

**TITLE 725. OKLAHOMA TOURISM AND RECREATION DEPARTMENT
CHAPTER 1. ADMINISTRATIVE OPERATIONS**

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 1. General Provisions

725:1-1-1. Purpose [AMENDED]

Subchapter 3. Organizational Structure

725:1-3-1 Director as ~~chief executive officer~~ Chief Executive Officer [AMENDED]

Subchapter 5. Operations of the Oklahoma Tourism and Recreation Department

725:1-5-2. Policy-determining agency for Department [AMENDED]

Subchapter 9. Petition Requesting Promulgation, Amendment, or Repeal of Rules or Other Action

725:1-9-1. Submitting petitions [AMENDED]

SUMMARY:

The proposed revisions to the rules amend citations to and quotations of Oklahoma statutes in alignment with the Administrative Rules on Rulemaking, OAC 655:10. The proposed rules clarify the Executive Director's authority to prescribe rates as authorized under 74 O.S. § 2220 and add clarity to the review process used by the Department when requested by a third party to change or adopt a rule.

AUTHORITY:

Oklahoma Tourism and Recreation Department; 74 O.S. § 2204

COMMENT PERIOD:

January 17, 2024 through February 15, 2024. Persons wishing to present their views in writing may do so before 5:00 p.m. on February 15, 2024 at the following address: Oklahoma Tourism and Recreation Department, 123 Robert S Kerr Avenue, Suite 910, Oklahoma City, OK 73012, Attn: Garrett Sill or by email to Garrett.Sill@TravelOK.com.

PUBLIC HEARING:

A public hearing will be held at 10:00 a.m. on February 16, 2024 at the Oklahoma Tourism and Recreation Department, 123 Robert S Kerr Avenue, Auditorium, Oklahoma City, OK 73102. The alternate date and time in the event of an office closure due to inclement weather is 10:00 a.m. on February 23, 2024 at the Oklahoma Tourism and Recreation Department, 123 Robert S Kerr Avenue, Auditorium, Oklahoma City, OK 73102. Anyone who wishes to speak must sign in at the door by 10:10 a.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing by February 15, 2024 at the Oklahoma Tourism and Recreation Department, 123 Robert S Kerr Avenue, Suite 910, Oklahoma City, OK 73012, Attn: Garrett Sill, or by email to Garrett.Sill@TravelOK.com.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from online at otr.travelok.com, or hard copies may be requested by mail or in person at Oklahoma Tourism and Recreation Department, 123

Robert S Kerr Avenue, Suite 910, Oklahoma City, OK 73012, Attn: Garrett Sill, or by email to Garrett.Sill@TravelOK.com.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., §3030(D), a rule impact statement will be prepared and may be obtained from the Oklahoma Tourism and Recreation Department and on the Department's website at the above addresses on and after January 31, 2024.

CONTACT PERSON:

Garrett Sill, Deputy General Counsel, Oklahoma Tourism and Recreation Department, 123 Robert S Kerr Avenue, Suite 910, Oklahoma City, OK 73012, (405) 255-7454 or Garrett.Sill@TravelOK.com.

CHAPTER 1. ADMINISTRATIVE OPERATIONS

SUBCHAPTER 1. GENERAL PROVISIONS

725:1-1-1. Purpose

The rules of this Chapter are adopted pursuant to ~~74:2200~~ 74 O.S. § 2200 et seq. These rules are intended to provide the general public with information regarding the practices and procedures of the Oklahoma Tourism and Recreation Department ("Department").

SUBCHAPTER 3. ORGANIZATIONAL STRUCTURE

725:1-3-1. Director as ~~chief executive officer~~ Chief Executive Officer

~~The Director of the Department will be appointed in accordance with the provisions of 74 O.S., Section 2206 and is considered the Appointing Authority for the Department. The Director of the Department is commonly referred to as the Executive Director.~~ The Chief Executive Officer of the Oklahoma Tourism and Recreation Department shall be the Executive Director, who shall be appointed by the Governor, with the advice and consent of the Senate, and who shall serve at the pleasure of the Governor and may be removed or replaced without cause. The Executive Director shall be chosen with regard to knowledge, training, experience, and ability to administer the functions of the Department [74:2206].

SUBCHAPTER 5. OPERATIONS OF THE OKLAHOMA TOURISM AND RECREATION DEPARTMENT

725:1-5-2. Policy-determining agency for Department

~~The Executive Director shall prescribe rates, fees, tolls or charges for the services, facilities and commodities rendered by all property of the Department. The Executive Director may prescribe and collect reasonable rates, and fees, tolls, and charges for the services, facilities, and commodities rendered by all property of the Department [74:2220(A)].~~

SUBCHAPTER 9. PETITION REQUESTING PROMULGATION, AMENDMENT, OR REPEAL OF RULES OR OTHER ACTION

725:1-9-1. Submitting petitions

(a) Any individual or group may request that the Department adopt, amend or revoke a rule, or request other action by submitting a petition as follows:

- (1) a petition must be dated and submitted in legible form.
- (2) a petition must clearly identify the party submitting the petition including name, address and telephone number and must include a statement reflecting the reason for submitting the petition.
- (3) a petition must list the action being requested, i.e, adopt, amend, or revoke and should identify existing rule if applicable.
- (4) a petition must state the facts supporting the request.
- (5) a petition must be signed by all petitioning parties.
- (6) a petition will be reviewed ~~by the Executive Director~~ to determine if the petition satisfies the requirements set forth in this ~~Part Chapter~~ and is within the jurisdiction of the Department.
- (7) petitions satisfying requirements of this ~~Part Chapter~~ will be reviewed by the Executive Director. A petition that does not satisfy the requirements of this ~~Part Chapter~~ will be returned to the petitioner with documented reasons for return.

(b) A returned petition may be resubmitted. Resubmission must be done in the manner described in this ~~Subsection~~ Section.

**TITLE 725. OKLAHOMA TOURISM AND RECREATION DEPARTMENT
CHAPTER 15. FISCAL, PERSONNEL AND GENERAL OPERATIONS**

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 3. Acceptance of Checks

725:15-3-1. Purpose [AMENDED]

725:15-3-2. Definitions [AMENDED]

725:15-3-3. Acceptance of checks [AMENDED]

725:15-3-7. Insufficient or irregular checks [AMENDED]

Subchapter 17. Pets on Premises

725:15-17-1. Purpose [AMENDED]

725:15-17-2. Restrictions and prohibited acts [AMENDED]

Subchapter 21. Oklahoma Recreational Trails Program and the Boating Infrastructure Grants Program

725:15-21-2. Eligibility [AMENDED]

725:15-21-3. Reimbursement procedures [AMENDED]

725:15-21-4. Limitations on grant awards [AMENDED]

725:15-21-6. Acquisition policies and procedures-RTP only [AMENDED]

725:15-21-7. Construction policies and procedures [AMENDED]

Subchapter 25. Gift Cards

725:15-25-1. Purpose [AMENDED]

725:15-25-3. Guidelines of issuing gift cards [AMENDED]

725:15-25-6. Outstanding balance on redeemed gift cards [AMENDED]

Subchapter 27. Promotion of Facilities [REVOKED]

725:15-27-1. Purpose [Revoked]

725:15-27-2. Programs authorized [Revoked]

Subchapter 31. Refunds

Part 1. General Provisions

725:15-31-1. Purpose [AMENDED]

725:15-31-2. General Rules [AMENDED]

Part 3. Refunds

725:15-31-10. Notice of cancellation [AMENDED]

725:15-31-11. Purchase refunds [AMENDED]

Subchapter 35. Revenue Bond and Note Issuance

725:15-35-1. Authority [AMENDED]

725:15-35-2. Project selection criteria [AMENDED]

SUMMARY:

The proposed revisions to the rules modify and clarify the Department's operational rules and clean-up the formatting of the rules as well as revoke subchapters no longer authorized by statute. The proposed rules restrict the Department's acceptance of checks to business checks, add definitions to clarify previously undefined terms such as "facility manager," and modifies rules pertaining to pets and service animals in the State Park System.

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Oklahoma Tourism and Recreation Department; 74 O.S. § 2204

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CHAPTER 15. FISCAL, PERSONNEL AND GENERAL OPERATIONS

SUBCHAPTER 3. ACCEPTANCE OF CHECKS

725:15-3-1. Purpose

The purpose of this Subchapter is to establish a policy for the acceptance of checks ~~in for the~~ payment of ~~purchase of~~ goods and/or services, cashing of checks ~~and~~ handling ~~of~~ checks returned ~~as~~ "insufficient", or for other reasons.

725:15-3-2. Definitions

The following words or terms when used in this Subchapter shall have the following meaning unless context clearly indicates otherwise:

"**Department**" means the Oklahoma Tourism and Recreation Department.

"**Facility**" means any operating unit so designated within the Oklahoma Tourism and Recreation Department.

"**Facility manager**" or "**manager**" means the person having management authority authorized by job title or job description of an operating unit of the Oklahoma Tourism and Recreation Department.

"**Guest/Patron**" means any person (including employees) who purchase goods and/or services from a state facility.

"**Overnight Guest**" means any person staying overnight in a park or lodge accommodation and is duly registered and paying for the services provided at the approved rate.

725:15-3-3. Acceptance of checks

(a) Personal checks may not be accepted as payment for goods and services except for subscriptions to Oklahoma Today Magazine.

(b) ~~All other business type~~ Business checks may be accepted as payment for goods and services in the amount of purchase. Acceptance of these checks must be approved by the facility manager or designee.

725:15-3-7. Insufficient or irregular checks

Checks returned by bank marked "insufficient, "account closed", etc., will be processed in accordance with ~~62 O.S., Section 7.1.(D)~~ 62 O.S. § 34.57(D).

SUBCHAPTER 17. PETS ON PREMISES

725:15-17-1. Purpose

The purpose of this Subchapter is to establish policy and procedure ~~to provide guidelines~~ regarding pets in facilities operated by the Oklahoma Tourism and Recreation Department.

725:15-17-2. Restrictions and prohibited acts

(a) The following activities are prohibited in any facility within the State Park System:

(1) No person shall bring a dog or pet into, permit a pet to enter or remain, or possess a pet in the State Park System unless said animal is leashed (not to exceed 10 feet or 3.0 meters), caged, confined in a vehicle, or otherwise restrained, so as to be under direct physical control of a person ; ~~(verbal control not implied).~~

(2) Any vicious dog found loose in any State Park or Recreation Area may be destroyed in conformance with 74 O.S., Section 2217.

(3) No person shall bring a pet into, permit a pet to enter or remain, or possess any pet on any swimming pool, controlled beach area, public building ~~and~~ or any area or structure closed to the possession of pets by the park manager. Nor will any pet be allowed to swim at, or around any marina or fishing dock under the jurisdiction of the State Park System.

(4) No person shall bring a dog into, ~~or permit a dog~~ to enter or remain ~~or possess~~ in the State Park System unless the person can present proof that ~~the~~ said dog has a current, valid rabies inoculation.

(5) No person shall keep in the State Park System a noisy, vicious, or otherwise dangerous animal, or one which is disturbing to other persons in the State Park System ~~and allow said animal to remain therein if directed by any Park Official to remove said animal~~.

(6) No person shall keep an animal described in (5) of this subsection in the State Park System if directed by any Park Official to remove said animal.

~~(6)(7) Leaving a~~ No pet shall be left unattended which may result in harm to the pet.

~~(7)(8)~~ No pets will be permitted in the main portion of any lodge. Managers should encourage guests who do not wish to put up their pets to accept a pet friendly cabin or other accommodation in place of Lodge sleeping rooms.

~~(8)(9) In parks where there have been a designated fenced dog park dogs may be let off leash within that area, owners~~ No person shall let a dog off leash outside of a designated fenced dog park.

Owners shall abide by all posted rules and shall be responsible for any damage to property or injury to another dog or person.

(b) In park areas where hunting has been permitted, dogs may be used to support such activities in accordance with state law and any condition which may be established by the park manager ~~{74:2217}~~.

(c) Pets or feral animals that are running-at-large or observed by an authorized person in the act of killing, injuring or molesting humans, livestock, or wildlife may be destroyed if necessary for public safety or protection of wildlife, livestock, or other natural resources.

(d) Pets running-at-large may be impounded, and the owner may be charged reasonable fees for kennel or boarding costs, feed, veterinarian fees, transportation costs, and disposal. An impounded pet may be put up for adoption or destroyed if after being held for seventy-two (72) hours from the time the owner was notified of capture or seventy-two (72) hours from the time of capture if the owner is unknown.

(e) This section does not apply to guide dogs ~~, therapy dogs/~~ accompanying visually impaired persons or hearing ear dogs accompanying hearing-impaired persons ~~animals accompanying persons~~ or dogs used by enforcement officers in the performance of their official duties.

SUBCHAPTER 21. OKLAHOMA RECREATIONAL TRAILS PROGRAM AND THE BOATING INFRASTRUCTURE GRANTS PROGRAM

725:15-21-2. Eligibility

(a) Applications for trail / boating projects will be accepted from:

(1) City and county governments ;

(2) State agencies (including divisions of the Oklahoma Tourism and Recreation Department "OTRD");

(3) Other governmental bodies created under state law (i.e. river authorities, planning districts) ;

(4) Federal land managers (i.e. U.S. Forest Service, Corps of Engineers) ;

(5) 501(c)(3) organizations, other 501(c)'s will be considered on a case by case basis (i.e. trail user groups, conservation clubs) Letter of Recognition of Exemption from the Internal Revenue Service is required in addition to a stated public purpose regarding land) however such organizations are not eligible for BIG ; and

(6) Other private organizations ~~are~~ eligible as partners, but not sponsors .

(b) Only one entity will be considered the sponsor of any proposal. Even though projects are encouraged through the scoring system to be undertaken as partnerships, the sponsor for the project will be the one who signs the project application, is responsible to account for the costs incurred, and will receive the reimbursements.

(c) All applications from governmental agencies must include documented approval of the current director or chief administrative officer. If the landowner is different from the sponsor, application must include documentation of the owner's willingness to allow the trail.

(d) It is the intent of the RTP/ BIG that moneys made available through this fund are to be used on trails, boating and trail-related projects which have been planned and developed under existing federal and state laws, policies, and administrative procedures. It is also necessary that the project furthers a goal of the Statewide Comprehensive Outdoor Recreation Plan (SCORP). The Project Priority Scoring System includes criteria which further SCORP goals.

725:15-21-3. Reimbursement procedures

(a) The program is a reimbursement-type grant program. Project sponsors will apply to the Department for funding of specific trail/ boating projects. The Department will select projects to receive funding and obtain approval from the Federal Highway Administration (FHWA) or the US Fish and Wildlife Service (USFWS) as applicable.

(b) After a project agreement is executed between the sponsor and the Department, the sponsor may initiate the project's proposed work elements, spending from their own funds and submitting reimbursement requests to the Department.

(c) The Department will reimburse the sponsors of projects selected for funding for the allowable percent of the project's total cost provided:

(1) The costs are for allowable expenditures as outlined in the sponsor's application and approved in the Project Agreement signed by the Department and the sponsor, and

(2) Sponsor supplies adequate documentation that fully accounts for both out-of-pocket expenditures and any donated labor, land, or materials and that certifies that the expenditures have been incurred on the project.

(d) Sponsors may submit reimbursement to the Department on an interim basis by submitting receipts and other documentation of expenditures and work undertaken provided the sum of the reimbursement totals at least five thousand dollars (\$5,000). If the entire project cost is below five thousand dollars (\$5,000), only one reimbursement will be accepted. After processing the reimbursement, OTRD will make a payment to the sponsor for the allowable percent of the amount submitted.

(e) Interim reimbursements may be made up to ~~80 percent~~ eighty percent (80%) of the federal grant amount for RTP and up to ~~75 percent~~ seventy-five percent (75%) for the BIG. The remaining ~~twenty (20)~~ twenty-five (25) percent of the grant amount respectively will be released after the Department has performed an inspection of the project, which shows all elements of the project to be in substantial compliance.

725:15-21-4. Limitations on grant awards

(a) Size of awards.

(1) The Department will limit the maximum amount granted to any single sponsor per project in one application period based on the amount of funds received during any such period.

(2) Each State Park shall be considered a separate sponsor.

(b) Number of projects per sponsor.

(1) Applicants may submit more than one project. However, the total amount granted for each individual project may not exceed the ceiling.

(2) As mentioned under OAC 725:15-21-2, the sponsor is the applicant, not the partner who may be the land manager. When one sponsor wishes to submit more than one project, separate applications should be submitted when projects are not located at the same site. An exception to this rule would involve the allowance of a single application for RTP trail work of a similar nature on a system of trails in one jurisdiction. For example, a city may submit one application proposing drainage improvements to all trails in its area, even though the trails are not connected and are located at various sites around town.

(c) 30%-30%-40% reserved funds for RTP.

(1) The federal act outlines a formula for state grant spending (after funds for administration and education are set aside). Not less than ~~30~~ thirty percent (30%) of the funds shall be reserved for

uses related to motorized trail recreation, and not less than ~~30~~ thirty percent (30%) shall be reserved for uses related to non-motorized trail recreation. The remaining ~~40~~ forty percent (40%) is discretionary for "diversified" trail use that gives preference to project proposals which:

- (A) Provide for the greatest number of compatible recreational trail purposes, or
- (B) Provide for innovative recreational trail corridor sharing to accommodate motorized and non-motorized recreational trail use.

