

**RULES
OF
TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION**

**CHAPTER 0400-01-01
FEES AND CHARGES FOR CERTAIN DEPARTMENTAL SERVICES**

TABLE OF CONTENTS

0400-01-01-.01	Reserved	0400-01-01-.03	State Parks Entrance Fees and Parking Fees
0400-01-01-.02	Miscellaneous Fees		

0400-01-01-.01 RESERVED.

Authority: T.C.A. §11-1-101, 11-1-108 and 68-203-103. **Administrative History:** Original rule filed June 14, 2010; effective September 12, 2010.

0400-01-01-.02 MISCELLANEOUS FEES.

(1) Purpose

The purpose of this Rule is to establish a process for assessing fees and charges for certain departmental services. Pursuant to T.C.A. § 11-3-302, fees and charges related to park operations shall be placed in the state park fund. Pursuant to T.C.A. § 68-203-101, fees and charges, for the environmental programs listed in subsection (b) of that statute, shall be placed in the Tennessee Environmental Protection Fund.

(2) Assessment of certain fees and charges

To defray the cost of park operation and the administration of environmental regulatory programs, the Commissioner shall establish fees and charges as are necessary to make the department as self-sufficient as possible. The Commissioner may set fees and charges for:

- (a) Revenue-generating facilities, including marinas, campgrounds, golf courses, cabins, gift shops, restaurants;
- (b) Miscellaneous services provided by the Department; and,
- (c) Regulatory functions and services provided for which fees are not otherwise specified in statutes or rules.

(3) In setting such fees and charges the Commissioner shall consider:

- (a) Maintenance costs;
- (b) Short and long term operational cost;
- (c) Mileage;
- (d) Lab expense;
- (e) The State's current overhead rate;
- (f) Costs billed to the State by contractors and consultants; and,

(Rule 0400-01-01-.02, continued)

- (g) A reasonable portion of the amount expended by the Department in gathering and posting data, computer program development cost, etc.

Authority: T.C.A. §§ 11-1-101, 11-1-108 and 68-203-103. **Administrative History:** Original rule certified May 24, 1974. Original rule filed June 14, 2010; effective September 12, 2010.

0400-01-01-.03 STATE PARKS ENTRANCE FEES AND PARKING FEES.

- (1) Purpose.

This rule is promulgated for the purpose of establishing entrance fees and parking fees to provide funding to maintain and improve the quality of facilities and services offered to all patrons of Tennessee State Parks System. It is the commissioner's intent that funds raised pursuant to this part rule will remain exclusively within the Tennessee State Parks System.

- (2) Entrance Permit Required.

All persons who enter a Designated Fee Area within the Tennessee State Parks System must have a valid entrance permit. Permits may be obtained at all Parks Visitor Centers and other locations designated by the commissioner.

- (3) Designated Fee Area.

An area is a "Designated Fee Area" if the entrances to the area are so posted. Such postings may include the portion of the calendar year for which fees shall be charged and shall specify where entrance permits may be obtained. Any person who fails to obtain a permit as directed shall be subject to enforcement pursuant to Rule 0400-02-01-.04.

- (4) Types of Permits.

- (a) Complimentary Permit. Entrance permits shall be provided free of charge to the following persons:

1. Any person taking part in an organized tour or outing conducted for educational or scientific purposes related to the resources of the area visited by bona fide institutions established for these purposes. (Applicants for waiver of fees on this basis will be required to provide documentation of their official recognition as educational or scientific institutions by Federal, State or local government bodies and will also be required to provide a statement as to the purposes of the visit proposed. Waivers granted on this basis will include all participating students and instructors, as well as accompanying non instructor chaperones;
2. Any person conducting State, local, or Federal government business within any Designated Fee Area;
3. Any person who has not reached thirteen (13) years of age; or
4. Any person performing approved volunteer projects/work in a State park.

- (b) Tennessee State Parks Passport.

1. The Tennessee State Parks Passport is valid for admission to any Designated Fee Area.
2. The charge for the Tennessee State Parks Passport shall be determined by the Commissioner.

(Rule 0400-01-01-.02, continued)

3. Except as provided in part 4 of this subparagraph, the Tennessee State Parks Passport shall be valid for one year from date of purchase.
 4. For an additional fee determined by the Commissioner, a Tennessee State Parks Passport that is purchased by a person sixty-five (65) years of age or older shall be valid for the lifetime of that person.
- (c) Single-Visit Permit.
1. A Single-Visit Permit shall be required for all persons not admitted by a Complimentary Permit or Tennessee State Parks Passport.
 2. The charge for the Single-Visit Permit shall not be more than two dollars (\$2.00) per person. In lieu of this per person charge, the commissioner may establish a per vehicle charge. Any per vehicle charge established shall not exceed the total charge that would result if all passengers in the vehicle were charged on a per person basis.
 3. A Single-Visit Permit shall be valid at the Designated Fee Area for which the permit is purchased during the same calendar day of purchase.
- (5) Display and Nontransferability of Entrance Permits.
- (a) Every permit shall be exhibited/displayed in the manner designated in the permit.
 - (b) Permits are nontransferable.
- (6) Parking Fees.
- (a) The Commissioner may charge a fee for the privilege of parking motor vehicles on State Park property. Such parking fees may be in addition to entrance fees.
 1. The parking fee for vehicles capable of carrying fifteen (15) passengers or less shall range between one dollar (\$ 1.00) and fifteen dollars (\$15.00) per day.
 2. The parking fee for vehicles capable of carrying more than fifteen (15) passengers shall range between ten dollars (\$ 10.00) and fifty dollars (\$50.00) per day.
 3. The Commissioner may establish weekly, monthly, or annual parking fees that do not exceed the daily rates.
 - (b) Areas where a parking fee is charged shall be clearly posted. The posted sign shall include the rate and directions for making payment.
- (7) Entrance Permits and Parking Fees Distinguished from Recreation Use Fees.
- Neither Entrance Fee Permits nor the payment of parking fees authorizes the use of any facility for which a recreation use fee is charged. These fees are in addition to all other fees (e.g., green fees, slip fees, etc).
- (8) The Commissioner may waive all or part of any fees otherwise due under this rule if he finds that such waiver is in the best interest of the park system. Such waivers may include the grant of free access on dates selected by the Commissioner, reduced group fees, special promotional fees, etc.

(Rule 0400-01-01-.02, continued)

Authority: T.C.A. §§ 11-1-101, 11-1-108 and 68-203-103. **Administrative History:** Original rule filed June 14, 2010; effective September 12, 2010.