

National Park System and user fees for transportation services and facilities in Denali National Park, Alaska.

§ 460I-6c. Admission, entrance, and recreation fees

(a) Definitions

As used in this section:

(1) Area of concentrated public use

The term “area of concentrated public use” means an area administered by the Secretary that meets each of the following criteria:

(A) The area is managed primarily for outdoor recreation purposes.

(B) Facilities and services necessary to accommodate heavy public use are provided in the area.

(C) The area contains at least 1 major recreation attraction.

(D) Public access to the area is provided in such a manner that admission fees can be efficiently collected at 1 or more centralized locations.

(2) Boat launching facility

The term “boat launching facility” includes any boat launching facility, regardless of whether specialized facilities or services, such as mechanical or hydraulic boat lifts or facilities, are provided.

(3) Campground

The term “campground” means any campground where a majority of the following amenities are provided, as determined by the Secretary:

(A) Tent or trailer spaces.

(B) Drinking water.

(C) An access road.

(D) Refuse containers.

(E) Toilet facilities.

(F) The personal collection of recreation use fees by an employee or agent of the Secretary.

(G) Reasonable visitor protection.

(H) If campfires are permitted in the campground, simple devices for containing the fires.

(4) Secretary

The term “Secretary” means the Secretary of Agriculture.

(b) Authority to impose fees

The Secretary may charge—

(1) admission or entrance fees at national monuments, national volcanic monuments, national scenic areas, and areas of concentrated public use administered by the Secretary; and

(2) recreation use fees at lands administered by the Secretary in connection with the use of specialized outdoor recreation sites, equipment, services, and facilities, including visitors’ centers, picnic tables, boat launching facilities, and campgrounds.

(c) Amount of fees

The amount of the admission, entrance, and recreation fees authorized to be imposed under this section shall be determined by the Secretary.

(Pub. L. 103-66, title I, §1401, Aug. 10, 1993, 107 Stat. 331.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Agricultural Reconciliation Act of 1993 and as part of the Omnibus Budget Reconciliation Act of 1993, and not as part of the Land and Water Conservation Fund Act of 1965.

§ 460I-6d. Commercial filming

(a) Commercial filming fee

(1) In general

The Secretary of the Interior or the Secretary of Agriculture (hereafter individually referred to as the “Secretary” with respect to land (except land in a System unit as defined in section 100102 of title 54) under their respective jurisdictions) shall require a permit and shall establish a reasonable fee for commercial filming activities or similar projects on Federal land administered by the Secretary. The fee shall provide a fair return to the United States and shall be based on the following criteria:

(A) The number of days the filming activity or similar project takes place on Federal land under the Secretary’s jurisdiction.

(B) The size of the film crew present on Federal land under the Secretary’s jurisdiction.

(C) The amount and type of equipment present.

(2) Other factors

The Secretary may include other factors in determining an appropriate fee as the Secretary considers necessary.

(b) Recovery of costs

The Secretary shall collect any costs incurred as a result of filming activities or similar project, including administrative and personnel costs. All costs recovered shall be in addition to the fee assessed in subsection (a).

(c) Still photography

(1) In general

Except as provided in paragraph (2), the Secretary shall not require a permit nor assess a fee for still photography on land administered by the Secretary if such photography takes place where members of the public are generally allowed. The Secretary may require a permit, fee, or both, if such photography takes place at other locations where members of the public are generally not allowed, or where additional administrative costs are likely.

(2) Exception

The Secretary shall require and shall establish a reasonable fee for still photography that uses models or props which are not a part of the site’s natural or cultural resources or administrative facilities.

(d) Protection of resources

The Secretary shall not permit any filming, still photography or other related activity if the Secretary determines that—

(1) there is a likelihood of resource damage;

(2) there would be an unreasonable disruption of the public’s use and enjoyment of the site; or

(3) the activity poses health or safety risks to the public.