(2) The Department will interpret the discretionary category for RTP as meeting either the greatest number of uses or innovative motorized/non-motorized sharing.

(d) Allowable project costs.

(1) Approved projects. The grant recipient may only initiate activities to undertake the approved scope of work after receipt of a fully executed Project Agreement. This includes not taking title to lands or easements that are included in the project costs. The sponsor will not be reimbursed for project costs incurred prior to the date of the signed Agreement. The RTP does not allow application preparation, site design, and other pre-application costs to be recovered retroactively.

(2) Allowable costs. Donations from the private sector (land for the RTP, materials, or labor for RTP and BIG) may only be attributed to the sponsor's match. Sponsors may not make a profit by being reimbursed beyond their out-of-pocket costs. Private donations which exceed the federal share simply serve to reduce the overall cost of a project.

(3) Allowable project costs. Project sponsors may be reimbursed for, but not limited to, the following items:-

- (A) Acquisition of fee title land or easement (RTP only) ;
- (B) Service contracts ;
- (C) Direct labor costs (hired workers, current staff, force account) ;
- (D) Materials (purchased) ;
- (E) Equipment rental ;
- (F) Purchase of trail hand tools and equipment (total not to exceed \$1500 for RTP only) ;
- (G) Design, engineering and architectural services (not to exceed 20% of total project costs) ;
- (H) Natural and cultural resource surveys/clearances (if required) ;
- (I) Appraised value of donated land or easement (RTP) ;
- (J) Value of donated service contracts (including volunteer labor) ;
- (K) Value of donated materials or contribution of materials on hand ;
- (L) Rental value if donated equipment ; and
- (M) Any of the reimbursable costs which are paid for by cash donations or sponsor's appropriations (to account for the required match) .

725:15-21-6. Acquisition policies and procedures-RTP only

(a) Means of acquisition. Acquisition of land or interests therein (easements, leases, or other legal interests) may be accomplished through purchase, transfer, donation, or a combination of these methods. When the acquisition is proposed by donation, the nature of any restriction on the use of the area or condition of donation will be examined to ensure that it is compatible with the purpose of the project. Only the value of land donations from private landowners may qualify as a match for all or a portion of the local matching share.

(b) Property subject to continuing use provision, section 6(f)(3). The RTP allows states to decide if they wish to apply Section 6(f)(3) of the Land and Water Conservation Fund Act. Oklahoma has chosen to apply this provision only to acquisition of fee simple property. This provision assures that once an area is protected by 6(f)(3), it will be continually maintained in public recreation use unless property of reasonably equivalent usefulness of at least equal fair market value is substituted and the substitution is approved, in advance, by the Department.

(c) Acquisition of less than fee simple property-- RTP only.

- (1) The RTP requires that easements be pursued as a priority; acquisition of fee simple title may

occur only when an easement is not feasible. Sponsors requesting funds for trails on private property are required to have an acceptable formal written agreement giving the public access to the trail for a minimum of twenty (20) years. Property with less than fee simple interest (usually an easement, lease or license) will only be eligible for fund support if it meets all of the following requirements:

- (A) Sponsor has (or will have) legal control of the surface rights that are relevant to trail use, and any rights retained by the owner are not incompatible with trail use; and
- (B) The term of the easement, lease or license may not be less than twenty years; and
- (C) The easement, lease or license cannot be revocable at will by the grantor.

(2) Prior to the submission of an application involving property with less than fee simple title, it is suggested that the sponsor contact the Department to discuss program requirements. The sponsor should submit a copy of the draft legal document for Departmental approval prior to its execution to ensure eligibility and avoid unnecessary delays. The draft agreement should include a boundary map, project area metes and bounds (if possible), and a letter from the lessor indicating a willingness to enter into the agreement when the project is approved.

(d) Reservations and rights not acquired. Reservations and rights held by others are permissible only if it is determined that the outdoor recreation activities and environment would not be adversely affected by conditions such as the holding of mineral rights, property liens, easements, etc. The applicant shall list all outstanding rights or interests held by others on the boundary map. Sponsors may be asked to explain how these outstanding rights are to be dealt with to assure that the outdoor recreation interests and the environment will not be adversely affected.

(e) Acquisitions involving compatible use. Non-recreation uses such as timber management, grazing mineral extraction, and other natural resource uses may be carried out within the project area only if they are:

- (1) Clearly described in the project application; and
- (2) Compatible and secondary to outdoor recreation use. The sponsor should contact the Department prior to any action which would cause the fund-assisted area to be converted to other than outdoor recreation uses.

(f) Acquisitions which will not be assisted. The following acquisitions will not be assisted:

- (1) Lands which are already within the public domain and can currently be utilized for outdoor recreation.
- (2) Land acquisitions which occur prior to grant approval or Department's authorization. Consequently, the value of land already owned by the project sponsor cannot be used as the sponsor's local match.
- (3) Private land from an unwilling seller.

(g) Scheduling. When proposing the acquisition of land or real property, it is not appropriate to negotiate a price prior to grant and appraisal approval by the Department. Sponsors may, however, contact the landowner to determine if the land is available for acquisition to determine if the donor is willing to donate, sell, or partially donate the subject property. Please be advised that negotiations of a price prior to grant and appraisal approval may jeopardize the eligibility of the proposed acquisition for grant assistance.

725:15-21-7. Construction policies and procedures

(a) Construction projects. RTP construction projects may consist of new trail development, restoration, rehabilitation, or maintenance, and development of related support facilities at trailheads or alongside trails. BIG projects may include docks, restrooms, wavebrakes and other development that serves the transient boater and must serve the general public and further a specific goal of the Oklahoma Statewide Comprehensive Outdoor Recreation Plan (SCORP), plus any applicable local or regional plans. In order to encourage and support the RTP/ BIG, sponsors must also erect a sign at the project site which designates the project as a product of the National Recreational Trails Fund Act or the Boating Infrastructure Grants program as applicable. This sign may be attached to existing park or facility signs at the project site or

included on signs to be constructed as part of the project. The sign should state "National Recreational Trails Program" and should be included in the cost estimate for the project.

(b) Barrier-free access. Sponsors are encouraged to make all elements proposed in the project accessible to users who are physically and/or mentally disabled. All development including, parking facilities, and restrooms developed with grant assistance must be fully accessible. To the greatest extent possible, within reasonable cost, trails intended for use by pedestrians should be accessible to people using wheelchairs, whether manual or motorized. Projects in developed areas should place particular emphasis on accessibility. Sponsors will need to justify why it is not feasible to make trails fully accessible.

(c) Scheduling. On-the-ground construction shall begin no later than twelve (12) months after the Department, by official notification, has approved the project plans and specifications. Any project sponsor who is unable to comply shall notify the Department in writing, at least thirty (30) days before the twelve (12) month period has lapsed, stating the reason(s) why and requesting a time extension. All projects must be accomplished within two (2) years or less unless the Department approves a time extension. Construction which occurs prior to grant approval and Department's authorization will not be eligible for reimbursement.

(d) Inspections. Three (3) inspections will be conducted throughout the life of the project. They are as follows:

- (1) a pre-inspection before the project begins ;
- (2) a fifty percent (50%) inspection to evaluate progress ; and
- (3) a post-inspection when the project is complete.

(e) Compliance. All federal laws apply. Development projects approved to receive federal funds must meet federal contract compliance requirements. These requirements include, but are not limited to:

- (1) Equal Opportunity Clause (41 CFR 60-1.4);
- (2) Nonsegregated Facilities Statement (41 CFR 60-1.8);
- (3) Notice of Requirement for Affirmative Action (41 CFR 60-4.2)
- (4) Standard Federal Equal Employment Opportunity Specifications (41 CFR 60-4.3);
- (5) Acknowledgment that federal funds are being utilized ;
- (6) Facility designs must be in accordance with the Architectural Barriers Act of 1968 (Public Law 90-480 as amended through 1978), and the Americans With Disabilities Act (ADA) (Public Law 101-336, 1990);
- (7) Flood Disaster Protection Act of 1973 (P.L. 93-234);
- (8) Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) ;
- (9) Management of Real Property (49 CFR 18.31, 49 CFR 19.32) ; and
- (10) Management of Equipment (49 CFR 18.32, 49 CFR 19.34) .

SUBCHAPTER 25. GIFT CARDS

725:15-25-1. Purpose

The purpose of this Subchapter is to establish policy for the sale of Department gift certificates, gift cards, codes, vouchers , or other proofs of issuance, ~~here on~~ hereafter referred to as gift cards.

725:15-25-3. Guidelines of issuing gift cards

- (a) Gift cards may be issued for any dollar amount and full payment of the face value of the cards must be made at time of purchase.
- (b) Gift cards may be issued for promotional purposes as approved by the Director of State Parks.

725:15-25-6. Outstanding balance on redeemed gift cards

When the amount of a gift card exceeds charges for goods or services rendered, the outstanding balance will be cleared by using one of the following methods:

- (1) If the gift card is a paper certificate from the previous gift certificate program, a new electronic gift card for the remaining balance will be issued.

(2) If a gift card is in an electronic format, the remaining balance will remain on the electronic account.

SUBCHAPTER 27. PROMOTION OF FACILITIES [REVOKED]

725:15-27-1. Purpose [REVOKED]

~~The purpose of this Subchapter is to establish guidelines for the application of statutory authority for promotion of Department facilities in a manner considered acceptable in the hospitality industry [74:2221].~~

725:15-27-2. Programs authorized [REVOKED]

~~(a) Promotional programs authorized are necessary advertising and promotion expenses and should be developed in tandem with a marketing plan. Examples of sales and promotion programs are:~~

~~(1) complimentary accommodations (when promoting group business);~~

~~(2) package rate plans;~~

~~(3) group rates;~~

~~(4) guest incentive sales programs;~~

~~(5) entertainment of prospective guests;~~

~~(6) employee information programs;~~

~~(7) golf tournaments~~

~~(8) trade of rooms for advertising;~~

~~(9) discounts for perishable items or when needed to reduce inventory; and,~~

~~(10) other sales and promotion programs considered acceptable in the hospitality industry and programs described in OAC 725:25-9-4.~~

~~(b) Products or services will be discounted only when there is reason to believe it will improve financial results.~~

SUBCHAPTER 31. REFUNDS

PART 1. GENERAL PROVISIONS

725:15-31-1. Purpose

The purpose of this subchapter is to establish policy for refunding payment received for advanced deposits for reservations, ~~refunds of~~ advance payments, and purchases of goods or services.

725:15-31-2. General Rules

(a) If the original payment was made using a credit card, whenever possible, refunds of such payments will be made by issuing a credit against the credit card used to make the purchase.

(b) Time limits established for notification of cancellation in Part 3 of this Subchapter apply to payments made by credit card.

(c) Refunds for the purchase of goods may be made upon return of merchandise accompanied by the original sales receipt using one of the methods described in 725:15-31-11.

(d) Refunds up to Five Hundred Dollars (\$500.00) will be made in the form of a check issued by the facility.

(e) Refunds greater than Five Hundred Dollars (\$500.00) will be made in the form of a check issued by the Agency's Administrative offices, unless prior approval has been granted by the Chief Financial Officer or designee.

PART 3. REFUNDS

725:15-31-10. Notice of Cancellation

(a) In order to ~~insure~~ ensure a refund from state parks, lodges, or golf courses (~~here on called~~ hereafter referenced as state park facilities) for advance deposits required in accordance with OAC 725:30-12, notice

of cancellation must be received in advance of the check-in or arrival date as follows:

- (1) ~~Five (5)~~ DAYS - Park cabins, reserved/assigned campsites, community buildings, amphitheaters, shelters, meeting rooms, lodges, or other facility not defined.
- (2) ~~Ten (10)~~ DAYS - Group Campsites.
- (3) ~~Thirty (30)~~ DAYS - Large group and rallies.
- (4) ~~Sixty (60)~~ DAYS - Group camps.

(b) Notice of cancellation shall be provided ~~preferably~~, through the reservation system where the booking was originally made ~~by the facility~~.

725:15-31-11. Purchase refunds

(a) Refunds may be made when a guest after paying for accommodations in advance, has occupied a state park facility and chooses to vacate the facility ~~due to unsuitable conditions~~ prior to their planned departure ~~and has paid for accommodations in advance due to unsuitable conditions including, but not limited to, inoperable inoperable utilities; or pest infestation or personal emergencies are examples of conditions warranting a refund.~~

(b) Prorated refunds for golf course green fees and cart rental may be made when an individual cannot play the number of holes for which fees were paid.

(c) No refunds will be made if comparable state park facility accommodations are made available to the guest in lieu of the unsuitable accommodations.

(d) Such determination of conditions and whether comparable state park accommodations are available shall be made by the facility manager.

SUBCHAPTER 35. REVENUE BOND AND NOTE ISSUANCE

725:15-35-1. Authority

The Oklahoma Tourism and Recreation Department may make and issue notes and bonds, and pledge revenues of the Department and funds as may be provided by law for such payments pursuant to the provisions contained in Sections 2271 through 2276 of Title 74 of the Oklahoma Statutes for furtherance of its lawful purposes.

725:15-35-2. Project selection criteria

The projects authorized by the Department shall be based on the following criteria:

- (1) ~~project is recommended~~ Recommendation by the Executive Director of the Oklahoma Tourism and Recreation Department,
- (2) ~~demonstrates~~ Demonstration of the ability to generate revenue or support ~~s~~ revenue generating facilities under the jurisdiction of the Department,
- (3) ~~provides~~ Provides for the maintenance, construction, or improvement of state facilities under the jurisdiction of the Department,
- (4) ~~determined to be~~ Determination of statewide significance in purpose,
- (5) ~~has~~ Having a useful life that equals or exceeds the anticipated debt-service or repayment period,
- (6) ~~is located where~~ Located such that the Department has sufficient ownership of the land or a sufficient balance of leasehold interest or can obtain a sufficient extension of leasehold interest to allow amortization of the debt,
- (7) ~~is~~ Being of a size and scope that is viable to include in a financing package and does not exceed the ability of the Department to meet debt service or repayment obligations, without sacrificing on-going operation and maintenance needs, and
- (8) ~~is~~ Being in the overall best interest of the Oklahoma Tourism and Recreation Department.

**TITLE 725. OKLAHOMA TOURISM AND RECREATION DEPARTMENT
CHAPTER 20. MARKETING SERVICES OPERATION**

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 1. General Provisions

725:20-1-2. Fee authority [AMENDED]

725:20-1-3. Refunds [AMENDED]

Subchapter 7. Reimbursement of Matching Funds to Multicounty Organizations

725:20-7-1. Definition of multicounty organization; directors [AMENDED]

725:20-7-3. Tourism marketing plan; budget work program [AMENDED]

725:20-7-5. Allowable expenditures [AMENDED]

725:20-7-7. Tourism promotion expenditures [AMENDED]

725:20-7-9. Independent and certified audit [AMENDED]

Subchapter 9. Brochure Charges

725:20-9-1. Definitions [AMENDED]

Subchapter 13. Tourism Information Centers

725:20-13-3. Special events [AMENDED]

725:20-13-6. Pets on premises [AMENDED]

725:20-13-7. Abandoned vehicles [AMENDED]

725:20-13-8. Soliciting [AMENDED]

725:20-13-10. Commercial use of Tourism Information Centers [AMENDED]

SUMMARY:

The proposed revisions to the rules clean-up formatting to existing rules. The proposed rules also modify and update the Department's rules in alignment with current practices and terminology by removing outdated references and language relating to multicounty organizations and pets and service animals at Tourism Information Centers. Multicounty organizations are required to have logos, designs, and advertisements approved by the Department and shall include trackable QR codes on printed materials that allow the multicounty organization to track and report the impact of advertising and other printed materials. Multicounty organizations shall refer to the Department as the State's official marketing agency. Advertisements that violate Federal Law are not allowable expenditures for a multicounty organization.

AUTHORITY:

Oklahoma Tourism and Recreation Department; 74 O.S. § 2204

COMMENT PERIOD:

January 17, 2024 through February 15, 2024. Persons wishing to present their views in writing may do so before 5:00 p.m. on February 15, 2024 at the following address: Oklahoma Tourism and Recreation Department, 123 Robert S Kerr Avenue, Suite 910, Oklahoma City, OK 73012, Attn: Garrett Sill or by email to Garrett.Sill@TravelOK.com.

PUBLIC HEARING:

A public hearing will be held at 10:00 a.m. on February 16, 2024 at the Oklahoma Tourism and Recreation Department, 123 Robert S Kerr Avenue, Auditorium, Oklahoma City, OK 73102. The alternate date and time in the event of an office closure due to inclement weather is 10:00 a.m. on February 23, 2024 at the Oklahoma Tourism and Recreation Department, 123 Robert S

Kerr Avenue, Auditorium, Oklahoma City, OK 73102. Anyone who wishes to speak must sign in at the door by 10:10 a.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing by February 15, 2024 at the Oklahoma Tourism and Recreation Department, 123 Robert S Kerr Avenue, Suite 910, Oklahoma City, OK 73012, Attn: Garrett Sill, or by email to Garrett.Sill@TravelOK.com.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from online at otr.travelok.com, or hard copies may be requested by mail or in person at Oklahoma Tourism and Recreation Department, 123 Robert S Kerr Avenue, Suite 910, Oklahoma City, OK 73012, Attn: Garrett Sill, or by email to Garrett.Sill@TravelOK.com.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., §3030(D), a rule impact statement will be prepared and may be obtained from the Oklahoma Tourism and Recreation Department and on the Department's website at the above addresses on and after January 31, 2024.

