

**GAME, FISH AND PARKS COMMISSION ACTION  
PROPOSAL**

**Park Entrance License Exemptions**

Chapters 41:03:03:03.1 & 41:03:03:03.2

Commission Meeting Dates	Proposal	September 7, 2023	Watertown
	Public Hearing	October 5, 2023	Deadwood
	Finalization	October 5-6, 2023	Deadwood

**Department recommendation**

**Recommended changes:**

The proposed rule change will remove two dates from the park entrance license exemption.

**SUPPORTIVE INFORMATION**

The Division of Parks and Recreation has offered the Open House park entrance license exemption for several decades. It has been used to help market state parks to those that have never used a state park before and give them an opportunity to visit a state park for free during that weekend. Mother's Day and Father's Day were added to the list of dates in 2019 with the intent to offer a unique opportunity for families to get engaged with the outdoors. After several years of evaluating these events, it has been estimated that those that take advantage of these offers is minimal. Mother's Day is very early in the season when weather is questionable, and usage is low. Father's Day takes place when most people have already purchased a license and is very close to the Open House and Memorial Day weekend as well. The Department would like to offer the weekend prior to Memorial Day as an opportunity for users to experience the state parks and explore the rebranding of Open House weekend for other marketing efforts as well.

**DRAFT ADMINISTRATIVE RULE CHANGES**

The following are proposed draft changes that are intended to incorporate the recommended changes adopted by the Commission.

**41:03:03.01. Park entrance license exemptions.** Park entrance license exemptions are as follows:

- 1) A person who enters a state park or state recreation area in volunteer service to the park or as a volunteer worker with an assigned role at an event requiring a special permit pursuant to § 41:03:01:04 is exempt from payment of the daily park entrance license fee if the person has received a special free park entrance license from the secretary;
- 2) A park entrance license is not required at Custer State Park on the day of the fall buffalo roundup or on the day of the annual buffalo auction;
- 3) A recreational motorhome towing one other vehicle is considered one unit and must purchase only one park entrance license. The second vehicle will be issued a free park entrance license that is dated to expire on the last day of the visitor's stay;
- 4) Enrolled Crow Creek tribal members and their families are not required to purchase a park entrance license to enter West Bend Recreational Area;
- 5) Enrolled Yankton Sioux tribal members and their families are not required to purchase a park entrance license to enter North Point Recreation Area, Fort Randall South Shore Recreation Area, Randall Creek Recreation Area, or Fort Randall Spillway Lakeside Use Area;

- 6) A resident nonprofit youth group that enters a state park or state recreation area is not required to purchase a park entrance license, if the group obtains an approved nonprofit youth group permit from the park manager before entering the park. The park manager shall issue special free park entrance licenses to vehicles used by the youth group. The nonprofit youth group must obtain the permit at least five days prior to entering the park; and
- 7) Members and guests of a South Dakota veterans organization or group, South Dakota National Guard or military reserve unit and guests, or patients currently admitted to a veterans hospital in this state and their attendants who enter a state park or state recreation area for a non-competitive special event that is hosted by the organization, group, unit, or hospital, are not required to purchase a park entrance license, if an approved special event permit has been obtained from the park manager at least five days before the special event. The park manager shall issue special free park entrance licenses to vehicles used by participants of the approved non-competitive special event.
- 8) A resident of this state who is entitled to a free lifetime park entrance license as provided in SDCL 41-17-13.4 shall fill out a form provided by the Division of Parks and Recreation and mail it to the Pierre office with a photocopy of the veteran's "K" award or a letter from the Veteran's Administration indicating that the veteran receives an allotment for total disability, which is deemed a service-connected injury, or that the veteran was held as a prisoner of war. The lifetime park entrance license allows the licensee and any passengers accompanying the licensee in the vehicle to enter any South Dakota state park, state recreation area, or lakeside use area, which requires a park entrance license.
- 9) A park entrance license is not required at any state park, recreation area, or lakeside use area from 6:00 a.m. on Friday through 11:00 p.m. on Sunday on the weekend in May preceding Memorial Day weekend.

**Source:** 11 SDR 22, effective August 9, 1984; 17 SDR 188, effective June 13, 1991, and July 1, 1991; 18 SDR 223, effective July 13, 1992; 19 SDR 128, effective March 9, 1993; 19 SDR 190, effective June 15, 1993; 20 SDR 150, effective March 23, 1994; 21 SDR 207, effective June 5, 1995; 23 SDR 87, effective December 3, 1996; 24 SDR 99, effective February 2, 1998; 27 SDR 13, effective August 27, 2000; 28 SDR 24, effective August 28, 2001; 28 SDR 103, effective January 30, 2002; 29 SDR 107, effective February 3, 2003; 31 SDR 39, effective September 23, 2004; 31 SDR 89, effective December 27, 2004; 31 SDR 191, effective June, 7, 2005; 32 SDR 183, effective May 9, 2006; 32 SDR 225, effective July 3, 2006; 33 SDR 225, effective June 25, 2007; 36 SDR 39, effective September 23, 2009; 40 SDR 14, effective July 29, 2013; 43 SDR 131, effective April 19, 2017; 45 SDR 155, effective June 24, 2019; 46 SDR 74, effective December 2, 2019; 47 SDR 27, effective September 15, 2020.

**General Authority:** SDCL [41-17-1.1\(2\)\(10\)](#), [41-17-13](#), [41-17-13.4](#).

**Law Implemented:** SDCL [41-17-1.1\(2\)\(10\)](#), [41-17-13](#), [41-17-13.2](#), [41-17-13.4](#).

**41:03:03:03.02. Open house park entrance license exemption.** A park entrance license is not required at any state park, recreation area, or lakeside use area:

- 1) From 6:00 a.m. on Friday through 11:00 p.m. on Sunday on the weekend in May preceding Memorial Day weekend;
- 2) From 6:00 a.m. through 11:00 p.m. on the second Sunday in May; and
- 3) From 6:00 a.m. through 11:00 p.m. on the third Sunday through June.

**Source:** 11 SDR 133, effective April 7, 1985; 12 SDR 102, effective December 22, 1985; 13 SDR 68, effective December 11, 1986; 14 SDR 114, effective March 9, 1988; 15 SDR 139, effective March 20, 1989; 18 SDR 98, effective December 12, 1991; 19 SDR 128,

effective March 9, 1993; 29 SDR 80, effective December 10, 2002; 46 SDR 74, effective December 2, 2019.

**General Authority:** SDCL [41-17-1.1\(2\)](#), 41-17-13.

**Law Implemented:** SDCL [41-17-1.1\(2\)](#), [41-17-13](#), [41-17-13.2](#).

#### FISCAL IMPACT

The described changes would result in a minimal fiscal impact on the Department's budget.

APPROVE \_\_\_\_\_ MODIFY \_\_\_\_\_ REJECT \_\_\_\_\_ NO ACTION \_\_\_\_\_