indirect costs related to the recreation fee program by that Secretary.

(d) Transitional exception

Notwithstanding any other provision of this chapter, the Secretary may use amounts available in the special account of a Federal land management agency to supplement administration and marketing costs associated with—

(1) the National Parks and Federal Recreational Lands Pass during the 5-year period beginning on the date the joint guidelines are issued under section 6804(a)(7) of this title; and

(2) a regional multientity pass authorized section 6804(d) of this title during the 5-year period beginning on the date the regional multientity pass agreement for that recreation pass takes effect.

(Pub. L. 108-447, div. J, title VIII, §808, Dec. 8, 2004, 118 Stat. 3388; Pub. L. 111-11, title VII, §7116(h), Mar. 30, 2009, 123 Stat. 1203.)

REFERENCES IN TEXT

The Endangered Species Act of 1973, referred to in subsec. (b), is Pub. L. 93-205, Dec. 28, 1973, 87 Stat. 884,

as amended, which is classified principally to chapter 35 (§1531 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1531 of this title and Tables.

This chapter, referred to in subsecs. (c) 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.

Section 6804 of this title, referred to in subsec. (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.

AMENDMENTS

2009—Subsec. (a)(3)(F). Pub. L. 111-11, which directed technical amendment in subsec. (a)(1)(F) to reference in original act which appears in text as reference to section 6805(a) of this title, was executed by making technical amendment in par. (3)(F) to reflect the probable intent of Congress.

§ 6808. Reports

Not later than May 1, 2006, and every 3 years thereafter, the Secretary shall submit to Congress a report detailing the status of the recreation fee program conducted for Federal recreational lands and waters, including an evaluation of the recreation fee program, examples of projects that were funded using such fees, and future projects and programs for funding with fees, and containing any recommendations for changes in the overall fee system.

(Pub. L. 108-447, div. J, title VIII, §809, Dec. 8, 2004, 118 Stat. 3389.)

§ 6809. Sunset provision

The authority of the Secretary to carry out this chapter shall terminate September 30, 2019.

(Pub. L. 108-447, div. J, title VIII, §810, Dec. 8, 2004, 118 Stat. 3389; Pub. L. 113-235, div. F, title IV, §422, Dec. 16, 2014, 128 Stat. 2449; Pub. L. 114-53, div. B, §134, Sept. 30, 2015, 129 Stat. 509, renumbered div. B, Pub. L. 114-113, §8(3), Dec. 18, 2015, 129 Stat. 2245; Pub. L. 114-223, div. C, §133, Sept. 29, 2016, 130 Stat. 914; Pub. L. 115-56, div. D, §131, Sept. 8, 2017, 131 Stat. 1145.)

REFERENCES IN TEXT

This chapter, referred to in text, 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

2017—Pub. L. 115-56 substituted “September 30, 2019” for “September 30, 2018”.

2016—Pub. L. 114-223 substituted “September 30, 2018” for “September 30, 2017”.

2015—Pub. L. 114-53 substituted “September 30, 2017.” for “on September 30, 2016.”

2014—Pub. L. 113-235 substituted “on September 30, 2016” for “10 years after December 8, 2004”. Amendment was executed as the probable intent of Congress, notwithstanding error in directory language which referenced the editorial translation of “December 8, 2004”

rather than “the date of the enactment of this Act” which appeared in the original.

RECREATION FEES

Pub. L. 116-94, div. D, title IV, §425, Dec. 20, 2019, 133 Stat. 2748, provided that: “Section 810 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6809) shall be applied by substituting ‘October 1, 2021’ for ‘September 30, 2019.’”

Similar provisions were contained in the following prior appropriation act:

Pub. L. 116-6, div. E, title IV, §427, Feb. 15, 2019, 133 Stat. 264.

§ 6810. Volunteers

(a) Authority to use volunteers

The Secretary may use volunteers, as appropriate, to collect recreation fees and sell recreation passes.

(b) Waiver or discount of fees; site-specific agency pass

In exchange for volunteer services, the Secretary may waive or discount an entrance fee, standard amenity recreation fee, or an expanded amenity recreation fee that would otherwise apply to the volunteer or issue to the volunteer a site-specific agency pass authorized under section 6804(c) of this title.

(c) National Parks and Federal Recreational Lands Pass

In accordance with the guidelines issued under section 6804(a)(7) of this title, the Secretaries may issue a National Parks and Federal Recreational Lands Pass to a volunteer in exchange for significant volunteer services performed by the volunteer.

(d) Regional multientity passes

The Secretary may issue a regional multientity pass authorized under section 6804(d) of this title to a volunteer in exchange for significant volunteer services performed by the volunteer, 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 in-

volving 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 establishment 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

¹ See References in Text note below.