CONTACT PERSON:

Garrett Sill, Deputy General Counsel, Oklahoma Tourism and Recreation Department, 123 Robert S Kerr Avenue, Suite 910, Oklahoma City, OK 73012, (405) 255-7454 or Garrett.Sill@TravelOK.com.

CHAPTER 20. MARKETING SERVICES OPERATION

SUBCHAPTER 1. GENERAL PROVISIONS

725:20-1-2. Fee authority

Fees described in this Chapter will be approved by the Oklahoma Tourism and Recreation Department (~~"Department"~~("Department"). The Department shall prescribe rates, fees, tolls, ~~and~~ charges for the services, facilities, and commodities rendered by all property of the Department.

725:20-1-3. Refunds

Refunds for fees described in and paid pursuant to this Chapter may be made in accordance with OAC ~~725:15-30~~725:15-31.

SUBCHAPTER 7. REIMBURSEMENT OF MATCHING FUNDS TO MULTICOUNTY ORGANIZATIONS

725:20-7-1. Definition of multicounty organization; directors

(a) A multicounty organization is:

- (1) A non-profit association, registered with Oklahoma's Secretary of State, whose primary purpose is to promote the tourism attributes of a multiple-county region in Oklahoma and, is identified as a tourism "country" or "lake" association.
- (2) An association that is governed by a board of directors who equitably represent the counties comprising the multiple-county region. Directors shall reside or work in the county they represent.
- (3) An association whose directors are elected by the organization's membership.
- (4) An association that maintains an administrator of operations who is not an elected director.
- (5) An association that utilizes income from private sector sources as the basis for funding administrative and promotion expenses. Private sector funds are revenues solicited and received by a multicounty organization for purposes of administering and implementing the organization's program of tourism marketing and promotion. Methods for generating such income are : membership dues, advertising sales in the organization's periodic promotional publication(s), participation in media advertising planned and implemented by the association and, net income from a public entertainment event that is planned, managed and promoted by the association.
- (6) An association that has provided to the Department an independent and certified financial audit for the immediate preceding fiscal year.
- ~~(7) With the exception of those organizations not identified as "country" or "lake" associations participating in the program on July 1, 2001, not more than one organization representing a recognized "country" region or "lake" area shall be eligible to receive matching funds.~~

(b) Directors shall not receive remuneration, reimbursement, or anything of value from the association for themselves or for business operations in which a director or immediate family member is a principal or an employee, except for: travel expenses not to exceed the State Travel Act; familiarization tour costs for lodging and meals when paid to the lodging and restaurant owner who is a director; and, rent of office facilities.

~~(c) With the exception of those organizations not identified as "country" or "lake" associations participating in the program on July 1, 2001, not more than one organization representing a recognized "country" region or "lake" area shall be eligible to receive matching funds.~~

725:20-7-3. Tourism marketing plan; budget work program

(a) Each multicounty organization shall prepare a tourism marketing plan, which shall include a budget work program, for the ensuing fiscal year. The tourism marketing plan shall specify:

- (1) Which multicounty region of the state the multicounty organization represents and the tourism attributes of the region ;
- (2) Target markets and the method(s) of communication that will be employed to reach the targeted

markets shall be identified :-

(3) The projected cost of each method of promotion :-

(4) Evaluative measures of the multicounty organization's marketing and promotion including, but not limited to, key performance indicators ("KPI"). ~~The measures shall be designed to enable the multicounty organization to gauge whether a promotion/marketing effort reached the identified target market(s) and how many inquiries to the multicounty organization resulted from the promotion/marketing effort. The results shall be submitted to the Department as a supplemental report with the annual independent audit.~~

(A) KPIs shall be agreed upon by the multicounty organization and the Department and shall be designed to enable the multicounty organization and/or the Department to gauge whether a promotional/marketing effort of the multicounty organization reached the identified target market(s). The results shall be submitted to the Department as a supplemental report with the annual independent audit.

(B) The Department may conduct a mid-year check-in with the multicounty organization to review compliance with and progress towards the evaluative measures set forth in this subparagraph.

(C) Failure of a multicounty organization to meet a KPI may result in the Department lowering the amount the multicounty organization receives the following year based on the percentage of the KPIs not met.

(5) The marketing plan shall be specific as to how the multicounty organization plans to attract travelers/visitors/tourists to the region comprised of the multiple counties.

(b) The tourism marketing plan shall not be an individual business, community, or county plan.

(c) A multicounty organization's marketing shall complement the State of Oklahoma's tourism marketing plan and goal KPIs in the following regards:

(1) Target markets shall be identified and all marketing/promotion shall be placed in such a manner as to effectively reach the targeted markets;

(2) Media advertising/communication shall be employed to project an image of the multicounty region and to pull inquiries for more specific or comprehensive information about the area, events, or attractions, as well as drive visitation and tourism spend metrics in conjunction with the Department's goals;

(3) Produce specific and comprehensive information about the multicounty region's tourism attributes;

(4) Distribute information to those who inquire, as well as to unsolicited potential travelers/visitors/tourists, and at travel and trade shows; and,

(5) Evaluate the multicounty organization's marketing/promotion methods to determine effectiveness.

(d) Each multicounty organization shall submit its marketing plan, which includes a budget work program for the ensuing fiscal year to the ~~Tourism and Recreation~~ Department not later than May 20, each year.

(e) Expenditures for obligations incurred before the Executive Director approves a multicounty organization's plans and budget, and expenditures not in accordance with a multicounty organization's marketing plan shall not be reimbursable expenditures. Amendments to marketing plans may be submitted during the current fiscal year and are subject to approval by the Executive Director.

(f) A multicounty organization's marketing plan shall be structured to:

(1) Integrate the association's tourism marketing and promotion with the Department's tourism marketing;

(2) Participate and cooperate with the Department in identifying historical, scenic and recreational attractions and events in the multicounty organization area;

(3) Participate at travel/trade shows by exhibiting at a minimum of one (1) travel/trade show;

(4) Participate and cooperate with the Department in developing and distributing brochures, news and publicity materials which promote area attractions and tourism-related activities by budgeting for

the production of a periodic promotional publication ~~an amount equal to a minimum of thirty percent (30%) of the amount of matching funds allocated to the multicounty organization~~;

(5) Participate and cooperate with the Department in identifying marketing areas for the purpose of placing media advertising that promotes area attractions and tourism-related activities;

(6) Participate and cooperate with the Department in the development of print media, radio and television spots to be utilized for paid and public service announcements and contract for and place a minimum of ten thousand dollars (\$10,000.00) or higher in media advertising with media whose majority circulation is outside the counties comprising the multicounty organization's area;

(7) Participate and cooperate with the Department in the development of travel industry familiarization tours and international travel markets for the state;

(8) Participate and cooperate with the Department in developing package tours for the purpose of establishing Oklahoma as a destination state; and ;

(9) Participate and cooperate with the Department in tourism promotion and advertising programs.

(g) A multicounty organization's marketing shall be planned, implemented and administered by the multicounty organization's administrator or staff designated by the association's governing body. Any logo, design, or advertisement used or created by a multicounty organization shall be approved in writing by the Department prior to use or dissemination by the multicounty organization.

(h) A multicounty organization shall not subcontract or reassign the responsibilities described without the approval of the Department of Tourism and Recreation.

725:20-7-5. Allowable expenditures

(a) Expenditures by multicounty organizations are expenditures that are consistent with the definition of ~~Administrative~~administrative expenditure and ~~Promotion~~promotion expenditures, defined in OAC 725:10-7-6 and OAC 725:10-7-7 that are submitted to the Department for reimbursement of matching funds.

(b) Allowable administrative expenditures shall be limited to those expenditures specified in ~~the definition of administrative expenditures. An administrative expenditure shall be an expenditure made by the multicounty organization for administering the association's fund raising for tourism promotion~~ OAC 725:20-7-6. Allowable tourism promotion expenditures shall be limited to those expenditures specified in OAC 725:20-7-7.

(c) ~~Allowable tourism promotion expenditures shall be limited to those expenditures specified in the definition of tourism promotion expenditures. A tourism promotion expenditure shall be an expenditure made by the multicounty organization for marketing and promotion conducted by the association.~~ Advertising or promotion of activities that are prohibited by Oklahoma State Law or Federal Law shall not be allowable expenditures.

(d) Allowable expenditures shall be in conformity with the multicounty organization's marketing plan approved by the Director.

(e) Paying for marketing, promotion or administrative expenses incurred by, or on behalf of, an individual or entity other than the multicounty organization shall not be an allowable (matchable) expenditure.

725:20-7-7. Tourism promotion expenditures

(a) Tourism promotion expenditures are expenditures by the multicounty organization for tourism marketing planned and conducted by the association.

(1) Tourism promotion expenditures by a multicounty organization reimbursable with matching funds are actual costs for the preparation, printing, publication and distribution of media advertising in:

(A) brochures~~print advertising, including brochures, promotional materials, and direct mail of no more than twenty percent (20%) of the budget, that includes a QR code that links to the multicounty organization's website or associated advertisement and has tracking capabilities that allow the multicounty organization to review and report the effectiveness of the print advertising;~~

(B) ~~travel posters~~digital advertising, including social platforms and a mandatory website for

the multicounty organization;

~~(C) mailing pieces television and video advertising;~~

~~(D) newspapers radio and audio streaming advertising;~~

~~(E) magazines digital out-of-home advertising and billboard advertising;~~

~~(F) film and video paid social media advertising;~~

~~(G) television Google AdWords and search engine marketing; and~~

~~(H) radio; services contracted through a third-party vendor.~~

~~(I) billboards; and,~~

~~(J) websites.~~

(2) Brochures, promotion materials and advertisements shall be planned, approved and implemented by the multicounty organization.

(b) Any tourism promotion communication, with the exception of billboards, shall substantially disseminate information or project an image of the relevant multicounty area.

~~(c) Brochures, direct mail, newspaper advertisements, magazine advertisements, television advertisements, radio advertisements, and websites~~ All advertisement mediums set forth in OAC 725:20-7-7(a)(1)(A)-(H) shall specify how the reader/viewer/listener may inquire of the multicounty organization for comprehensive or particular information about tourism attractions, services, events or attributes of the multicounty organization area. All printed advertising and printed materials shall include a trackable QR code.

~~(1) The multicounty organization shall maintain a record of responses and inquiries that result from the mass communication and media advertising.~~

~~(2) The record, at a minimum, shall identify the origin of inquiries and the number of inquiries generated by each communication/advertising method.~~

(d) Costs of renting exhibit space and displays at travel and trade shows and conventions, and the multicounty organization's expenses for operating such exhibits, not to exceed amounts provided in the State Travel Reimbursement Act.

(e) Costs of travel writer, travel agent, tour broker and tour operators familiarization tours into the state of Oklahoma, not to contravene the State Travel Reimbursement Act shall be allowable expenditures.

(f) Registration fees for the annual tourism and recreation industry conference shall be allowable expenditures.

(g) Advertising/promotion specialties shall be indicative and representative of the multicounty region's tourism attributes. Items shall be not for resale and distributed to target markets.

(h) All tourism promotion expenditures shall be for the purpose of attracting travelers/visitors/tourists into the state of Oklahoma or into the multicounty organization area.

~~(i) Media advertising (excluding billboards) shall be placed with a medium whose primary circulation is outside the multicounty organization's area.~~

~~(j) A newspaper, magazine, television station, or radio station that cannot document by subscription, circulation, viewer or listener ratings that their primary audience is outside the multicounty organization's area shall not qualify as a communication/advertising medium for which matching funds may be reimbursed. However, a multicounty organization may use as much as twenty percent (20%) of its total allowable promotion expenditures promoting events and attractions within its region by using local newspapers, radio stations, television stations, brochures or billboards.~~

~~(k)(i) There shall be no prohibition upon the location of billboard advertising provided the billboard is along an interstate or state highway.~~

~~(l)(i) Matching funds shall not be reimbursed to a multicounty organization for any partisan or political communication or advertising.~~

~~(m)(k) Any communication/advertising visual advertisement shall include and utilize the appropriate logo or slogan designated by the Department as the official tourism logo or slogan. The logo shall be prominently displayed on the cover of print publications and, at a minimum, on ten percent (10%) of the publication's pages.~~

~~(n)~~(l) Brochures and periodic promotional publications shall state "produced in cooperation with the Oklahoma Tourism and Recreation Department" and, shall identify the Department as a source of tourism information for the state and as the state of Oklahoma's official marketing agency and include the Department's website address.

~~(o)~~(m) Tourism promotion expenditures shall be specified in the multicounty organization's marketing plan and budget work program. The marketing plan shall comply with the format provided by the Department.

~~(p)~~(n) Tourism promotion expenditures that are reimbursed with matching funds shall be limited to the production of material, communication, advertising, travel/trade show exhibitions and/or hosting of familiarization tours; all conducted by the multicounty organization.

~~(q)~~(o) Reimbursement of matching funds to a multicounty organization is expressly prohibited for any endeavor undertaken by, or any expense incurred by, an individual or entity other than the multicounty organization.

725:20-7-9. Independent and certified audit

Each multicounty organization that receives matching funds shall provide to the Department an audit for the fiscal year. The audit shall be performed by a public accountant or certified public accountant registered with the Oklahoma Accountancy Board.

- (1) The audit shall be a financial audit as defined by "Generally Accepted Government Auditing Standards", issued by the Comptroller General of the United States, and due no later than January 20 each year.
- (2) The scope of the audited financial report shall, at a minimum, consist of a statement of revenue and expenditures, and shall specify the sources and uses of funds and the fundraising method(s) shall be described.
- (3) The audited financial report shall identify separately the disbursement of all allowable and discretionary expenditures. Examples of discretionary promotion expenditures shall be provided as a supplement to the audit to determine whether such expenditures satisfied the requirements to be reimbursed with matching funds.
- (4) Revenue reported shall include all advertising revenue received and define all other individual sources of revenue. The names and addresses and amounts received from each advertiser shall be included as an unaudited supplemental schedule to the audit report.
- (5) The auditor's Report on Compliance with Rules and Regulations shall address whether a contractor who solicited advertising revenue for the production of a promotional periodical publication provided detailed written disclosure of its actual costs incurred in performance of the contract on at least a quarterly basis.
- (6) Audit reports showing reimbursement of unallowable expenditures, reimbursement for expenditures by an individual or entity other than the multicounty organization, or noncompliance with statutes, procedures, or Department rules and regulations will bar further reimbursement of matching funds until restitution is made to the Department.
- (7) An incomplete or insufficient audit report shall be cause for withholding matching funds until such time as an acceptable audit is provided.
- (8) The person or entity engaged to perform the audit shall not be the same person or entity that performs bookkeeping, controllership or management functions, or other accounting services for the multicounty organization; and, file a copy of the audit with the State Auditor and Inspector.
- (9) While not a part of the audit and not subject to the standards of the audit: the performance measures report (as prescribed by the Department), evaluative measures report that records the origin and number of inquiries, and examples of advertising not submitted for reimbursement with matching funds shall be submitted to the Department separate from the audit; but, simultaneously with the audit.
- (10) When an audit cites deficiencies or shortcomings, the organizations shall include a response describing how the deficiencies or shortcomings will be corrected. Organizations will not be eligible

for funding until the shortcomings identified in the audit are corrected.

SUBCHAPTER 9. BROCHURE CHARGES

725:20-9-1. Definitions

The following words or terms, when used in this subchapter, shall have the following meaning unless the context clearly indicates otherwise:

"**Tourism-related company, organization or individual**" means an attraction, restaurant, or lodging lodge or a group or organization in Oklahoma promoting Oklahoma tourism.

"**Bulk orders**" refer to any quantity of brochure over the number 25.

SUBCHAPTER 13. TOURISM INFORMATION CENTERS

725:20-13-3. Special events

(a) The Department may authorize use of Tourism Information Centers for special events.

(b) Authorization will be granted only if there is a meaningful association between tourism, the Tourism Information Center and the event.

(c) Requests for authorization to use a Tourism Information Center for a special event must be submitted in writing to the Department at https://www.travelok.com/contact_us.

725:20-13-6. Pets on premises

(a) Pets will not be permitted in Tourism Information Center buildings ~~; except for guide animals accompanying disabled persons . This prohibition shall not apply to guide dogs accompanying visually impaired persons or hearing ear dogs accompanying hearing-impaired persons or dogs used by enforcement officers in the performance of their official duties .~~

(b) Visitors may exercise pets in areas designated for that purpose ; however, pets should not be allowed to roam freely on the grounds. Visitors exercising their dog in a designated dog park, shall follow all posted rules and shall be responsible for damage to property or injury caused by their dog ~~to that of another or a person .~~

725:20-13-7. Abandoned vehicles

(a) Motor vehicles left unattended in a Tourism Information Center parking lot for more than seventy-two (72) hours will be considered to be abandoned.

(b) Abandoned motor vehicles will be impounded in accordance with state law.

725:20-13-8. Soliciting

The following is prohibited in or on the grounds of Tourism Information Centers:

(1) Soliciting or demanding gifts, money, goods or services.

(2) Selling, hawking, or peddling any goods, wares, merchandise, liquids, edibles or any item of value unless authorized by the Department.

