

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

Camping Reservations – Cancellation fees

Chapters 41:03:04:05:01

Commission Meeting Dates:	Proposal	November 4, 2021	Pierre
	Public Hearing	December 9, 2021	Brookings
	Finalization	December 9, 2021	Brookings

DEPARTMENT RECOMMENDATION

The proposed change allows for cancellation of campsites and lodging facilities without fee for a period of time after a reservation is made. After that period has elapsed, a fee of one-half of the first night's camping or lodging fees will be assessed for both types of overnight use.

This rule proposal helps simplify cancellation policies and associated fees by providing one cancellation procedure for campsites, and one for lodging facilities and Custer State Park French Creek Horse Camp.

SUPPORTIVE INFORMATION

The Department's cancellation policy was developed at a time of lower demand for camping and lodging facilities, and the ability to resell those facilities was more difficult. The current procedure is to assess a cancellation fee of one-night's camping or \$25 for cabins/lodges effective immediately after the reservation is made.

With the increased demand for camping and lodging facilities, the ability to fill those vacancies left by cancellations is much more likely. This change will also help the Department be more consistent with industry cancellation standards, and allow more flexibility of users to cancel a reservation without penalty due to unforeseen circumstances.

DRAFT ADMINISTRATIVE RULE CHANGES

41:03:04:05.01. Campsite reservations -- Payment of camping fees -- Cancellation

fees. Nonprofit youth groups may reserve a designated group camping area for up to 14 consecutive nights.

A person may reserve an available campsite at any state park, recreation area, or lakeside use area for up to 14 consecutive nights. After the person has occupied the campsite for 14 consecutive nights, the person shall remove the person's camper unit from the state park, recreational area, or lake side use area, by check-out time the next day, for at least one night, before reserving that site, or another site, at that location.

Camping fees set in subdivisions 41:03:04:03(1) through (3), (7) through (13), and (15) must be paid for the entire duration of a camper's anticipated stay at the time the reservation is made. A person who cancels a reservation for a campsite through the park reservation center or who cancels a reservation for a campsite ~~after~~ within 7 days of or after arrival at the park shall pay one-half of one night's camping fee for each campsite reserved. A person who cancels a reservation for a camping cabin, ~~modern cabin, lodge, suite, or rent-a-camper, or a campsite at French Creek Horse Camp in Custer State Park~~ through the park reservation center within 30 days of or after arrival at the park shall pay a \$25 cancellation fee of one-half of one night's rental or camping fee. ~~A person who cancels or shortens a reservation for a lodge more than 30 days ahead of the scheduled arrival date shall be charged a \$25 cancellation fee. A person who cancels or shortens a reservation for a lodge 30 days or fewer ahead of the scheduled arrival date shall be charged a \$25 cancellation fee for every night cancelled.~~ The department shall refund all other fees for unused days of camping or unused lodging fees except nonrefundable reservation fees.

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A person who is a resident of this state shall pay an additional reservation fee of \$2 for a reservation made through the park reservation center. A person who is not a resident of this state shall pay an additional reservation fee of \$7.70 for a reservation made online and shall pay \$9.70 for a reservation made through the park reservation center. The reservation fee is nonrefundable and is payable in advance.

~~At French Creek Horse Camp in Custer State Park, a person who cancels a reservation through the park reservation center shall pay one night's camping fee for each campsite reserved if the cancellation is received 30 days or more before arrival. Fifty percent of the fees shall be refunded if the cancellation is received fewer than 30 days but more than 15 days before arrival, and no refunds if the cancellation is received 15 or fewer days before arrival.~~

Source: 6 SDR 96, effective April 1, 1980; 10 SDR 76, 10 SDR 102, effective July 1, 1984; 10 SDR 120, effective July 1, 1984; 12 SDR 186, effective May 28, 1986; 13 SDR 192, effective June 22, 1987; 14 SDR 114, effective March 9, 1988; 15 SDR 139, effective March 20, 1989; 16 SDR 135, effective February 18, 1990; 17 SDR 78, effective December 10, 1990; 19 SDR 82, effective December 7, 1992; 21 SDR 102, effective December 8, 1994; 21 SDR 148, effective March 6, 1995; 22 SDR 82, effective December 10, 1995; 23 SDR 87, effective December 3, 1996; 25 SDR 108, effective February 28, 1999; 28 SDR 150, effective May 7, 2002; 32 SDR 109, effective December 27, 2005; 35 SDR 184, effective February 2, 2009; 42 SDR 97, effective January 5, 2016; 43 SDR 31, effective September 14, 2016; 46 SDR 74, effective December 2, 2019.

General Authority: SDCL [41-17-1.1\(1\)\(7\)](#).

Law Implemented: SDCL [41-2-24](#), [41-17-1.1\(1\)\(7\)](#).

RESIDENT/NONRESIDENT CRITERIA

1. The Issue
 - Why make the change, what are the change alternatives, how will public/stakeholder input be solicited, and how will the change be evaluated if implemented? The Department heard many complaints about the cancellation procedure, especially during periods of high COVID transmission. This change will affect residents and non-residents equally. However, the non-refundable non-resident reservation fee and call center fees will still apply.
2. Historical Considerations
 - Not applicable
3. Biological Considerations
 - Not applicable.
4. Social Considerations
 - Not applicable.
5. Financial considerations
 - Not applicable.

RECRUITMENT, RETENTION, REACTIVATION (R3) CRITERIA

1. Does the regulation or fee inhibit a user's ability to participate? No.
2. Does the regulation increase the opportunity for new and existing users? Yes. It lowers the amount of risk for users to book a campsite for a lodging facility according to the 90-day window.

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3. How does the regulation impact the next generation of hunters, anglers, trappers, and outdoor recreationists? It provides more flexibility for people that experience more uncertainty in their schedule.
4. Does the regulation enhance the quality of life for current and future generations by getting families outdoors? Yes.

FISCAL IMPACT

The Department assessed \$249,648 of cancellation fees in 2020, and \$189,678 in 2019. Factors that will affect the impact of this change also include the ability to re-book campsites for alternate dates. It is expected that this greater flexibility to make a cancellation will provide more opportunities to book lodging at other times. This proposal will also help the Department to retain customers by providing better service.

APPROVE

MODIFY

REJECT

NO ACTION