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NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 736

PARKS AND RECREATION DEPARTMENT

FILED

03/26/2025 8:19 AM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Out-of-State Surcharge for Day Use Parking Pass

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 04/30/2025 5:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

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Filed By:
Katie Gauthier
Rules Coordinator

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 04/24/2025

TIME: 5:30 PM

OFFICER: Katie Gauthier

REMOTE HEARING DETAILS

MEETING URL: [Click here to join the meeting](#)

PHONE NUMBER: 503-510-9678

SPECIAL INSTRUCTIONS:

Must register prior to the hearing to receive link to provide comment. Register at:
https://us06web.zoom.us/webinar/register/WN_1Zw_JurTy-PYpxWhGra2w

NEED FOR THE RULE(S)

Oregon State Parks are integral to the state's tourism economy, recreation, and preservation of natural, cultural, historical and scenic recreational resources. It is currently funded by three main sources: state lottery funds, user fees and recreational vehicle registration dollars. The agency is not supported by taxpayer's general fund dollars and has tried to meet growing demand and maintenance on the state park system with these limited revenue streams. However, the system faces severe financial constraints due to fixed expenditure limits and reliance on state lottery funds and user fees.

Recently adopted rule changes added a 25% surcharge on all campsites and group facilities for out-of-state visitors. This proposed rule change would extend the surcharge to day use parking passes. During the original rulemaking process adding the surcharge to parking passes were left off. This updated proposed rule changes would allow the agency to fairly and consistently implement the new surcharge.

Elimination of the 24-month pass, beginning in 2026 will allow the agency to better predict revenue and expenditures annually.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

The 2025-29 Statewide Comprehensive Outdoor Recreation Plan (draft)

<https://www.oregon.gov/oprd/PRP/Documents/SCORP-2025-29-SCORP-Report-Public-Review.pdf>

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

OPRD does not have data regarding the racial or ethnic backgrounds of out-of-state visitors to state parks.

Understanding price sensitivity concerns may impact racial equity, OPRD will need to evaluate impacts if proposed rules are implemented and consider changes to improve access.

FISCAL AND ECONOMIC IMPACT:

An Earth Economics study in 2022, included in the 2025-29 SCORP, found outdoor recreation in Oregon supported \$21.2 billion in spending at businesses throughout the state, which then rippled through Oregon's economy as income and wages were re-spent, driving economic effects in sectors not directly tied to outdoor recreation. Total consumer spending on outdoor recreation in 2022 supported 198,000 full and part-time jobs in Oregon, associated with \$8.4 billion in wages and other compensation.

The state park system operates through a combination of park visitor revenue, a share of the recreation vehicle registration fee—which make up more than half the funding—and a share of constitutionally-dedicated Lottery approved by Oregon voters in 1999 and 2010. As utilities, operations and maintenance costs rise, the agency must balance revenue to ensure long term sustainability for state parks.

Allowing the agency consistently implement out-of-state surcharge is one tool to help to ensure state parks remain sustainable and accessible for future generations.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

The department anticipates this rule will have a minimal impact on state agencies, units of local government, or small businesses. Small businesses are not subject to the rule. There are no reporting, record keeping or other administrative activities required of small businesses. There are no equipment, supplies, labor, record keeping or additional administrative costs for small businesses.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

The rule does not impact small businesses, so they were not specifically included in development of the rule.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

The Oregon State Parks and Recreation Commission directed staff to consider changes to rules adding an out-of-state surcharge where possible.

AMEND: 736-015-0030

RULE SUMMARY: Adds a 25-percent surcharge to day use parking permit fees and eliminates the 24 month pass beginning in 2026.

CHANGES TO RULE:

Day Use Parking Permit ¶¶

(1) Purpose: Based on the department's goal to manage increased use of park areas, the director may require a motor vehicle day use parking permit in all park areas. This charge is a parking fee and not a charge for recreational purposes under ORS 105.672 to ORS 105.696. The immunities provided under ORS 105.682 apply to use of state park land for recreational purpose.¶¶

(2) General Regulations:¶¶

(a) All park properties require a day use parking permit when posted.¶¶

(b) Parking permits are to be clearly displayed through the windshield of motor vehicles with the expiration date visible;¶¶

(c) Persons with motorcycles or other motor vehicles, such as convertibles, where the permits could be subject to theft, may keep the permit with them and must show it to an enforcement officer or park employee upon request.¶¶

(3) Day Use Parking Permit Fees:¶¶

(a) Daily Motor Vehicle - \$7-15;¶¶

(b) 12-month Permit - \$30-60;¶¶

(c) 24-month Permit - \$50-80; until December 31, 2025, after which 24-month permits will no longer be available.¶¶

(d) The director will determine the day-use parking permit fee within the range.¶¶

(A) The director will review proposed changes in the parking permit fee on an annual basis.¶¶

(B) The department will post changes on the department website for a minimum of 30 days prior to the effective date.¶¶

(C) The department will post information about the day use parking permit fee on the department website.¶¶

(4) The department may enter into a written agreement with privately owned commercial vendors and non-profit cooperative associations affiliated with the department under ORS 390.143 to sell 12-month and 24-month permits:¶¶

(a) The director shall establish a maximum allowable fee of \$1 for vendors who sell the 12-month and 24-month permits;¶¶

(b) Non-profit cooperative associations affiliated with the department may by agreement retain fees in excess of the minimum vendor fee for use in funding interpretive programs in park areas;¶¶

(c) The vendor's fee will be included in the price of the permit;¶¶

(d) Only a park employee may issue replacement permits in the event an original permit is lost, stolen, or mutilated.¶¶

(e) A 25-percent surcharge will be added to all day use parking permit fees for non-residents.¶¶

(5) Daily Access Exceptions: The director may grant exceptions to the day-use parking permit requirement in selected park properties or under the following circumstances:¶¶

(a) Emergency vehicles;¶¶

(b) Government vehicles on official business;¶¶

(c) Business and delivery vehicles on official business;¶¶

(d) A person who is currently a registered camper at a park area and clearly displays the overnight rental receipt;¶¶

(e) Park concessionaires and their employees;¶¶

(f) A person entering the park to engage in specially permitted non-recreation activities;¶¶

(g) Park volunteers on duty in the park;¶¶

(h) A person with a permit issued by another entity with which the department has a written agreement to honor their passes; or¶¶

(i) Other persons as designated by the director.

Statutory/Other Authority: ORS 390.124

Statutes/Other Implemented: ORS 390.111, 390.121, 105.672 - 105.696