725:20-13-10. Commercial use of Tourism Information Centers

(a) The Department may authorize the Division to enter into agreements for commercial use of space in a tourism information center for advertising. Examples of appropriate commercial use of space are interactive video displays, printed promotional materials, interactive hotel/motel reservations equipment, etc.

(b) Upon approval of the Department to enter into agreements for commercial use of space, rates shall be set by ~~agreements~~ agreement. Agreements for other types of commercial use will be awarded by competitive bid. The Division reserves the right to award bids to multiple vendors.

(c) All organizations, companies, individual and other entities will be charged the same fees except:

(1) Fees may be waived or discounted for organizations, companies, individuals and other entities involved in promotional efforts of the Department.

(2) The Executive Director, or the Director may waive any fees or charges when promotional effort is deemed in the best interest of the department.

(3) The Director may authorize discounts when it is deemed in the best interest of the Division or Department.

**TITLE 725. OKLAHOMA TOURISM AND RECREATION DEPARTMENT
CHAPTER 30. DIVISION OF STATE PARKS**

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 2. General Purpose

725:30-2-4. Definitions [AMENDED]

725:30-2-5. Hours of operation [AMENDED]

725:30-2-6. Closure and curfew [AMENDED]

725:30-2-7. Public notice [AMENDED]

725:30-2-8. Signs, signals and markings [AMENDED]

Subchapter 4. Public Use and Recreation

725:30-4-1. Preservation and protection of natural, cultural and archaeological resources
[AMENDED]

725:30-4-3. Fishing [AMENDED]

725:30-4-8. Sanitation [AMENDED]

725:30-4-11. Aircraft [AMENDED]

725:30-4-13. Property [AMENDED]

725:30-4-16. Report of injury or damage [AMENDED]

725:30-4-21. Explosives and fireworks [AMENDED]

725:30-4-22. Special events [AMENDED]

725:30-4-26. Swimming and associated swimming activities [AMENDED]

Subchapter 6. Fees, Discounts, and Waivers

725:30-6-1. Fee authority, requirements, discounts and waivers [AMENDED]

Subchapter 8. Camping and Day Use

725:30-8-1. Definitions [AMENDED]

725:30-8-2. Prohibitions [AMENDED]

725:30-8-3. Fee collection, restrictions and exemptions [AMENDED]

725:30-8-4. Time limits and extensions [AMENDED]

725:30-8-5. Day use [AMENDED]

725:30-8-6. Group camping [AMENDED]

Subchapter 10. Trails

725:30-10-1. Oklahoma Trails System Act [AMENDED]

725:30-10-2. Prohibitions [AMENDED]

Subchapter 12. Reservations and Use of Cabins, Group Camps, Shelters, Reserved/Assigned
Camping Facilities, Amphitheaters, Community Buildings and Meeting Rooms

725:30-12-1. Definitions. [AMENDED]

725:30-12-2. Cabins [AMENDED]

725:30-12-3. Group camps [AMENDED]

725:30-12-4. Shelters [AMENDED]

725:30-12-5. Reserved/assigned and group camping [AMENDED]

725:30-12-6. Amphitheaters, community buildings and meeting rooms [AMENDED]

Subchapter 16. Permits

725:30-16-3. Types of Permits [AMENDED]

Subchapter 18. Special Use Areas

725:30-18-2. Alabaster Caverns State Park [AMENDED]

725:30-18-3. McGee Creek Natural Scenic Recreation Area – McGee Creek State Park [AMENDED]

Subchapter 20. Volunteers

725:30-20-1. Definition, purpose and objective [AMENDED]

725:30-20-4. Supervision and performance evaluation [AMENDED]

725:30-20-8. Prohibitions [AMENDED]

725:30-20-9. Termination of Volunteer Contract [AMENDED]

Subchapter 22. Concession Leases and Commercial Use

725:30-22-2. RFP process [AMENDED]

Subchapter 23. Mineral Leases and Operations

725:30-23-5. Damages and fees [AMENDED]

Subchapter 24. Golf

725:20-24-1. Prohibitions [AMENDED]

Subchapter 26. Vehicles and Traffic Safety

725:30-26-4. Reporting motor vehicle accidents [AMENDED]

725:30-26-11. Speed limits [AMENDED]

725:30-26-13. Bicycles [AMENDED]

725:30-26-14. Off-road vehicles [AMENDED]

725:30-26-15. Use of golf carts and utility vehicles [AMENDED]

Subchapter 28. Park Security and Law Enforcement

725:30-28-3. Other agencies having authority – reporting requirements [AMENDED]

Subchapter 29. Lodge Operations

725:30-29-2. Definitions [AMENDED]

725:30-29-3. Use of Public Space [AMENDED]

725:30-29-4. Accepting reservation requests [AMENDED]

725:30-29-6. Special rates and promotional discounts [AMENDED]

725:30-29-7. One-time sales [AMENDED]

725:30-29-9. Application of prices, charges and fees for commodities and services provided by lodges [REVOKED]

725:30-29-11. Promotional discounts [REVOKED]

SUMMARY:

The proposed rules clean-up general formatting of existing rules in addition to citations to and quotations of Oklahoma statutes in accordance with the Administrative Rules on Rulemaking, OAC 655:10. Rules relating to practices or activities no longer permitted by Oklahoma statute are revoked. The proposed rules enhance the safety of persons in Oklahoma State Parks by increasing the distance swimmers must remain from high traffic watercraft areas and requiring the usage of drones or explosives such as fireworks to receive a permit issued by the Director of the Division of State Parks. Bow fishing is removed as a permitted activity. The proposed rules modernize outdated facility use times to allow check-in earlier in the day. The definition of bicycle is amended to include electric bikes and any person providing unpaid labor or services shall be defined as a volunteer.

AUTHORITY:

Oklahoma Tourism and Recreation Department; 74 O.S. § 2204

COMMENT PERIOD:

January 17, 2024 through February 15, 2024. Persons wishing to present their views in writing may do so before 5:00 p.m. on February 15, 2024 at the following address: Oklahoma Tourism and Recreation Department, 123 Robert S Kerr Avenue, Suite 910, Oklahoma City, OK 73012, Attn: Garrett Sill or by email to Garrett.Sill@TravelOK.com.

PUBLIC HEARING:

A public hearing will be held at 10:00 a.m. on February 16, 2024 at the Oklahoma Tourism and Recreation Department, 123 Robert S Kerr Avenue, Auditorium, Oklahoma City, OK 73102. The alternate date and time in the event of an office closure due to inclement weather is 10:00 a.m. on February 23, 2024 at the Oklahoma Tourism and Recreation Department, 123 Robert S Kerr Avenue, Auditorium, Oklahoma City, OK 73102. Anyone who wishes to speak must sign in at the door by 10:10 a.m.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing by February 15, 2024 at the Oklahoma Tourism and Recreation Department, 123 Robert S Kerr Avenue, Suite 910, Oklahoma City, OK 73012, Attn: Garrett Sill, or by email to Garrett.Sill@TravelOK.com.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from online at otr.travelok.com, or hard copies may be requested by mail or in person at Oklahoma Tourism and Recreation Department, 123 Robert S Kerr Avenue, Suite 910, Oklahoma City, OK 73012, Attn: Garrett Sill, or by email to Garrett.Sill@TravelOK.com.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., §3030(D), a rule impact statement will be prepared and may be obtained from the Oklahoma Tourism and Recreation Department and on the Department's website at the above addresses on and after January 31, 2024.

CONTACT PERSON:

Garrett Sill, Deputy General Counsel, Oklahoma Tourism and Recreation Department, 123 Robert S Kerr Avenue, Suite 910, Oklahoma City, OK 73012, (405) 255-7454 or Garrett.Sill@TravelOK.com.

CHAPTER 30. DIVISION OF STATE PARKS

SUBCHAPTER 2. GENERAL PURPOSE

725:30-2-4. Definitions

The following words or terms, when used in the chapter, shall have the following meaning, unless the context clearly indicates otherwise:

"Abandonment" means the voluntary relinquishment of property with no intent to retain possession.

"Administrative activities" means those activities conducted under the authority of the Division of State Parks for the purpose of safeguarding persons or property, implementing management plans and conducting general repair and maintenance of facilities.

"Aircraft" means a device that is used or intended to be used for human flight in the air, including powerless flight.

"Archaeological resources" means material remains of past human life or activities that are of archaeological interest and are at least fifty (50) years of age. This term includes, but shall not be limited to, objects made and used by humans, such as pottery, basketry, bottles, weapons, weapon projectiles, tools, structures, pit houses, rock paintings and carvings, intaglios, or any portion or piece of the foregoing items, and the physical site, location or context in which they are found, or human skeletal materials or graves.

"Authorized emergency vehicle" means a vehicle in official use for emergency purposes by the Division of State Parks or an emergency vehicle as defined by state law.

"Authorized person" means an employee or agent of the Oklahoma Tourism and Recreation Department, Division of State Parks with delegated authority to enforce the provisions of this chapter.

"Bicycle" means every device propelled solely by human power upon which a person or persons may ride on land, have one, two, or more wheels, except a manual wheelchair or a device that has two or three fully functional pedals equipped with a motor that does not exceed 1000W and is designed with a maximum speed of twenty (20) miles per hour and is incapable of speeds higher than twenty (20) miles per hour without human power assist. This does not include a manual wheelchair.

"Boundary" means a delineation of state interest on a map filed or recorded by the state or political subdivision in accordance with applicable law.

"Camping" means the erecting of a tent or shelter of natural or synthetic material, preparing a sleeping bag or other bedding material for use, parking of a motor vehicle, motor home or trailer, or mooring a vessel for the apparent purpose of remaining overnight.

"Carry" means to wear, bear, or have on or about the person.

"Commission" means the Oklahoma Tourism and Recreation Department Commission which is a public body with the authority to establish policy, and carry out the duties of the Oklahoma Tourism and Recreation Act.

"Controlled substance" means a drug or other substance, or immediate precursor, included in Schedule I, II, III, IV or V of Article II of Uniform Controlled Dangerous Substances Act [63:2-201-2-212].

"Cultural resources" means material remains of past human life or activities that are of archaeological interest and are at least fifty (50) years of age. This term includes, but shall not be limited to, objects made and used by humans, such as pottery, basketry, bottles, weapons, weapon projectiles, tools, structures, pit houses, rock paintings and carvings, intaglios, or any portion or piece of the foregoing items, and the physical site, location or context in which they are found, or human skeletal materials or graves.

"Curfew" means a restriction established by the park manager whereby specific areas within a park or a park unit may be closed or restricted to activities during designated periods.

"Department" means the Oklahoma Tourism and Recreation Department.

"Developed area" means roads, parking areas, day use areas, picnic areas, campgrounds, or other structures, facilities or lands located within development zones depicted on use maps.

"Director" means the Director of the Division of State Parks, or their designee.

"Employee" means any paid employee of the Oklahoma Tourism and Recreation Department,

Division of State Parks regardless of classification status.

"Executive Director" means the director of the Oklahoma Tourism and Recreation Department, or the Deputy Executive Director.

"Firearm" means a loaded or unloaded pistol, rifle, shotgun or other weapon which is designed to, or may be readily converted to expel a projectile by the use of a propellant.

"Fish" means any member of the subclasses Agnatha, Chondrichthyes, or Osteichthyes families.

"Fishing" means taking or attempting to take fish.

"Hunting" means taking or attempting to take wildlife, except trappings.

"Manager" means the Park Manager, Lodge Manager, or Golf Course Manager who is responsible for the operation of the property.

"Manual wheelchair" means a device that is propelled by human power, designed for and use by a mobility impaired person.

"Motor vehicle" means every vehicle that is self-propelled and every vehicle that is propelled by electric power, but not operated on rails or upon water except a motorized wheelchair.

"Motorcycle" means every motor vehicle having a seat for the use of the rider designed to travel on not more than three wheels in contact with the ground, but excluding a tractor.

"Motorized wheelchair" means a self-propelled wheeled device, designed solely for and used by a mobility impaired person.

"Natural resources" means any plant, animal, or any natural object or material which has been produced by nature and is located within a park unit.

"Non-developed area" means all lands and waters within park areas which are not developed.

"Operator" means a person who operates, drives, controls, or otherwise has charge of or is in actual physical control of a mechanical mode of transportation or any other mechanical equipment.

"Park area" means lands and waters controlled or administered by the Oklahoma Tourism and Recreation Department, Division of State Parks.

"Park road" means the main-traveled surface of a roadway open to motor vehicles, owned, controlled or otherwise administered by the Oklahoma Tourism and Recreation Department, Division of State Parks.

"Permit" means a written authorization to engage in uses or activities that are otherwise prohibited, restricted, and regulated or beyond the normal scope of recreational activities for a state park unit.

"Person" means an individual, firm, corporation, society, association, partnership, or private or public body.

"Pet" means a dog, cat or any animal that has been domesticated.

"Possession" means exercising direct physical control or dominion, with or without ownership, over property, or archaeological or natural resources.

"Primitive" means an undeveloped area which does not provide any developed facilities including sanitation facilities or services.

"Public use limit" means the number of persons; number and types of animals; size and types of equipment, vehicles or property allowed to enter, be brought into, remain in, or be used within a designated geographic area or facility; or the length of time a designated geographic area or facility may be occupied.

"Ranger" means a commissioned law enforcement official of the Oklahoma Tourism and Recreation Department, Division of State Parks with authority to enforce park rules and state laws. This includes reserve rangers.

"Refuse" means trash, garbage, rubbish, waste, bottles or cans, debris, litter, liquid waste, or other discarded materials.

"Regional Manager" means the official in charge of a geographic region in the Oklahoma Tourism and Recreation Department, Division of State Parks.

"Season" means the primary recreation season in a calendar year which is from April 15 through September 30, except when defined differently within this chapter or by the Executive Director. All other time is considered to be "off season".

"**Services**" means, but is not limited to, meals and lodging, labor, professional services, transportation, tours or any act for which payment is customarily received.

"**Sign**" means a board, poster, placard or device displayed in a state park to advertise or convey information or a direction.

"**Smoking**" means the carrying of lighted cigarettes, cigars, or pipes or the intentional and direct inhalation of smoke from these objects or electronic cigarettes, vape pens, or other similar devices.

"**State**" means the State of Oklahoma.

"**State law**" means the applicable and non-conflicting laws or statutes enacted by the legislative and executive branches of government of the State of Oklahoma.

"**State Park System**" means all facilities, lands, waters under the control and administration of, owned or leased, operated and managed by the Oklahoma Tourism and Recreation Department, Division of State Parks.

"**Sunrise**" means a period of time one-half hour before actual sunrise.

"**Sunset**" means a period of time one-half hour after actual sunset.

"**Take**" means the pursue, hunt, harass, harm, shoot, trap, net, capture, collect, kill, wound, or attempt to do any of the above.

"**Traffic**" means pedestrian, ridden or herded animals, vehicles and other conveyances, either singly or together while using any road, trail, street or other thoroughfare for the purpose of travel.

"**Traffic control device**" means a sign, signal, marking or other device placed or erected by, or with the concurrence of, the park manager for the purpose of regulating, warning, guiding or otherwise controlling traffic or regulating the parking of vehicles.

"**Trap**" means a snare, trap, mesh, wire or other implement, object or mechanical device designed to entrap or kill animals other than fish.

"**Unit**" means a single state park.

"**Unloaded**" as applied to weapons and firearms, means that:

(A) There is no unexpended shell, cartridge, or projectile in any chamber or cylinder of a firearm or in a clip or magazine inserted in or attached to a firearm.

(B) A muzzle-loading weapon does not contain gun powder in the pan, or percussion cap is not in place.

(C) Bows, crossbows, spear guns or any implement capable of discharging a missile or similar device by means of a loading or discharging mechanism, when that loading or discharging mechanism is not charged or drawn.

"**Vehicle**" means every device in, upon, or by which a person or property is or may be transported or drawn on land, and devices moved by human power or used exclusively upon stationary rails or track.

"**Visitor**" means a user of a park.

"**Weapon**" means a firearm compressed gas or spring-powered pistol or rifle, bow and arrow, crossbow, blowgun, spear gun, hand thrown spear, slingshot, irritant gas device, explosive device, or any other implement designed to discharge missiles, and includes any other weapon the possession of which is prohibited under the laws of the state.

"**Wildlife**" means any member of the animal kingdom and includes a part, product, egg, or offspring thereof, or the dead body or part thereof.

725:30-2-5. Hours of operation

(a) Visiting hours within the state park system is twenty-four (24) hours per day throughout the year except as defined in OAC 725:30-2-6.

(b) Visiting hours for offices, campgrounds, marinas, stables, nature centers, swimming pools and other facilities, state operated or under lease, which do not operate twenty-four (24) hours per day shall be established by the park manager and such hours posted in a conspicuous manner at the entrance to the building, area or facility. Park offices shall post hours of operation for all facilities within that state park unit.

725:30-2-6. Closure and curfew

(a) Consistent with applicable state law and administrative rules, and based upon a determination that such action is necessary for the maintenance of public health and safety, protection of the environment, natural and cultural resources, implementation of operation and management responsibilities, equitable allocation and use of facilities, or the avoidance of conflict among visitor use activities, the park manager or designee may with approval of the ~~regional manager~~ director:

- (1) Close all or a portion of a park area to all public use or to a specific use or activity.
- (2) Designate areas for specific uses or activities, or impose conditions or restrictions on a use or activity.
- (3) Terminate or relax a restriction, limit, closure, designation, condition or visiting hour restriction imposed under (a) (1) or (2) of this section.

