

gress 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. 116-260, div. G, title IV, §423, Dec. 27, 2020, 134 Stat. 1541, provided that: “Section 810 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6809) shall be applied by substituting ‘October 1, 2022’ for ‘September 30, 2019’.”

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 116-94, div. D, title IV, §425, Dec. 20, 2019, 133 Stat. 2748.

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 subsections (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 subsections (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 classifica-

tion 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 4<sup>1</sup> 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 315<sup>1</sup> 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 502<sup>1</sup> of the National Parks Omnibus Management Act of 1998 (Public Law 105-391).

(2) Title VI<sup>1</sup> 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)<sup>1</sup> 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)<sup>1</sup> 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 4<sup>1</sup> 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 VI<sup>1</sup> 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 315<sup>1</sup> 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.

**(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 supersedes 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 subsecs. (a) and (e)(1), was section 4 of Pub. L. 88-578, title I, as added by Pub. L. 92-347, §2, July 11, 1972, 86 Stat. 459, which was classified to former section 4601-6a of this title. Subsecs. (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. Subsecs. (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 subsecs. (a), (d), and (e)(2), is Dec. 19, 2006. See 71 F.R. 75935.

Sections 6804 and 6806 of this title, referred to in subsecs. (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 subsecs. (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 subsecs. (d) and (e)(2), is Pub. L.

<sup>1</sup> See References in Text note below.