DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION

HOUSE BILL NO.

State parks-non-motorized recreational trail fees.

Sponsored by: Joint Travel, Recreation, Wildlife & Cultural Resources Interim Committee

A BILL

for

AN ACT relating to state parks and cultural resources; authorizing the department of state parks and cultural resources to establish non-motorized recreational trail fees; providing for administration of the fees; creating an account; providing for continuous appropriation of the account; requiring rulemaking; and providing for effective dates.

Be It Enacted by the Legislature of the State of Wyoming:

****
****

STAFF COMMENT

The Committee may wish to clarify that the permit requirement applies only to bicycles and not to other non-motorized users such as equestrians or hikers. If the intent is to limit the permit to bicycles, the Committee may consider a more specific title and corresponding provisions in the bill. If broader application is intended, the bill would need to be revised accordingly.

****

Section 1. W.S. 36-4-124 is created to read:

36-4-124. Non-motorized recreational trail permits; fees.

(a) As used in this section, "bicycle" means as defined by W.S. 31-5-102(a)(iii) and also includes class 1 electric bicycles as defined by W.S. 31-1-101(a)(xxxiv)(A).

(b) The department of state parks and cultural resources may designate trails located within the boundaries of state parks, historic sites or recreation areas that are under the control of the department for which a bicycle shall be required to display a valid non-motorized recreational trail permit.

(c) The following shall apply to permits issued under this section:

(i) The department may require a non-motorized trail permit for the use of bicycles on trails designated by rule in accordance with this section;

(ii) The department may establish the following fees for non-motorized recreational trail permits:

(A) An annual fee of not more than ten dollars ($10.00) for Wyoming residents and not more than twenty dollars ($20.00) for nonresidents;

(B) A daily fee of not more than five dollars ($5.00) for any user, regardless of residency.

****

STAFF COMMENT

The Committee may wish to review the maximum fee amounts authorized for non-motorized recreational trail permits to determine whether the proposed limits are appropriate.

****

(iii) The department may use selling agents as provided by W.S. 36-4-123 to sell non-motorized recreational trail permits;

(iv) A person under eighteen (18) years of age shall be exempt from the permit required under this section;

(v) The department may issue permits in physical or electronic form, or by any other method authorized by rule of the department;

(vi) A non-motorized recreational trail permit is valid as follows:

(A) An annual permit is valid from the date of issuance through December 31 of the same calendar year;

(B) A daily permit is valid for the calendar day specified at the time of purchase.

(d) There is created the non-motorized recreational trails account. Funds received from the sale or issuance of

permits under this section shall be deposited into the account. The department may accept gifts, grants, donations or other contributions for deposit into the account. Funds deposited into this account are continuously appropriated to the department of state parks and cultural resources for the administration of the non-motorized recreational trail program and as provided in subsection (e). The funds shall be expended only for:

(i) Maintenance, construction, signage and enforcement of non-motorized trails;

(ii) Educational programs related to non-motorized trail use and safety;

(iii) Infrastructure supporting trail use, including trailheads, parking areas and restrooms;

(iv) Projects located within state parks, historic sites, recreation areas or on public trails located within five (5) miles of a boundary that connect to a park, site or area.

(e) The department shall consult with the Wyoming trails advisory council to review and advise on non-motorized recreational trail projects, budgets and expenditures.

****

STAFF COMMENT

The Committee may wish to consider whether to reference the Wyoming trails advisory council in the bill. Although the council is mentioned in W.S. 31-2-703(d)(iv), it is not a statutorily created entity. The council was originally established by executive order in 1983 and continues through gubernatorial appointment under the authority granted to the Department of State Parks and Cultural Resources in W.S. 36-4-108(b)(iv).

The federal recreational trails program (23 U.S.C. 206(c)) requires each state to have a recreational trail advisory committee representing both motorized and non-motorized users to remain eligible for program funding.

If the Committee chooses to reference the council in statute, it may wish to consider whether to formally establish the council in statute.

In addition, enforcement for failure to obtain a non-motorized recreational trail permit falls under the general enforcement authority provided in W.S. 36-4-115(d), which applies to violations of department rules and regulations. By rule, the department may establish a fine for failure to obtain a permit, consistent with the standard penalty of eighty-five dollars ($85.00) for similar offenses.

****

Section 2. The department of state parks and cultural resources shall promulgate all rules necessary to implement this act.

Section 3.

(a) Except as provided in subsection (b) of this section, this act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(b) Section 1 of this act is effective July 1, 2026.

(END)