(b) Except in emergency situations, a closure, designation, use or activity restriction or condition, or the termination or relaxation of such, which is of a nature, magnitude or duration that will result in significant alteration of the public use pattern of the park area or adversely affect the park's natural or cultural resources, or is of highly controversial nature, shall be approved by the Executive Director.

(c) Except in emergency situations, prior to implementing or terminating a restriction, condition, or closure, the park manager shall prepare a written determination justifying such action or in the case of terminating a restriction, condition or closure previously established under (a) of this section, a determination of why the restriction is no longer necessary. This determination shall be filed in the director's office of the Oklahoma Tourism and Recreation Department, Division of State Parks and the park office where the restriction, condition or closure exists. This determination shall be available to the public upon request.

(d) To relax a condition whereby the area is currently restricted or closed the park manager shall implement a use limit system through the use of permits. Permits shall be issued in accordance with Subchapter 16 of this Chapter.

(e) For the purpose of this Subchapter a curfew shall not be considered an emergency and subject to the applicable provisions set forth in this Chapter except under (b) of this section and shall be approved by the director.

725:30-2-7. Public notice

Whenever the authority of OAC 725:30-2-6(a) is invoked to restrict or control a public use or activity, to relax or revoke an existing restriction or control, to designate all or a portion of a park or park area as open or closed, the public shall be notified by one or more of the following methods:

- (1) Signs posted at conspicuous locations, such as normal points of entry and reasonable intervals along boundaries of affected areas.
- (2) Maps defining affected areas shall be provided in park office and other convenient locations in the park.
- (3) Posting on Department's website and social media platforms.

725:30-2-8. Signs, signals and markings

(a) Signs located within the state park system provide general information and regulatory guidance for public health and safety and protection of natural and cultural resources, and can include the use of international symbols.

(b) Certain signs will designate activities which are prohibited in the following manner:

- (1) The word "prohibited" will be defined as part of the ~~signs~~ sign's language, or
- (2) A symbolic sign will bear a slash mark. These signs are pictured in Appendix A of this Chapter.

(c) Signs, signals or markings regulating the operation of motor vehicles, motorcycles and other legal modes of transportation within state parks shall carry the same force and affect as defined by Article I and II of Title 47, Oklahoma Statutes.

725:30-4-1. Preservation and protection of natural, cultural and archaeological resources

Except as otherwise provided in this Chapter, the following is prohibited in state parks:

- (1) Possessing, destroying, injuring, defacing, removing, digging, killing, or disturbing in or from its natural state:
 - (A) Living or dead wildlife or the parts or products thereof, such as antlers, nests, or skins ~~74:2217~~.
 - (B) Plants or trees or any parts thereof ~~74:2217~~.
 - (C) Non-fossilized and fossilized paleontological specimens, cultural or archaeological resources, or the parts thereof ~~74:2217~~.
- (2) The feeding, touching, teasing, frightening or intentional disturbance of wildlife, their nesting or breeding sites or other aspects of wildlife habitat.
- (3) Using or possessing wood gathered from within the park area. Provided, however, that the Manager may designate areas where wood on the ground may be collected for use as fuel for camp fires within the park area only.
- (4) Walking on, climbing, entering, ascending, descending, or traversing on any archaeological or cultural resource site, monument, or statue, except in areas designated by the Manager.
- (5) Possessing or using a mineral or metal detector, magnetometer, side scan sonar, sub-bottom profiler, or any other metal detecting device. This paragraph does not apply to:
 - (A) A device broken down and stored or packed to prevent its use while in park areas;
 - (B) Electronic equipment used for the navigation of boats and fishing purposes;
 - (C) Metal or mineral detectors when authorized by Permit from the Manager, or Director.
- (6) The gathering and removal of nuts, berries and fruits or any other natural products, except when authorized by a Permit.
- (7) Use of a magnet or electro magnetic object in water to retrieve metal objects, ~~common~~ commonly known as magnet fishing.

725:30-4-3. Fishing

- (a) Fishing is permitted in all areas of the state park system except in those areas which have been posted and designated as restricted.
- (b) Fishing shall be in accordance with the laws and regulations set forth by the Department of Wildlife Conservation.
- ~~(c) Bow fishing is restricted to primitive areas of the park with an authorized Permit from the Manager or Ranger.~~

725:30-4-8. Sanitation

The following is prohibited in state parks:

- (1) Disposing of refuse in any manner or area except refuse receptacles.
- (2) Depositing of refuse or materials in marked recyclable containers not designated for such refuse or materials.
- (3) Using state park refuse receptacles or other refuse facilities for dumping household, commercial or industrial refuse, brought as such from private or municipal property, except in accordance with conditions as may be established by the Manager.
- (4) Depositing refuse in the plumbing fixtures or vaults of a toilet facility.
- (5) Draining sewage and/or grey water from a trailer or recreational vehicle, except in facilities provided for that purpose.
- (6) Washing food, clothing, dishes, or other property at public water outlets, fixtures or pools, except at those areas designated for such purpose.
- (7) Disposing of fish remains on land, or waters within 200 feet of boat docks or designated swimming areas.
- (8) In non-developed or primitive areas, the disposal of human body waste. The Manager shall

establish conditions concerning the containerization and carryout of human body waste.
(9) Disposing of refuse in a park where a trash in - trash out program has been instituted.

725:30-4-11. Aircraft

(a) The following are prohibited in state parks:

- (1) Operating or using aircraft on lands or waters other than at locations designated by the Director or by Permit.
- (2) Operating or using aircraft under power within 500 feet of locations designated as swimming beaches, boat docks, piers or ramps.
- (3) Delivering or retrieving a person by helicopter or other airborne means except in emergencies involving public safety or serious property loss or pursuant to the term of a Permit.
- (4) The taking off or landing of drones unless authorized by Permit.

(b) The use of aircraft shall be in accordance with regulations of the Federal Aviation Administration and state law.

725:30-4-13. Property

(a) Prohibited activities. The following are prohibited in state parks:

- (1) Abandoning property.
- (2) Leaving property unattended for longer than forty-eight (48) hours, except when authorized by Permit from the Manager in accordance with the conditions set out therein.
- (3) Failing to turn in found property to the Manager or Ranger as soon as practicable.

(b) Impoundment of property.

- (1) Property left unattended in excess of an allowed period of time may be impounded by Park Officials.
- (2) Unattended property that interferes with visitor safety, orderly management of the park area, or presents a threat to natural resources may be impounded by Park Officials.
- (3) Found or impounded property shall be inventoried to determine ownership and safeguard such property.
- (4) The owner of record is responsible and liable for all charges to the person who has removed, stored or otherwise disposed of property impounded pursuant to this section; fees may be charged at the discretion of the Manager for the impoundment and storage of property impounded pursuant to this section.
- (5) Impoundment of motor vehicles and boats shall be conducted in accordance with state law.

(c) Disposal of property.

- (1) Unattended property impounded pursuant to this section shall be deemed to be abandoned unless claimed by the owner or an authorized representative thereof within sixty (60) days. The ~~60 day~~ sixty-day (60) period shall begin when the rightful owner of the property has been notified, if the owner can be identified, or from the time the property was placed in the Manager's custody, if the owner cannot be identified.
- (2) Unclaimed found property shall be stored a minimum of sixty (60) days and, unless claimed by the owner or an authorized representative thereof, may be claimed by the finder, provided that the finder is not an employee of the Department. If a finder claims such property, the finder shall be responsible for any fees associated with such claimed property. Found property not claimed by the owner or an authorized representative or the finder shall be deemed abandoned.
- (3) All unclaimed abandoned property shall become the property of the Department.

725:30-4-16. Report of injury or damage

(a) A person involved in an accident resulting in personal injury or property damage exceeding \$300.00, other than accidents reportable under OAC 725:30-26-4, shall report the incident to the Manager or Ranger as soon as possible.

(b) Failure to report any incident in accordance with subsection (a) of this section is prohibited.

725:30-4-21. Explosives and fireworks

(a) Using, possessing, storing, or transporting explosives, blasting agents or explosive materials is prohibited in state parks except when authorized by Permit. When permitted, the use, possession, storage and transportation shall be in accordance with state law.

(b) Using or possessing fireworks and firecrackers is prohibited except when authorized by Permit which shall define the terms and conditions as the Manager Director may establish and in accordance with state law.

725:30-4-22. Special events

Sports events, pageants, regattas, tournaments, spectator attractions, entertainments, ceremonies, and similar events are allowed. Provided, however, there is a meaningful association between the park area and the events, and the observance contributes to visitor understanding of the significance of the park area, and a Permit therefore has been issued by the Manager Director.

725:30-4-26. Swimming and associated swimming activities

The following is prohibited in state parks:

- (1) Swimming or bathing in areas designated as closed.
- (2) Swimming within ~~150~~ three hundred (300) feet of a boat ramp, boat dock or public fishing pier.
- (3) Having any child 12 years of age or younger, within a designated swimming area, unattended by an adult who is eighteen (18) years of age or older.
- (4) Possessing any glass container or glass material in a designated swimming area.
- (5) Swimming in violation of the posted restrictions set forth by the Manager Director.
- (6) Utilizing a pool without a lifeguard present except when posted otherwise.

SUBCHAPTER 6. FEES, DISCOUNTS, AND WAIVERS

725:30-6-1. Fee authority, requirements, discounts and waivers

(a) Recreation fees are hereby established as approved by the Executive Director. The Executive Director shall prescribe rates, fees, tolls, or charges for the services, facilities and commodities rendered by all property of the Department [74:2220]. Such fees, rates and charges shall be based upon staff recommendation pursuant to prevailing market conditions for similar facilities, services or merchandise. Fees, rates and charges shall be structured in a manner that is competitive with the private sector and avoids undercutting.

(b) All fees and charges shall be posted in a convenient location in each park. Every person using any facility shall be charged with the same fee except:

- (1) Individuals sixty-two (62) years of age and over and his or her spouse may receive discounts for camping, cabin rental, golf, cave tours, swimming, and parking and bicycle rentals. A driver's license shall be used for verification of age [74:2220].
- (2) Individuals who have been certified as totally disabled as defined by state or federal law and their spouses shall be entitled to a discount which shall apply to use of, or access to, recreation facilities, regardless of residency. Acceptable means of verifying total disability include: the presentation of a Medicare card issued to an individual prior to their sixty-fifth (65th) birthday; a Notice of Award letter from the Social Security Administration; hunting and fishing license that notes total disability; award letter issued by the Department of Veterans Affairs or a document issued by a retirement or insurance board, commission or administration that attests to the individual's total disability; or a physician's letter, on letterhead stationery, that declares the individual is totally disabled. [74:2220].
- (3) Children's groups that provide beneficial services may receive discounts for camping, shelters and swimming [74:2220]. Such services shall be restricted to projects which provide environmental education awareness such as tree planting, refuse clean up, or wildlife habitat improvement. Children's groups performing a minimum of two (2) hours service toward such projects shall be entitled to prescribed fee discounts. For the purpose of this section a group is five (5) or more

persons and a child is a person under the age of eighteen (18).

(c) The Director may, when in the public interest, prescribe times or periods during which the collection of fees may be waived or suspended.

~~(d) The Director may offer special group or promotional rates in accordance with 74 O.S., Section 2221.~~

~~(e)~~(d) Using campground sites, facilities, equipment or services, or participation in group activities, recreation events, or other specialized recreation used for which fees have been established without paying such fees is prohibited. Violation of the terms and conditions of this section may result in the suspension or revocation of the use of the facility, equipment or service or any other penalties prescribed by state law.

~~(f)~~(e) Entrance or day-use charges established by the Department, in accordance with OAC 725:30-6-1, shall be evidenced by a receipt or pass sold upon demand from the public or at the entrance of any designated entrance or day-use charge facility. The method of collection will be by payment through the appropriate online portal which can be accessed at www.travelok.com/state-parks.

SUBCHAPTER 8. CAMPING AND DAY USE

725:30-8-1. Definitions

The following words or terms, when used in this Subchapter, shall have the following meaning, unless the context clearly indicates otherwise:

"**Primitive campsite**" means a site or area where there are no utilities, sanitation facilities or developments and is generally a significant distance from emergency services.

"**Unimproved campsite**" means a site where there is no water, electric or sanitation hookups for recreational vehicles but water, tables and grills are available in the area.

"**Semi-modern campsite**" means a site with a table, grill and electric utility service and water hydrants either at the site or in the area.

"**Modern campsite**" means a site which may have a table, grill, electric utility service, sanitation dump and water.

"**Tent site**" means a campsite where tents may be erected for overnight camping which includes erecting tents upon unimproved, semi-modern or modern campsites.

"**Reserved campsite**" means those sites that can be reserved through the online Oklahoma State Park Campground Reservation System or by contacting the park unit. Reservations may be made for campsites in accordance with ~~75:30-12-5 (a) of this Chapter~~ OAC 725:30-12-5(a).

725:30-8-2. Prohibitions

(a) The Manager may require permits, designate sites or areas, and establish conditions for camping.

(b) The following is prohibited:

- (1) Hanging a propane or gas operated lantern on any tree or plant.
- (2) Leaving refuse or human waste after departing a campsite.
- (3) Camping within twenty-five (25) feet of a water hydrant or within one hundred (100) feet of a stream, river or body of water, except as designated.
- (4) The construction of permanent camping facilities or dwellings.
- (5) Failing to obtain a Permit for camping in primitive areas.
- (6) Connecting more than one water, electrical or sanitary connection per campsite or connecting to a utility which exceeds its manufactured design or capacity.
- (7) Camping outside of designated site or areas as defined by the Manager.
- (8) Parking a vehicle in, occupying or otherwise blocking in any manner, any campsite ; or using the utility services in a campsite without having first paid campsite or utility fees.
- (9) The placing or parking of two (2) or more recreational vehicles on any site not designed for more than one (1) recreational vehicle.
- (10) Camping longer than the time limits set forth in ~~725:30-8-5~~ OAC 725:30-8-4.

725:30-8-3. Fee collection, restrictions and exemptions

- (a) The daily fee covers use of facilities ~~until 2:00 p.m. the day of check-out. Check in prior to 5:00 p.m.~~ may be permitted by the Park Manager from check-in to check-out times.
- (b) Camping fee receipts are non-transferable.
- (c) Camping fee receipts shall be maintained at the campsite and available for review upon request by the Manager, Ranger or any other official designated to collect fees.
- (d) Unimproved camping fees shall be assessed and charged in the following manner:
- (1) Persons in a "family unit" shall only be charged one (1) unimproved camping fee This applies when the family unit is not more than two (2) parents and dependent children or grandparents and grandchildren only.
 - (2) Persons not in a family unit shall be charged one (1) fee for each "sleeping unit".
 - (3) Organized groups shall be charged according to the rule of four (4) which is one (1) unimproved fee for each multiple of four (4) persons. Children's groups may receive a discount in accordance with ~~725:30-6-1(b) (3)~~ OAC 725:30-6-1(b)(3).
- (e) Improved camping fees shall be assessed and charged in the following manner:
- (1) One (1) recreational vehicle fee shall be charged for each unit occupying an improved site.
 - (2) If the improved site is not occupied by a recreational vehicle but rather with other "sleeping unit" methods, the rules defined under (d) of this section shall apply and improved camping fees shall be assessed.
 - (3) One (1) tent only may be established as an extension to a recreational vehicle in an improved site. There shall be no charge for this extra tent if it is a small profile children's unit used by dependent children under the age of eighteen (18) whose parent or parents or grandparents are occupying the improved site. Any other person, such as friends or relatives, shall be charged one (1) unimproved fee for the extra tent. Fees for use of utilities for the additional tent will be in accordance with the utility fee structure for improved sites. The Manager has discretion to determine fee application.
- (f) Any person who utilizes any type of campsite, regardless of equipment, shall pay the established fee for said site.

725:30-8-4. Time limits and extensions

The following is prohibited:

- (1) Camping for periods longer than fourteen (14) consecutive days within the same campsite or campground depending on the park.
- (2) Camping within the same state park unit for periods longer than fourteen (14) consecutive days requires a Permit and, if on Federally owned property will not be granted per Federal regulations.

725:30-8-5. Day use

- (a) For the purposes of this Subchapter a day use area is an area used specifically from opening to closing as defined and posted by the Manager for general recreational activities such as swimming, picnicking and fishing.
- (b) The following is prohibited:
- (1) Entering or remaining in a day use area during closed hours for any purpose.
 - (2) Use of electric utilities except by Permit.
- (c) All other applicable rules and state laws as set forth in this Chapter shall apply to day use areas.
- (d) The Manager may relax or further restrict the use hours as defined in ~~725:30-2-6~~ OAC 725:30-2-6.

725:30-8-6. Group camping

- (a) Group camping is permitted within designated campgrounds in the state park system when there will be five (5) or more sites occupied by a group for two (2) or more consecutive nights or three (3) consecutive nights on holiday weekends.
- (b) Group camping is permitted outside of designated campgrounds in the state park system with an approved Permit from the Manager when there will be twenty (20) or more recreational vehicle units for two

(2) or more consecutive nights or three (3) consecutive nights on holiday weekends.

(c) Reservations may be made for group camping in accordance with OAC 725:30-12-5 of this Chapter.