(e) Use of proceeds

(1) Fees

All fees collected under this section shall be available for expenditure by the Secretary, without further appropriation and shall remain available until expended.

(2) Costs

All costs recovered under this section shall be available for expenditure by the Secretary, without further appropriation, at the site where the costs are collected and shall remain available until expended.

(f) Processing of permit applications

The Secretary shall establish a process to ensure that the Secretary responds in a timely manner to permit applicants for commercial filming, still photography, or other activity.

(Pub. L. 106–206, §1, May 26, 2000, 114 Stat. 314; Pub. L. 113–287, §§4(c), 7, Dec. 19, 2014, 128 Stat. 3261, 3272.)

Editorial Notes

CODIFICATION

Section was not enacted as part of the Land and Water Conservation Fund Act of 1965.

AMENDMENTS

2014—Pub. L. 113–287, §4(c), amended section generally. Prior to amendment, section related to commercial filming with respect to lands under the jurisdiction of the Secretaries of the Interior and Agriculture.

Statutory Notes and Related Subsidiaries

REPEALS

Section repealed by Pub. L. 113–287, §7, Dec. 19, 2014, 128 Stat. 3272, insofar as applicable to the National Park System. See section 100905 of Title 54, National Park Service and Related Programs.

§ 4601–7. Repealed. Pub. L. 113–287, § 7, Dec. 19, 2014, 128 Stat. 3272

Section, Pub. L. 88–578, title I, §5, formerly §4, Sept. 3, 1964, 78 Stat. 900; Pub. L. 90–401, §3, July 15, 1968, 82 Stat. 355; renumbered §5, Pub. L. 92–347, §2, July 11, 1972, 86 Stat. 459; amended Pub. L. 94–273, §3(4), Apr. 21, 1976, 90 Stat. 376; Pub. L. 94–422, title I, §101(2), Sept. 28, 1976, 90 Stat. 1314; Pub. L. 95–42, §1(2), June 10, 1977, 91 Stat. 210, related to allocation of land and water conservation fund for State and Federal purposes. See section 200304 of Title 54, National Park Service and Related Programs.

A prior section 5 of Pub. L. 88–578 was renumbered section 6 and was classified to section 4601–8 of this title prior to repeal by Pub. L. 113–287.

§ 4601–8. Repealed. Pub. L. 113–287, § 7, Dec. 19, 2014, 128 Stat. 3272

Section, Pub. L. 88–578, title I, §6, formerly §5, Sept. 3, 1964, 78 Stat. 900; renumbered §6, Pub. L. 92–347, §2, July 11, 1972, 86 Stat. 459; amended Pub. L. 93–303, §2, June 7, 1974, 88 Stat. 194; Pub. L. 94–422, title I, §101(3), Sept. 28, 1976, 90 Stat. 1314; Pub. L. 95–625, title VI, §606, Nov. 10, 1978, 92 Stat. 3519; Pub. L. 99–645, title III, §303, Nov. 10, 1986, 100 Stat. 3587; Pub. L. 103–322, title IV, §40133, Sept. 13, 1994, 108 Stat. 1918; Pub. L. 103–437, §6(p)(2), Nov. 2, 1994, 108 Stat. 4586; Pub. L. 104–333, div. I, title VIII, §814(d)(1)(H), Nov. 12, 1996, 110 Stat. 4196,

related to financial assistance to States. See sections 200301(2) and 200305 of Title 54, National Park Service and Related Programs.

A prior section 6 of Pub. L. 88–578 was renumbered section 7 and was classified to section 4601–9 of this title prior to repeal by Pub. L. 113–287.