SUBCHAPTER 10. TRAILS

725:30-10-1. Oklahoma Trails System Act

(a) ~~"The purpose of the Oklahoma Trails System Act is to provide public access to, and enjoyment and appreciation of, the Oklahoma outdoors in order to foster the conservation, development and wise use of the natural and historic resources of the state. It is the intent and purpose of the Oklahoma Trails System Act to encourage hiking, bicycling, horseback riding and other recreational activities and, because trail use by motorized vehicles is incompatible with some other trail uses, it is intended to provide separate trails and facilities for motorized vehicles whenever necessary and feasible"~~ *The purpose of the Oklahoma Trails System Act is to provide public access to, and enjoyment and appreciation of, the Oklahoma outdoors in order to foster the conservation, development and wise use of the natural and historic resources of the state. It is the intent and purpose of the Oklahoma Trails System Act to encourage hiking, bicycling, horseback riding and other recreational activities and, because trail use by motorized vehicles is incompatible with some other trail uses, it is intended to provide separate trails and facilities for motorized vehicles whenever necessary and feasible.* [74:2279].

(b) The Department shall adopt the purpose of the Oklahoma Trails System Act and such purpose shall dictate the operation, management and use of trails within the state park system.

(c) For the purpose of this Subchapter all trails are considered multiple use with exceptions and restrictions clearly marked.

725:30-10-2. Prohibitions

The following is prohibited in state parks:

(1) Use of a trail for purposes or activities which have posted as restricted.

(2) Mutilation, destruction or vandalism of any guidepost, notice, tablet or any other improvement designed and established for trail use.

(3) Trail users shall remain on designated trails in order to minimize adverse impact on the environment. Field study off of a trail is permitted ~~, however, in sensitive or wilderness areas~~ with prior approval of the ~~Director~~ Manager shall be required by Permit.

(4) Failure to yield right of way in accordance with multiple use trail yield signage defined in OAC 725:30-2-8.

SUBCHAPTER 12. RESERVATIONS AND USE OF CABINS, GROUP CAMPS, SHELTERS, RESERVED/ASSIGNED CAMPING FACILITIES, AMPHITHEATERS, COMMUNITY BUILDINGS AND MEETING ROOMS

725:30-12-1. Definitions

The following words or terms, when used in this Subchapter, shall have the following meaning unless the context clearly indicates otherwise:

"Daily" means the charge for use of a camp site from ~~5:00~~ 3:00 p.m. until ~~2:00~~ 1:00 p.m. the day of check out.

"Deposit" means the normal deposit for the first night's rate to be applied to the last night of the reservation. A deposit may be in the form of cash, check or properly authorized and processed credit card.

"Free shelter" means shelters designated by the Manager available free of charge on a first-come, first-served basis.

"Function space" means any area of the park unit used for purposes other than sleeping accommodations, such as meetings, banquets, golf tournament, dances and receptions.

"Group" means eight (8) or more persons reservations.

"Group reservation" means a reservation for ~~20 or more accommodations or~~ thirty percent (30%)

of total units available at the property for one or more nights , or ~~10 accommodations with a scheduled function.~~

"**Holiday period**" means any multiple day period associated with a state-declared holiday.

"**Improved financial condition**" means the financial results of an activity, a change in rates or fees, or any other event that increases revenues or reduces expenditures, the net result of which improves the financial condition of the Division or facility in the current or succeeding fiscal years.

"**New accommodation**" means other lodging or use types that may arise in addition to those currently covered in Division rules. New accommodations may be treated as an existing accommodation category such as cabins, shelters, group camps, lodges or other accommodations as determined by the Director.

"**One-half day**" means a period of time before ~~2:00~~ 1:00 p.m. or after ~~4:00~~ 3:00 p.m.

"**Per day**" means 6:00 a.m. to 11:00 p.m.

"**Portal Fee**" means a non-refundable fee charged to a customer for making a reservation using the Oklahoma State Parks Reservation website. This fee covers the cost of the web service.

"**Reservation**" means a confirmed request for a park accommodation or facility which is available to be reserved and such availability has been verified and a deposit received by the park unit.

"**Reservation Fee**" means a non-refundable fee charged to a customer for making a reservation using the Oklahoma State Parks Reservation website. This fee covers the cost to the park for securing and managing the reservation at the site.

"**Season**" means, for the purposes of this Subchapter only, the period of time between April 1 and September 30 each year , except when defined differently within this Subchapter or by the Executive Director.

"**Year-to-day**" means the same day, week, weekend or holiday of the subsequent calendar year.

725:30-12-2. Cabins

(a) General cabin reservations.

(1) Reservation restriction.

(A) Individual cabin reservations are accepted up to eleven ~~(11)~~ months in advance.

(B) The person making a reservation will be responsible for payment of all charges established for the accommodation, including any damages by the occupants.

(C) Those assuming responsibility for reservations and payment of charges shall be ~~eighteen~~ eighteen ~~(18)~~ years of age or older.

(2) Reservation priorities. Due to the heavy demand for weekend accommodations during the season, the following procedures apply during this period:

(A) Holiday periods and special events:

(i) Reservations made more than ~~thirty (30)~~ days prior to arrival must be for a minimum of ~~three (3)~~ nights if a Friday or Saturday or holiday eve night is included in the request.

(ii) At the discretion of the Manager, reservations made between ~~thirty (30)~~ and ~~five (5)~~ days prior to arrival may be accepted for ~~two (2)~~ nights providing not less than ten percent (10%) of the park accommodations remain available for later requests including all 3 nights of the weekend.

(B) Non-Holiday Periods:

(i) Reservations made more than ~~thirty-six (36)~~ days prior to arrival must be for a minimum of ~~two (2)~~ nights if a Friday or Saturday night is included in the request.

(ii) At the discretion of the Manager, single night reservations may be accepted between ~~thirty (30)~~ and ~~five (5)~~ days prior to arrival.

(3) Deposits.

A request for accommodations becomes a confirmed reservation only when a deposit is received.

(A) Deposits shall be equal to the first night's rate and presented to the park unit at the time of reservation.

(B) Cancellation of the reservation shall be made 5 days in advance of the occupancy date or the deposit shall be subject to forfeiture.

(4) **Refunds.** Refunds on advance deposits may be refunded in accordance with 725:15-31-10.

(b) Group cabin reservations.

(1) Group cabin reservations may be accepted more than one ~~(1)~~ year in advance of requested dates with approval from the manager or the Director, if there is reason to believe it will benefit the facility's financial condition.

(2) The representative of an organization, company or other entity shall assume responsibility for charges and damages associated with group cabin reservations.

(3) Direct billing or credit, other than an approved credit card, for group cabin reservations is prohibited except when approved by the Manager.

(c) Complimentary meeting space.

(1) Complimentary meeting space where available, may be made available to groups occupying ~~twenty (20)~~ or more accommodations per night, or thirty percent ~~(30%) or more~~ of the total accommodations available at the property.

(2) Should the group fail to occupy the number of cabins for which they reserved, the park unit will prorate the balance at the regular meeting room charge.

(d) Cabin prohibitions. The following is prohibited:

(1) Reserving and renting a cabin with an outstanding balance of payment resulting from a cabin rental during a previous visit.

(2) Allowing more persons to occupy the cabin than the occupancy limits set forth by the Manager.

(3) Departing the park unit with no intention of paying cabin rental fees including damages to property [21:1503].

725:30-12-3. Group camps

(a) **Group camp season.** Group camps open April 1 and close October 31 of each year. Exceptions may be approved by the Manager.

(b) Application.

~~(1) Reservation applications~~ Reservations are accepted on a ~~year-to-day~~ year-to-date basis.

~~(2) Applications for a reservation may be obtained by contacting the park unit in which the reservation is desired. Applications shall be completed in full and define an alternate date.~~

~~(3) Applications shall be mailed or emailed directly to the park unit for which the reservation is requested.~~

(c) Reservations and reservation priorities.

(1) Reservations for groups requesting the use of the group camp for ~~five (5)~~ consecutive days or more shall be accepted and confirmed on a first-come, first-served basis, except as provided for in OAC 725:30-12-5(c)(4).

(2) Reservations for groups requesting the use of the group camp for less than ~~five (5)~~ consecutive days shall be confirmed after January 1st each year.

(3) In instances when ~~two (2)~~ or more groups have requested the same group camp on the same date, first consideration will be given to the earliest postmark date on the envelope in which the application was submitted. In cases of ~~two (2)~~ identical postmark dates, first consideration shall be given to the group having the same reservation dates in the previous year. The next consideration will be the requested alternate date.

(4) The number of reservations is not limited during any single season, and the Manager shall give consideration to serving the greatest numbers of groups and the maximum number of persons. In addition, the Manager may determine the length of the reservation so that successive reservations will result in the greatest occupancy of the group camp. Such determinations shall be based upon

the reservation type, size and activities.

(5) If an application is accepted a request for reservation deposit shall be mailed or presented to the group representative. The deposit shall be equal to the first night's rate and shall be mailed or presented to the park unit within fourteen (14) days (excluding Sundays) from the day the request for deposit was mailed from the park unit or the reservation may be cancelled. Failure to submit an accurate deposit amount may result in cancellation of the reservation. Upon receipt of the deposit the reservation will be confirmed. Once confirmed a reservation will not be cancelled or changed to accommodate any other group.

(6) Cancellation of reservations shall be made by the group representative sixty (60) days in advance of the occupancy date which is listed on the confirmed reservation form or the deposit shall be subject to forfeiture.

(7) In cases where the group camp is not reserved it may be rented to the first group making application and providing a deposit on a first-come, first served basis.

(d) Restrictions and general information.

(1) No group will be permitted to reserve a group camp for two (2) successive holiday or special event periods.

(2) A damage and cleaning deposit may be requested by the Manager.

(3) Group directors shall receive the area between ~~2:00~~ 1:00 p.m. and ~~4:00~~ 3:00 p.m. on the first day of the reservation or in its present condition at any other time.

(4) All fees are due and payable upon departure except as defined by the Manager.

(5) The group camp ~~will~~ may be furnished with silverware, china, drinking glasses, pots and pans, chairs, beds, tables, paper products, mattresses and mattress covers. All other equipment, bedding and supplies necessary for the operation, cleanliness and safety of the group camp shall be provided by the group.

(6) A group camp director shall be provided and shall be no less than twenty-five (25) years of age and one (1) counselor shall be provided for every eight (8) children who shall be no less than eighteen (18) years of age.

(7) Any damages to property or injuries shall be reported to the Manager.

(8) Arrangements for medical care shall be arranged in the nearest community prior to group camp occupancy.

(9) Groups using pools or water related recreational facilities shall provide a waterfront director who holds a valid lifesaving certificate as defined by the American Red Cross and is no less than eighteen (18) years of age. The Department may provide lifeguard services pursuant to the fee defined in OAC 725:30-6-1. Such fee shall not exceed the posted maximum limit which has been set forth by the Department. Swimming pools may be reserved at the discretion of the Manager.

(10) Recreational vehicles may be parked in the vicinity of the group camp at the discretion and designation of the Manager based upon the established fee for the campsite type.

(11) Group camps shall be left clean and sanitary prior to check out time which is 11:00 a.m. on the scheduled day of departure.

(e) Prohibited activities. The following is prohibited:

(1) Using the group camp for purposes other than those activities which are approved by the Manager.

(2) The sale of merchandise, goods or services to anyone other than a member of the group.

(3) Transfer or assignment of the group camp reservation to any other group without authorization of the Manager.

725:30-12-4. Shelters

(a) Reservation and reservation priorities.

(1) Shelter reservations are accepted ~~up to eleven months in advance~~ on a year-to-date basis.

(2) Shelters not reserved or made unavailable may be rented on a first-come, first serve basis.

(3) A reservation can be made by contacting the park unit in which the reservation is requested, or may be made on-line if available in the on-line reservation system.

(4) If accepted, a request for reservation deposit shall be mailed or presented to the person requesting a reservation. The deposit shall be equal to the fee charged for the entire shelter reservation period and shall be presented to the park unit within fourteen (14) days (excluding Sundays) from the date of the request for deposit or the reservation shall be cancelled.

(5) Cancellation of the reservation shall be made at least thirty days in advance of the occupancy date or the deposit shall be subject to forfeiture.

(6) A damage deposit may be required at the discretion of the Manager.

(7) The Manager may determine the length of the reservation so that successive reservations will result in the greatest occupancy of shelter use. Such determination shall be based upon the reservation type, size and activities.

(8) Persons may reserve a shelter for half (%) days which is fifty percent (50%) of the full daily rate.

(9) Picnic equipment and supplies may be left in the shelter overnight when shelter is rented for two (2) or more days.

(b) **Special considerations.** Shelter rental discounts are available for volume campsites ~~rental rentals with~~ approval from the Director as follows:

(1) Ten (10) campsites per day - fifty percent (50%) discount

(2) Twenty (20) campsites per day - seventy-five percent (75%) discount

(3) Thirty (30) or more campsites per day - one hundred percent (100%) discount

(c) **Prohibited activities.** The following is prohibited:

(1) Using a shelter for purposes other than those approved by the Manager.

(2) The sale of merchandise, goods or services to anyone other than a member of the group.

725:30-12-5. Reserved/assigned and group camping

(a) Reservations and reservation priorities - reserved/assigned camping.

(1) Individual camping reservations are accepted up to eleven (11) months in advance.

(2) All sites must be reserved prior to occupancy. No sites within the parks system are available on a first-come basis.

(3) Sites shall be reserved by site type and by site number, unless the Manager determines otherwise.

(4) All reservations shall be made online via <https://www.travelok.com/state-parks>.

(5) A non-refundable portal fee and reservation fee shall be assessed for each campsite reserved online or with the assistance of park office staff.

(6) Minimum Stay

(A) The minimum reservation shall be for two (2) nights on weekends and three (3) nights on holiday periods.

(B) At the discretion of the Manager, single night reservations may be accepted less than thirty (30) days prior to arrival.

(7) Deposits.

(A) Non-Holiday Periods deposits:

(i) A deposit equal to the first night's rental /or the entire stay is required for reservations on non-holiday weekends, at the discretion of the Manager.

(ii) The deposit is in addition to the non-refundable portal fee and reservation fee.

(iii) Deposits for online reservations must be made with a credit or debit card.

(iv) Deposits may be made by presenting cash, credit card, business check or money order to the park unit. Reservations made with a cash, business check or money order deposit are not confirmed until that deposit is received by the park unit.

(B) Holiday periods and special event deposits. Reservations for Memorial Day, 4th of July and Labor Day holiday periods and special events must be secured with a deposit equal to

the rental for the full stay.

(C) Other Deposits

(i) Other dates may require a deposit equal to the full length of stay.

(ii) Dates requiring a deposit equal to the full length of stay will vary from park to park.

(iii) All dates requiring a deposit equal to the full length of stay will be prominently displayed (on the Oklahoma State Parks Reservations System homepage for each park).

(8) Confirmed Reservations

(A) A reservation is confirmed when the non-refundable portal fee, reservation fee and applicable deposit is paid.

(B) The customer will receive an e-mail confirmation upon receipt of payment.

(C) The reservation confirmation will provide the reservation confirmation number for each reservation and detailed reservation information that includes but is not limited to: customer name; customer e-mail address; name of the state park; arrival date; departure date; type of RV site reserved; and the total amount charged for each reservation.

(9) Reservation Cancellation

(A) The customer must cancel their reservation ~~ten (10)~~ five (5) business days or more prior to the scheduled arrival date to receive a refund of the deposit.

(B) The portal and reservation fees incurred at the time of the reservation are not refundable.

(C) Reservations cancelled less than ~~ten (10)~~ five (5) business days prior to the scheduled arrival date will be subject to forfeiture of the deposit. The portal and reservation fees shall not be refunded.

~~(10) Reservation modification~~

~~(A) A reservation may be modified one (1) time after the reservation is completed and a confirmation number assigned without incurring additional portal or reservation fees.~~

~~(B) Reservation modifications that result in an upgrade to the campsite type may require an additional deposit before the modified reservation is confirmed.~~

~~(C) A second request to modify a reservation may result in cancellation of that reservation and reservation cancellation rules will apply.~~

~~(11)~~(10) Reservation Limitations - Number of Reservations

(A) The Oklahoma State Parks Reservations System may establish a limit on the number of reservations per on-line session (placed in the reservation cart).

(B) A separate portal fee and reservation fee is charged for each reservation session

~~(12)~~(11) Deposit requirements apply to each reservation.

(A) Late Arrivals. A confirmed reservation will be held until ~~10AM~~ 10:00 a.m. on the day following the ~~schedule~~ scheduled arrival.

(B) Early Departures. Departures after arrival to the park will be considered as a cancellation of the reservation by the guest resulting in the forfeiture of the portal and reservation fees and may also include forfeiture of the total rental fee for the dates associated with the reservation.

~~(13)~~(12) Change of location after arrival. If a customer chooses to move from the site assigned by the park unit or the site they reserved, customer must reserve the new site prior to occupation and may not be refunded for the original reservation by the park.

~~(14)~~(13) One (1) tent may be established in the immediate area of a rented site and an added site fee may be imposed at the discretion of the ~~Manager~~ Director in accordance with OAC 725:30- 8-3(e)(3).

~~(15)~~(14) The provisions in (a)(1) through (a)(13) of this subsection apply only to State Parks reserved camping.

(b) Reservation and reservation priorities - group camping.

(1) Reservations shall be accepted for groups when there will be five (5) or more sites occupied by the group for two (2) or more consecutive nights or three (3) consecutive nights on holiday periods.

At the Manager's discretion, reservations for groups (5 or more sites) may be requested for dates not in excess of three years from the date of application.

(2) A reservation can be made by contacting the park unit in which the reservation is requested seventy-five (75) days in advance of the date of arrival.

(3) Reservations shall be made by one (1) person representing the entire group. The group representative shall provide the park unit:

(A) The arrival and departure dates;

(B) The number of campsites which will be occupied by the group; and

(C) The number of members applicable to a discount as defined in OAC 725:30-6-1.

(4) The provisions (1) through (3) of this subsection apply only to state Parks offering reserved group camping.

(5) Advance deposits are available for groups. Deposits shall be coordinated by the group representative sixty (60) days in advance of arrival date in accordance with the following requirements:

(A) The group representative shall coordinate with the Manager to secure the quantity of sites needed for the group occupancy dates.

(B) Individual group members have a fixed time to make contact with the Manager and pay appropriate deposit for the site rented.

(C) Sites not secured by a deposit ten (10) days in advance of the group occupancy date may be released by the Manager.

(6) Visitation and reservation circumstances shall dictate consecutive site allocation for groups.

(c) Reservation and reservation priorities - rallies and large groups.

(1) Reservations shall be accepted outside of campgrounds for groups in excess of twenty (20) recreational vehicle units where park facilities can accommodate the size of the group.

(2) A reservation can be made by contacting the park unit in which the reservation is requested seventy-five (75) days in advance of the date of arrival.

(3) Reservations shall be made by one (1) person representing the entire group. The group representative shall provide the park unit:

(A) The arrival and departure dates;

(B) The number of campsites which will be occupied by the group; and

(C) The number of members applicable to a discount as defined in OAC 725:30-6-1.

(4) A deposit shall be required in accordance with the terms set forth in (b) (5) of this section.

(5) Notice of cancellation for the entire group shall be received by e-mail, mail or telephone from the group representative ten (10) days in advance of the occupancy date or the deposit amount will be deducted from the security bond deposit or the deposit will be forfeited for non-security bond deposits.

(6) A Permit requiring liability insurance may be required contingent upon activities conducted by the group in accordance with the rules set forth in Subchapter 16 of this Chapter.

(7) Upon arrival the group representative or designee shall provide payment for the balance of the reservation period for the entire group.

(d) Transferring of reservations. The transferring of reservations is prohibited. Reservations that are transferred to another party shall be immediately canceled by the Department and no refund shall be given. The party receiving the reservation will be liable to pay all fees associated with the occupancy of the reservation to the Department.

725:30-12-6. Amphitheaters, community buildings and meeting rooms

(a) **Reservation and reservation priorities.**

(1) Facilities defined in this section may be reserved ~~, if available through on-line reservations, up to eleven months in advance~~ on a year-to-date basis.

(2) Group reservations with overnight accommodations may be accepted more than one (1) year in

advance of requested dates with approval from the manager or Director, if there is reason to believe that it would benefit the facility's financial condition, and may include other structures noted in this section.

(3) A group reservation can be made by contacting the park unit in which the reservation is requested.

(4) If the reservation application is accepted, a request for reservation deposit shall be e-mailed, mailed or presented to the person requesting a reservation. The deposit shall be on behalf of the total fee for the facility reserved and presented to the park unit within fourteen (14) days (excluding Sundays) from the date of the request for deposit or the reservation shall be cancelled.

(5) Cancellation of the reservation shall be made at least thirty (30) days in advance of the occupancy date or the deposit shall be subject to forfeiture.

(6) Fee balance is payable upon receipt of the facility and shall not be prorated.

(7) A damage and or cleaning deposit may be required at the discretion of the Manager.

(8) The Manager may determine the length of the reservation so that successive reservations will result in the greatest occupancy of facility use.

(b) Special consideration for amphitheaters.

(1) Utilization of amphitheaters is under the control of the Manager at the designated park or lodge unit.

(2) There shall be an additional charge for use of lighting and sound equipment which will be operated by Park Officials.

(c) Special considerations for visitor center meeting rooms. Groups using visitor center meeting rooms, which do not meet the requirements of free usage in accordance with OAC 725:30-12-2(c), shall pay the set fee.

(d) Prohibited activities. The following is prohibited:

(1) Using these facilities for purposes other than those approved by the Manager.

(2) The sale of merchandise, goods or services to anyone other than a member of the group.

SUBCHAPTER 16. PERMITS

725:30-16-3. Types of Permits

(a) The Department may grant and impose charges for any and all Permits. Charges for Permits shall be in accordance with the charges schedule approved by the Executive Director. There are three types of Permits which may be issued by the Department:

(1) Use Permits. ~~May~~ Use Permits may be issued by the Manager for specific short-term activities for the following:

(A) Primitive Camping

(B) Hunting, when such hunts have been approved in accordance with OAC 725:30-4-2

~~(C) Bow fishing~~

(D) Activities requiring a permit on the National Scenic Recreation Area

(E) Renting or staying in campsite or RV site for more than fourteen (14) days on state owned property

(2) Event Permit. ~~May~~ Event Permits may be issued by the Director for:

(A) Scientific Research and/or collection of Specimens

(B) Events open to the public such as concerts, workshops, and the like that are free to the public

(C) For the use of aircraft in areas outside of established airports or private use of helicopters

(D) All events which involve fireworks

(E) Metal detecting

(F) Drone usage

(3) Commercial Permits. Commercial Permits may require organizers or vendors of organizer to

report sales and a percentage of sales for the issuance of Permits. Such terms and conditions shall be communicated to the organizer prior to issuance of a Commercial Permit. Commercial Permits may be issued by the Director for:

- (A) Ticketed events which are open to the general public to purchase
- (B) Events in which the organizer is requesting sites to resell
- (C) Short-term business operations of Concession-like businesses that may not exceed four (4) months in duration
- (D) Commercial filming
- (E) Events in which third-party vendors will sell goods or services to the public
- (F) Tournaments of any kind
- (G) ATV/UTV rallies and gatherings
- (H) Any events which result in overflow parking areas or require or result in parking on the shoulders of roadways within the park or highways. All such events that will allow for parking of vehicles on the shoulders of roadways outside of the park will be contingent upon the organizer receiving proper approvals from the appropriate jurisdictions.

SUBCHAPTER 18. SPECIAL USE AREAS

725:30-18-2. Alabaster Caverns State Park

Wild caving at Alabaster Caverns State Park is authorized under the following conditions:

- (1) Wild caving is prohibited unless approved by issuance of a Permit from the Department or under the supervision of a tour guide.
- (2) A minimum of 2 spelunkers shall be required to secure a Permit, with one person having previous spelunking experience.
- (3) Wild caving is only permitted between the hours of 8:00 a.m. and 4:30 p.m.
- (4) Each spelunker shall be required to have the following equipment:
 - (A) Three (3) light sources ;
 - (B) Hard hat ;
 - (C) First aid kit ;
 - (D) Long sleeve shirt and trousers ;
 - (E) Gloves ; and
 - (F) Water .
- (5) Spelunkers shall advise the park office staff prior to entering a wild cave, noting the location of the cave to be explored. These spelunkers will likewise notify the park office staff upon their departure.
- (6) All spelunkers shall be required to sign a liability release prior to beginning the spelunking activity.
- (7) No permits will be issued between October 1 and February 28 for the protection of hibernating bats.

725:30-18-3. McGee Creek Natural Scenic Recreation Area - McGee Creek State Park

(a) The Natural Scenic Recreation Area is a unique 8,900 acre natural recreational resource authorized by Congress as a feature of the McGee Creek Project. The Natural Scenic Recreation Area was formulated, through a public involvement process, based on four concepts:

- (1) a quiet water zone,
- (2) a wilderness-type recreational experience,
- (3) non-motorized activities, and
- (4) preservation of natural and cultural resources.

(b) In compliance with environmental resource use regulations as defined by the United States Department of Interior, Bureau of Reclamation, the following interim rules shall apply to the McGee Creek Natural Scenic Recreation Area of McGee Creek State Park:

(1) **Access to the Natural Scenic Recreation Area.** Access to the Natural Scenic Recreation Area is authorized by Permit only and available at the entrance station and park office. The purpose of the Permit system is to minimize environmental impacts in the Natural Scenic Recreation Area. Permit issuance is based upon the number of persons individually or in a group until the maximum daily limit is reached. The maximum daily limit may be adjusted based upon the changes in the number of miles of designated trails, updated user group ratio data, and/or adjustments in response to the results of the ongoing monitoring program, including user surveys. Maintenance of trails by the different user types is considered in setting the maximum daily limit. Permits are issued for each user type and are not transferable or interchangeable.

(A) The following table defines maximum daily limits (users/mile/day):

(B) The Department has the discretion to temporarily restrict use within the Natural Scenic Recreation Area under certain circumstances such as severe weather conditions, high fire danger, trail maintenance, special events and other approved uses.

(2) **Day use permits.** Half (%) of the full day permits may be reserved up to ninety (90) days in advance. Half-day permits are issued on a first-come, first served basis only. Any reserved Permit not picked up by 10:00 a.m. of the date of issue will be released for use by others unless previous arrangements have been made.

(3) **Overnight camping.** Camping in the Natural Scenic Recreation Area will be by Permit only and be restricted to specified areas. When the Permit is issued, users will be provided with a map of the Natural Scenic Recreation Area indicating the location of their reserved/assigned camp area for each night of their stay. Users shall park their vehicles in a secured parking area at the Natural Scenic Recreation Area entrance and enter the Natural Scenic Recreation Area from the trail-head access only. The camper maximum daily limit will indicate the maximum number of campers allowed throughout the Natural Scenic Recreation Area at any given time. Half (50%) of the daily camping permits may be reserved up to ninety (90) days in advance. The remaining camping permits shall be issued on a first-come, first-served basis up to the maximum daily limit. Individual party size shall be limited to a maximum of twelve (12) persons per campsite for sanitary reasons. Camping permits not picked up by the opening of business of the second day of the Permit may be released for others to use. Persons arriving after the close of business hours shall camp in the McGee Creek State Park camping areas; and obtain the Permit the next day. The maximum length of stay for each Permit is four (4) days, beginning with sunup of the day the Permit is issued and ending at sunset of the last day. Camping permits may be renewed depending on availability, and only if the camper maximum daily limit has not been reached.

(4) **Water access permits.** Permits for water access for hiking and camping shall be permitted in accordance with (2) and (3) of this subsection. Some campsites may be designated for water access users only. Vessels may be anchored, tied to shore, or carried to the campsite for storage. Construction of racks or bars for dry storing of vessels is prohibited. Use of internal combustion engines within the quiet zone is prohibited. Electric motors, paddles, poles, or sails are allowed.

(5) **Equestrian Permit** Permits for equestrian access shall be permitted in accordance with (2) and (3) of this subsection. Some campsites may be designated for equestrian users only. Horses tethered to trees or structures are prohibited. Hobbles or ground tying is prohibited. Use of feed bags and picket lines are required adjacent to the designated camping area. Horses shall be kept in the campsite only as long as it takes to unpack or pack them. Users shall not be allowed to turn their horses loose to graze. Horses shall not be left unattended for more than a few hours. Stallions are prohibited. Since all trails open to equestrian use will be multi-use, horse droppings shall be dispersed off the trails. Horse droppings at the camp sites shall be buried. Tying up horses overnight within one hundred (100) yards of any body of water or creek is prohibited.

(6) **Multi-use trails.**

(A) With the limited number of miles of trails available, all groups shall be required to use the main trails. Equestrians shall be limited to logging roads or trails designated for equestrian

use only. Bicyclists may be allowed on designated trails that are appropriate for their use. The remainder of the trails shall be restricted to hikers only. Any additional proposed trails shall be mapped and their use approved by the Bureau of Reclamation before they are opened. National accepted trail etiquette will apply to the Natural Scenic Recreation Area and any other guidelines posted at the trail head.

(B) Trail signage shall consist of painted blazes on trees and routed wood signs. The blazes shall be color coded by U.S. Forest Service Standards to indicate which user type can access that trail. The blaze shall be located at eye level to a hiker and, if possible, spaced so as to be in sight of the next marker. Routed wood signs shall be kept to the absolute minimum needed to identify junctions and campsites. These and other types of signs and their locations shall be submitted for approval by the Bureau of Reclamation.

(7) **Fire.** The use of wood fires shall be restricted to fire pans or fire blankets. Fire rings or pits are prohibited. Natural deadfall will be the only source material. Cutting of standing trees or large logs is prohibited. No axes or other large cutting implements shall be allowed into the area except for maintenance by Department staff and assignees. Campers entering the area shall be required to show that they have in their possession a fire pan, fire blanket, or backpackers stove before they are allowed to proceed. Ash and other residue from the fire will be disposed of as follows: large chunks of unburned wood will be buried; debris will be removed from the ash and packed out; ash will be dispersed outside the camp area over as much ground as possible. Disposal of ash within 100 yards of any body of water or creek is prohibited.

(8) **Disposal of human waste.** Disposal of human waste shall be accomplished by the use of cat holes. Every camper entering the area shall be required to have (or share) a small hand shovel for this purpose. Digging cat holes within 50 feet of any campsite or 100 yards from a body of water, creek or spring is prohibited. Large group latrines or pits are prohibited.

(9) **Llamas.** Until an in-depth study of llama activity can be conducted, llamas will be treated as pack animals. Restrictions set forth in (5) of this subsection shall apply to llamas.

(10) **Quiet water zone.** An internal combustion engine in the zone is prohibited. Electric motors shall be allowed and there will be no limit to the number of vessels accessing the zone. Any boater wanting to access the land portion of the Natural Scenic Recreation Area, other than the immediate shoreline area, shall be required to get a Permit before entering the quiet water zone. Signage stating the rules shall be posted at the junction of the Permit station road, the Grassy Hollow access road, the Grassy Hollow boat ramp, and the start of the quiet water zone which is defined by floating signs.

(11) **Special events.** Permitting of a limited number of periodic special large group events (except on holiday weekends) will be considered on a ~~case-by-case~~ case-by-case basis.

(12) **Natural Scenic Recreation Area restrictions.** In addition to the restrictions and prohibitions set forth in (1)-(11) of this subsection the following prohibitions shall apply to the Natural Scenic Recreation Area:

- (A) The use of motorized vehicles except emergency and maintenance vehicles.
- (B) Development and construction unless authorized by the Bureau of Reclamation.
- (C) Trace backpacking rules.
- (D) Access to the Ferndale Bog area without prior authorization of the Manager and Director with concurrence of the Bureau of Reclamation.
- (E) Pets of any kind except horse and pack animals.
- (F) Using any area except designated trails and camping areas.
- (G) Removal of artifacts and plants.

(13) **West Buffer Zone.** The 1,200 acre portion of the Natural Scenic Recreation Area west of the McGee Creek is jointly managed by the Department and the Oklahoma Department of Wildlife Conservation in accordance with a Memorandum of Understanding dated September 14, 1987. All use and development within the 1,200 acres is subject to the same Natural Scenic Recreation Area

environmental quality concepts previously discussed. No trails will be developed within the 1,200 acre area for the interim operating plan. Accordingly, only wilderness type hunting will be allowed initially with access by Permit only from the Wildlife Management Area. Appropriate signs will be posted to identify the area and notify users of applicable rules and regulations. Although no Maximum Daily Limit limits are included in the initial interim operating plan (the maximum daily use to date has been 6 hunters), the use levels and associated impacts will be informally monitored. If necessary, a hunter Maximum Daily Limit may be established prior to implementation of the final Resource Management Plan.

(14) **Natural Scenic Recreation Area rules.** All rules defined in this Chapter shall apply to the Natural Scenic Recreation area.

SUBCHAPTER 20. VOLUNTEERS

725:30-20-1. Definition, purpose and objective

(a) For the purposes of this Subchapter a volunteer is a person who volunteers their labor or services to the Department with no monetary compensation provided for such labor or services ~~for a period of 8 or more accumulative hours~~.

(b) The primary purpose of the volunteer program shall be to provide a vehicle through which the Department can accept and utilize voluntary help and services from the public. The major objective of the VIP program is to utilize voluntary help in such a way that it is mutually beneficial to the Department and the volunteer.

725:30-20-4. Supervision and performance evaluation

(a) A supervision plan for volunteers shall be established by the Manager which outlines supervisor/subordinate roles and responsibilities.

(b) ~~Volunteer's~~ A volunteer's performance shall be evaluated by their immediate supervisor every ~~six (6)~~ months or at the end of their volunteer contract whichever comes first. Such evaluation shall be written and the results discussed with the volunteer to identify performance, weaknesses and strengths and methods for improving performance.

725:30-20-8. Prohibitions

The following is prohibited and applicable to persons providing volunteer services to the Department:

- (1) Performing volunteer services without a fully executed contract.
- (2) Performing duties defined in the contract without proper training or orientation as set forth in section QAC 725:30-20-3.
- (3) Violating any term or condition set forth within the volunteer contract.

725:30-20-9. Termination of Volunteer Contract

(a) Department reserves the right to terminate volunteer contract at any time with or without cause.

(b) Any Volunteer Contract terminated by the Department prior to expiration shall be approved by both the Manager and the Director of the Division.

(c) Early termination of the volunteer contract must be done in writing.

(d) Once the contract is terminated, volunteer has ~~forty-eight (48)~~ hours to vacate the site.