§ 4601–9. Repealed. Pub. L. 113–287, § 7, Dec. 19, 2014, 128 Stat. 3272

Section, Pub. L. 88–578, title I, §7, formerly §6, Sept. 3, 1964, 78 Stat. 903; Pub. L. 90–401, §1(c), July 15, 1968, 82 Stat. 355; renumbered §7, Pub. L. 92–347, §2, July 11, 1972, 86 Stat. 459; amended Pub. L. 93–205, §13(c), Dec. 28, 1973, 87 Stat. 902; Pub. L. 94–422, title I, §101(4), Sept. 28, 1976, 90 Stat. 1317; Pub. L. 95–42, §1(3)–(5), June 10, 1977, 91 Stat. 210, 211; Pub. L. 96–203, §2, Mar. 10, 1980, 94 Stat. 81; Pub. L. 99–645, title III, §302, Nov. 10, 1986, 100 Stat. 3587; Pub. L. 103–437, §6(p)(3), Nov. 2, 1994, 108 Stat. 4586; Pub. L. 104–333, div. I, title VIII, §814(b), (d)(2)(C), Nov. 12, 1996, 110 Stat. 4194, 4196; Pub. L. 106–176, title I, §§120(b), 129, Mar. 10, 2000, 114 Stat. 28, 30, related to allocation of land and water conservation fund moneys for Federal purposes. See sections 100506(c) and 200306 of Title 54, National Park Service and Related Programs.

A prior section 7 of Pub. L. 88–578 was renumbered section 8 and was classified to section 4601–10 of this title prior to repeal by Pub. L. 113–287.

§ 4601–10. Repealed. Pub. L. 113–287, § 7, Dec. 19, 2014, 128 Stat. 3272

Section, Pub. L. 88–578, title I, §8, formerly §7, Sept. 3, 1964, 78 Stat. 903; renumbered §8, Pub. L. 92–347, §2, July 11, 1972, 86 Stat. 459; amended Pub. L. 94–422, title I, §101(5), Sept. 28, 1976, 90 Stat. 1318, related to availability of land and water conservation fund for publicity purposes. See section 200307 of Title 54, National Park Service and Related Programs.

A prior section 8 of Pub. L. 88–578 was renumbered section 9 and was classified to section 4601–10a of this title prior to repeal by Pub. L. 113–287.

§ 4601–10a. Repealed. Pub. L. 113–287, § 7, Dec. 19, 2014, 128 Stat. 3272

Section, Pub. L. 88–578, title I, §9, formerly §8, as added Pub. L. 90–401, §4, July 15, 1968, 82 Stat. 355; amended Pub. L. 91–308, §3, July 7, 1970, 84 Stat. 410; renumbered §9, Pub. L. 92–347, §2, July 11, 1972, 86 Stat. 459, and amended Pub. L. 93–303, §3, June 7, 1974, 88 Stat. 194, related to contracts for acquisition of lands and waters. See section 200308 of Title 54, National Park Service and Related Programs.

A prior section 9 of Pub. L. 88–578 was renumbered section 10 and was classified to section 4601–10b of this title prior to repeal by Pub. L. 113–287.

§ 4601–10b. Repealed. Pub. L. 113–287, § 7, Dec. 19, 2014, 128 Stat. 3272

Section, Pub. L. 88–578, title I, §10, formerly §9, as added Pub. L. 90–401, §4, July 15, 1968, 82 Stat. 355; renumbered §10, Pub. L. 92–347, §2, July 11, 1972, 86 Stat. 459, related to contracts for options to acquire lands and waters in national park system. See section 200309 of Title 54, National Park Service and Related Programs.

A prior section 10 of Pub. L. 88–578 was renumbered section 11 and was classified to section 4601–10c of this title prior to repeal by Pub. L. 113–287.

§ 4601–10c. Repealed. Pub. L. 113–287, § 7, Dec. 19, 2014, 128 Stat. 3272

Section, Pub. L. 88–578, title I, §11, formerly §2(a) (in part), Sept. 3, 1964, 78 Stat. 899; renumbered §10, Pub. L. 90–401, §1(a), July 15, 1968, 82 Stat. 354; renumbered §11, Pub. L. 92–347, §2, July 11, 1972, 86 Stat. 459, repealed provisions prohibiting collection of recreation fees or user charges.