- (1) Failure to vacate the site or occupancy of another site is subject to regular rate charges for occupancy.
- (2) Occupancy of site by a volunteer whose contract has been terminated early must be paid for in advance.
- (3) Failure to vacate the volunteer site or failure to pay the regular rate may result in removal of person and or property from the park as provided by law. Any cost resulting in the removal or storage of removed property shall be born solely by the owner of the property.

SUBCHAPTER 22. CONCESSION LEASES AND COMMERCIAL USE

725:30-22-2. RFP process

The Department shall competitively bid a property or facilities for a concession lease as follows:

- (1) A bid package shall be prepared by the Department which shall include the following:
 - (A) Instructions, which include all deadlines;
 - (B) The process and method of bid evaluation;
 - (C) Explanation of the reasons for automatic bid disqualification;
 - (D) An RFP form, which must be fully completed;
 - (E) A financial statement;
 - (F) Section(s) describing operation and management;
 - (G) General terms applicable to the RFP;
 - (H) Section(s) listing the bidder's experience and background; and
 - (I) Other sections deemed necessary by the Department.
- (2) RFP shall be posted on the Department website for not less than fifteen (15) days and shall contain all of the necessary information, as determined by the Department.
- (3) Interested parties may request a bid package by either emailing ospconcessions@travelok.com or by downloading it from the Department website.
- (4) Fully executed bid packages shall be received in accordance with the instructions and format required in the RFP.
- (5) Bid packages shall be opened and reviewed at the time of the Bid Opening. Bids shall not be opened prior to Bid Opening.
- (6) The Department reserves the right to reject all or part of all bids within thirty (30) calendar days from the Bid Opening. Such notice of rejection, stating the reasons for rejection, shall be provided in writing within ten (10) calendar days of the rejection to all parties who submitted a Bid.
- (7) The following are reasons for rejection, but the Department is not limited solely to these reasons:
 - (A) The bid was not submitted in accordance with the deadline set forth in the RFP.
 - (B) The information or signatures requested in the RFP was not complete or fully executed.
 - (C) The bid included inaccurate, false or inauthentic information or documentation.
 - (D) The Department has withdrawn the RFP.
 - (E) Unfavorable results of criminal background check.
 - (F) Agricultural leases may, at the Department's discretion, be exempt from the requirements set forth in this subsection.

SUBCHAPTER 23. MINERAL LEASES AND OPERATIONS

725:30-23-5. Damages and fees

(a) At properties where mineral operations are desired, but the Department may or may not be the owner of mineral interests, the Department shall establish the means for evaluating the damage that occurs as a result of the operation and shall set fees attributable to the mineral operation.

(b) Mineral exploration related fees that shall be established by the Executive Director shall include the following:

- (1) Permit fee up to five hundred dollars (\$500.00).
- (2) Monitoring fee up to five hundred dollars (\$500.00).
- (3) Roadway easement up to two thousand dollars (\$2,000.00) per acre; Use of existing Department road up to one thousand dollars (\$1,000.00) per mile per year.
- (4) Well site up to two thousand dollars (\$2,000.00) per acre.
- (5) Tank and batteries up to two thousand dollars (\$2,000.00) per acre if separators and related production facilities are located at other than the well site; if at same location up to five hundred dollars (\$500.00) per acre.
- (6) Use of water - from lakes or ponds there is a minimum of one hundred dollars (\$100.00) per day

or two dollars (\$2.00) per one thousand (1,000) gallons. Drilling of a water well will be up to one thousand dollars (\$1,000.00).

(7) Pipelines shall be assessed based on a fifty (50) feet minimum width at up to two thousand dollars (\$2,000.00) per acre of right of way for buried pipeline for gas or freshwater; five thousand dollars (\$5,000.00) per acre of right of way for buried pipelines for oil or salt water. Above ground pipelines will not be allowed, except temporary fresh water lines during drilling or well servicing at up to five hundred dollars (\$500.00) per mile.

(8) Seismograph work shall be assessed based on a twenty-five (25) feet minimum width at up to two thousand dollars (\$2,000.00) per acre of land surveyed.

(9) Timber damage fees will be assessed in accordance with the actual type and number of trees damaged or removed. The expertise of state agency professionals in the appropriate field shall be utilized to assess the cost/fee associated with such damage.

(10) Other damages not specifically identified that may occur at a mineral exploration site shall be assessed based on the actual damage in the area. The expertise of state agency professionals in the appropriate field shall be utilized to assess the cost/fee associated with such damage.

SUBCHAPTER 24. GOLF

725:30-24-1. Prohibitions

Except as otherwise provided in this section, the following is prohibited in state parks:

- (1) Using a golf course or any portion thereof without having paid prescribed fees in advance except when so authorized by the golf course manager.
- (2) Operating a golf cart in a reckless or otherwise careless or wanton manner without due regard for the safety of persons or property.
- (3) Rental and use of golf cart by any person without a valid drivers license.
- (4) A golf cart rented from a golf course and operated outside the course's boundaries is to be operated in conformance with OAC 725:30-28-4.
- (5) Operating a golf cart beyond passenger or occupancy capacity limits set forth by the manufacturer.
- (6) Failing to return a rental golf cart by sunset.
- (7) Participating in a game of golf without a set of golf clubs for each person.
- (8) Possessing a pet except as defined in OAC 725:15-17-2.
- (9) Glass containers of any kind except when authorized by the golf course manager.
- (10) Allowing children under the age of twelve (12) upon any portion of the golf course without a parent or guardian who is eighteen (18) years of age or older.
- (11) Carrying or possessing personal golf equipment in a golf pro shop.
- (12) Wearing inappropriate clothing, or the absence of required clothing apparel inside the golf pro shop. Such requirements shall be set forth by the golf course manager and posted at the entrance of the golf pro shop.

SUBCHAPTER 26. VEHICLES AND TRAFFIC SAFETY

725:30-26-4. Reporting motor vehicle accidents

(a) The operator of a motor vehicle involved in an accident resulting in property damage, personal injury or death shall report the accident to the Manager, Ranger, any other law enforcement officer as soon as practicable, but within twenty-four (24) hours of the accident. If the operator is physically incapable of reporting the accident, an occupant of the vehicle or next of kin of the injured operator shall report the accident.

(b) A person shall not tow or move a vehicle that has been involved in an accident without first notifying the Manager, Ranger, or any other law enforcement officer unless the position of the vehicle constitutes a hazard or prior notification is not practicable, in which case notification shall be made before a vehicle is

removed from the park unit.

(c) Failure to comply with a reporting requirement specified in subsection (a) or (b) of this section is prohibited.

(d) The notification requirements imposed by this section do not relieve the operator and occupants of a motor vehicle involved in an accident of the responsibility to satisfy reporting requirements imposed by state law.

725:30-26-11. Speed limits

(a) Park unit speed limits are as follows:

(1) ~~15~~ Fifteen miles per hour ~~(15 mph)~~: within all campgrounds, picnic area, parking areas, utility areas, business, cabin, lodge or residential areas, and any other places of public assemblage.

(2) ~~25~~ Twenty-five miles per hour ~~(25 mph)~~: upon section of park road under construction.

(3) ~~45~~ Forty-five miles per hour ~~(45 mph)~~: upon all other roads except when such road is considered under the control and jurisdiction of the Oklahoma Department of Transportation and such speed limits are designated by that agency.

(b) The ~~Manager~~ Director may designate a different speed limit upon any park road when a speed limit set forth in subsection (a) of this section is determined to be unreasonably unsafe, or inconsistent with the purposes for which the park area was established.

(c) Speed limits shall be posted by using standard uniform traffic control devices in accordance with the United States Department of Transportation.

(d) Operating a vehicle at a speed in excess of the posted limit is prohibited.

(e) Park rangers may utilize radiomicrowaves or other electrical devices to determine the speed of a vehicle on a park road. Signs indicating that vehicle speed is determined by the use of such radiomicrowaves or other electrical devices are not required.

725:30-26-13. Bicycles

Every person riding a bicycle upon a state park roadway shall be granted all the rights and shall be subject to all of the duties applicable to the driver of a vehicle except as defined by the special regulations in this section [47:Article XII].

(1) A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto.

(2) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

(3) No person riding upon any bicycle, coaster, roller skates, sled or toy vehicle shall attach the same or himself to any vehicle upon a roadway.

(4) Every person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

(5) Persons riding bicycles upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.

(6) Wherever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway.

(7) No person operating a bicycle shall carry any package, bundle or article which prevents the driver from keeping at least one hand upon the handle bars.

(8) Every bicycle when in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred (500) feet to the front and with a red reflector on the rear of a type approved by the Department which shall be visible from all distances from fifty (50) feet to three hundred (300) feet to the rear when directly in front of lawful upper beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of five hundred (500) feet to the rear may be used in addition to the red reflector.

(9) Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.

725:30-26-14. Off-road vehicles

(a) Off-road vehicles, when operated within designated off-road vehicle areas, shall operate such vehicles in a reasonable and prudent manner which provides for the safety and protection of the operator, wildlife, park resources, and the general public. Operating an off-road vehicle in an unreasonable or imprudent manner or without the proper equipment as defined in subsection (b) of this section may result in the suspension or revocation of off-road vehicle area use privileges.

(b) The following equipment is required for off-road vehicles operation in designated areas:

(1) The vehicle will have a whip, which is any pole, rod, antenna, etc., that is securely mounted on the vehicle and which extends at least ten (10) feet from the surface of the ground to the end of the whip. In addition, when the vehicle is stopped, the whip shall be capable of standing upright when supporting the weight of any flags attached thereto. Lake Murray ATV area is exempt from this section.

(2) At least one whip attached to the vehicle shall have a flag that is a solid bright orange in color and that is at least six (6) inches by twelve (12) inches in size. The flags must be within ten (10) inches of the tip of the whip and may be of triangular, square, or rectangle shape. Club or other flags may be mounted below the above flag or on a second whip. Lake Murray ATV area is exempt from this section.

(3) Each 4 wheel vehicle equipped with bench or bucket seats must be equipped with adequate roll bars or roll structure or sufficient strength to support the vehicle weight.

(4) Each 4 wheel vehicle shall be equipped with a seat and seat belt for the vehicle operator and each passenger, except a 4 wheel cycle equipped with a seat that must be straddled by the operator and passenger shall not require seat belts. Each 2, 3, and 4 wheel cycle shall have a seat for the vehicle operator and each passenger.

(5) For operation at nighttime, every vehicle shall be equipped with at least one headlamp emitting a white light visible from a distance of not less than two hundred (200) feet to the front and at least one tail lamp emitting a red light visible not less than two hundred (200) feet to the rear. For the purposes of this section, "nighttime" is defined as one-half (%) hour after sunset to one-half (%) hour before sunrise.

(6) All Utility Vehicles operating as a tagged and licensed vehicle through the Oklahoma Tax Commission or similar out-of-state state licensing entity shall comply with all applicable state and local laws while operating such vehicles on roadways.

725:30-26-15. Use of golf carts and utility vehicles

(a) Use of golf carts in state parks by persons with physical disabilities is authorized in 47 O.S. §1116.2 which establishes provisions for such use. The Manager shall use discretion in allowing vehicle use by persons with qualified disabilities and shall provide a Permit for such use as necessary and appropriate.

(b) Other persons may use golf carts and utility vehicles in certain designated state parks or areas within state parks, as identified by the Director, based on staff recommendation. Safety shall be the primary but not the sole determiner of areas where golf cart and utility vehicle use is allowed.

(c) A Permit shall be required for ~~this~~the use of golf carts and utility vehicles and a fee may be charged for issuance of the golf cart or utility vehicle use Permit. Permits are only valid for the specific locations for which they are issued. [74:2220]

(d) Operation of golf carts and utility vehicles may only occur as follows:

(1) Within the boundary of a designated state park;

(2) During daylight hours;

(3) On roadways with a posted speed limit of ~~25~~twenty-five miles per hour (25 mph) or less; and

(4) The permitted operator shall possess a valid driver license.

(e) A vehicle that would otherwise be viewed as a golf cart or utility vehicle but is licensed and tagged as street legal vehicle shall be treated as such may only operate in areas where vehicles are allowed. Such vehicles shall not require a special Permit.

SUBCHAPTER 28. PARK SECURITY AND LAW ENFORCEMENT

725:30-28-3. Other agencies having authority - reporting requirements

(a) In conformance with state law, other law enforcement officers shall have authority within state ~~park~~ parks.

(b) Unless otherwise provided by law, all other law enforcement officers, defined as having jurisdiction in state parks shall be required to report all offenses, violations or accidents which are defined as reportable by the Uniform Crime Report or any other rules set forth in this Chapter to the Ranger within ten (10) days after such offenses, violations or accidents were investigated within the park system by such officer.

SUBCHAPTER 29. LODGE OPERATIONS

725:30-29-2. Definitions

The following words or terms, when used in this Subchapter, shall have the following meaning unless the context clearly indicates otherwise:

"Benchmarks" means standards of satisfactory performance.

"Commodities" means foods, beverages, gift shop merchandise, and other items bought and resold.

"Deposit" means a charge equal to the first night's rate to be applied to the last night of the reservation. A deposit may be in the form of cash, check or properly authorized and processed credit card.

"Function" means a banquet, a meeting space use, a golf tournament or other similar use.

"Group with overnight accommodations" means a block of 20 accommodations or 30% of total accommodations; or for smaller properties 10 accommodations or 15% of total accommodations with a scheduled function.

"Improved financial condition" means the financial results of an activity, a change in rates or fees, or any other event that increases revenues or reduces expenditures, the net result of which improves the financial condition of the Division or facility in the current or succeeding fiscal years.

"Lodge division revenues" means the gross revenues from all sales of products and services of all Lodge operations combined.

"New accommodation" means a lodging or use types that may arise in addition to those currently covered in Division rules. New accommodations may be treated as an existing accommodation category such as cabins, shelters, group camps, lodges or other accommodations as determined by the Director.

"Reservation Fee" means a non-refundable fee charged to a customer for making a reservation using the Oklahoma State Parks Reservation website.

"Services" means, but ~~are~~ is not limited to, waiting on restaurant and banquet customers, baggage handling, setting-up and cleaning-up after banquet functions, and catering of meals.

725:30-29-3. Use of Public Space

(a) Identification of public space available for group use ~~will~~ may include, but not be limited to, the following:

- (1) Lobby
- (2) Dining room
- (3) Swimming pool area
- (4) Parking lot
- (5) Patio area
- (6) Tennis court

(b) At his/her discretion, the lodge manager will make the decision to provide a group this privilege. The Manager will also make a reasonable effort to provide guests not a part of the group with equal

accommodations.

725:30-29-4. Accepting reservation requests

The Division will accept requests and make reservations at state lodges as follows:

- (1) Individual reservations shall be accepted up to eleven (11) months in advance. When request for a reservation is made by an individual, a deposit is required before a reservation can be confirmed.
- (2) Group reservations with overnight accommodations may be accepted more than one (1) year in advance of requested date with approval from the Manager or the Director if there is reason to believe that it would result in an improved financial condition.
- (3) When a block of several rooms is requested for a group, a group reservation agreement shall be signed by an authorized person representing the group may be substituted in place of a deposit in order to confirm the reservations.
- (4) When a deposit is not received or a contract is not returned in accordance with procedures established, the reservation may be cancelled without further notice and the accommodations may be made available to other customers.
- (5) When market demand exists and there is reason to believe improved financial condition will result, reservations may be restricted to those of two (2) days or more.
- (6) Group reservations for meeting room space may be accepted without reserving overnight accommodations no more than sixty (60) days in advance of the requested date without specific approval from the manager or the Director or Executive Director. Acceptance of such reservations may be declined if there is reason to believe that the department's financial condition may be adversely affected.

725:30-29-6. Special rates and promotional discounts

- (a) Individuals sixty-two (62) years or older (and their spouse if using it together) may be offered a special rate for a guest room or cottage providing they identify themselves as senior citizens and the request is made prior to use. This special rate may be restricted during periods of heavy demand.
- (b) Individuals who have been certified as totally disabled under state or federal law, may be offered a special rate providing request is made prior to use of the guest room or cottage. This special rate may be restricted during periods of heavy demand.
- ~~(c) Guest rooms, cottages, banquet space and/or meeting space may be made complimentary or a discount may be offered when it is determined by the Director or Manager that such action is in tandem with the marketing program and likely to result in improved financial condition for the Lodge System.~~
- ~~(d) Special rates for groups will be established in conjunction with the establishment of individual rates. Group rates or any promotional discount afforded them will apply only when a Group Reservation Agreement is fully executed and will be limited to the provisions and terms stated therein. This special rate may be restricted during periods of heavy demand.~~

725:30-29-7. One-time sales

- ~~(a) In addition to normal rental rates, a fee of ten percent (10%) of gross sales will be charged when Lodge facilities are used for the sale of any product or commodity to the general public.~~
- ~~(b) This fee may be negotiated if the activity is in connection with group business as described in OAC 725:30-29-3 or in a manner that is considered acceptable in the hospitality industry.~~

725:30-29-9. Application of prices, charges and fees for commodities and services provided by lodges [REVOKED]

~~Everyone purchasing or using commodities and services shall be charged the same rates except when discounted as outlined in OAC 725:30-29-10 and 725:30-29-11 and in accordance with 74 O.S., Section 2211, or when specifically directed by legislative action.~~

725:30-29-11. Promotional discounts [REVOKED]

~~Commodities and services may be made complimentary or a discount offered when it is determined by the Director that such promotion is in tandem with the marketing program and is likely to result in improved financial condition for the Parks System.~~