

New Mexico State Parks

Proposed Rulemaking
10 June 2025

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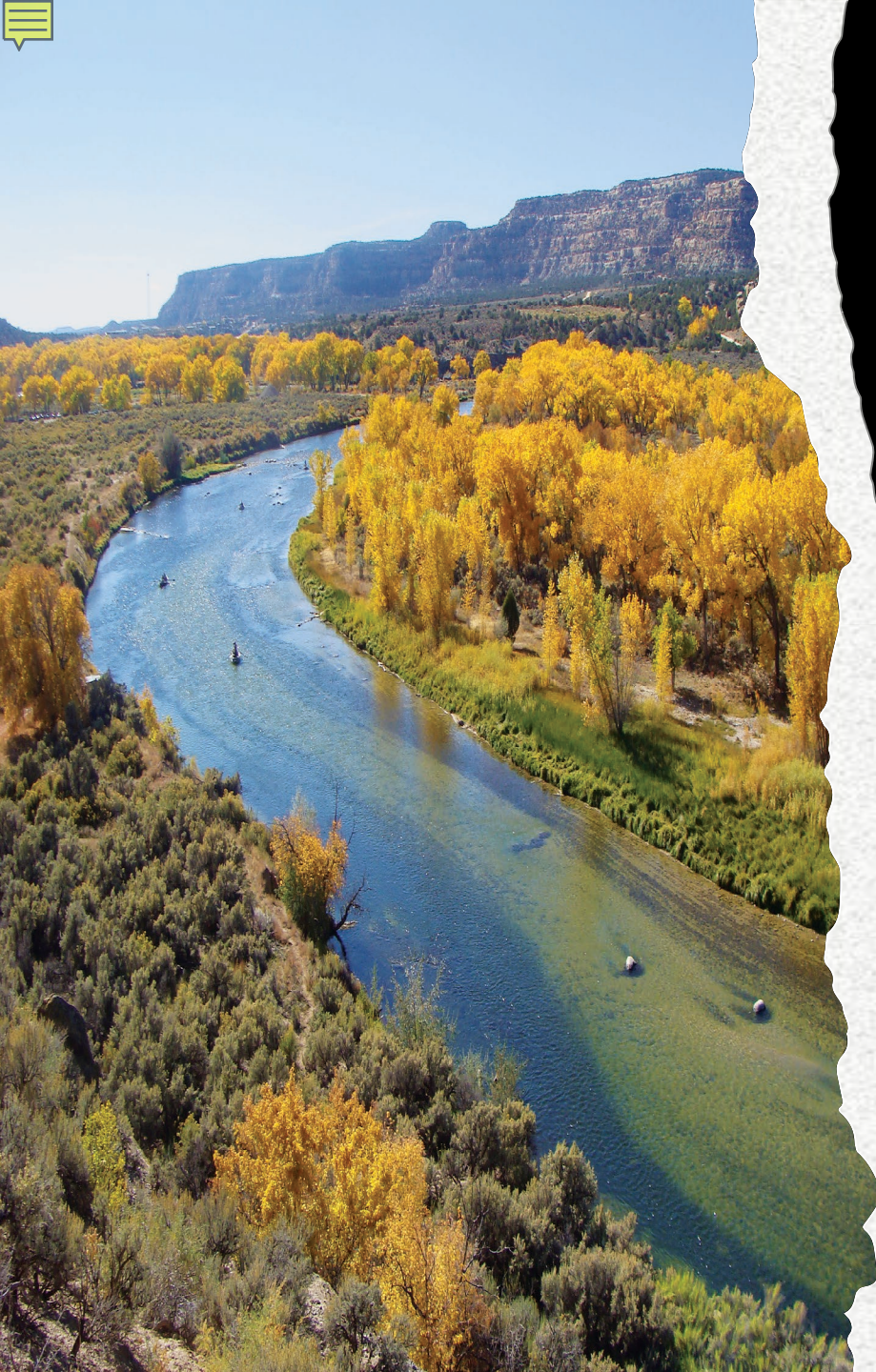




Background

- HB-161 passed by the 2025 Legislature March 16, 2025
- HB-161 signed by Governor Michelle Lujan Grisham March 20, 2025
- HB-161 takes effect June 20, 2025
- Full implementation of rule changes July 1, 2025





HB - 161

House Bill 161 amends NM State Statute 16-2-7.1 requiring State Parks to issue veterans residing in the state one day-use pass for unlimited entry into state parks or recreation areas and one camping pass for unlimited use of camping areas operated by the Division.

The bill was a bi-partisan bill co-sponsored by 21 legislators and passed two House Committees, one Senate Committee, and passed the House of Representatives and Senate unanimously.



Why a Lifetime Veteran Pass?



Lifetime Veteran Pass

THIS SIDE MUST BE DISPLAYED WHEN VEHICLE IS PARKED.
REMOVE BEFORE VEHICLE IS IN MOTION.

NEW MEXICO VETERANS PASS



VET 0000000 * LIFETIME

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BY MY SIGNATURE BELOW, I AGREE TO
ABIDE BY THE FOLLOWING RESTRICTIONS:

- This pass entitles pass holder named below to developed camping fees, day use fees, parking fees, and entry fees to all NM State Parks at no cost.
- This pass is valid for only one vehicle at a time.
- This pass is non-transferable and the pass holder listed below must be present for pass to be valid.
- This pass is subject to restrictions outlined in 19.5.2.11 NMAC Day Use, 19.5.2.12 NMAC Camping, and 19.5.2.13 NMAC Use of Facilities.
- This pass is not valid for: reservation contractor system related service fees, group shelter fees, or meeting, event and lodging facilities fees.
- Use of this pass in violation of NM State Park Rules, or in violation of the above restrictions may subject the pass to forfeiture.

PRINTED NAME

SIGNATURE

How will the pass work?

Day Use

- The pass will work like our current Day Use Pass and allows unlimited access to all our state parks for day use.
- This includes LDZG and Rio Grande Nature Center.

Camping

- The pass provides the pass holder with free camping and utilities at all state parks with camping.
- The pass allows for free use of the dump station.
- The pass is only good for one vehicle and the pass holder must be present.



Restrictions

Park Rules in 19.5.2 still apply

- Stay limits
- Restrictions on the number of vehicles
- Size limits for vehicles/camping units
- Check in/Check out times
- Unoccupied campsite rules
- Reservation rules

Fees not covered

- Reservation system fees
- Cabins/Yurts
- Group Shelter or Group Campsite fees
- Rally site fees
- Meeting or event fees
- Concession operated facility fees



Public Comments



Proposed Rule Revisions

- **Repeal and Replace 19.5.1 NMAC – General Provisions**
- **Amend 19.5.2 NMAC – Visitor Provisions**
- **Amend 19.5.6 NMAC - Fees**

Repeal and Replace 19.5.1

- **Added definition of:**
 - active-duty military
 - camping
 - developed camping
 - NM resident veteran
 - primitive camping
 - utilities

19.5.1.7 DEFINITIONS

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B. “**Active-duty military**” means a New Mexico resident who:

(1) is currently enlisted, drafted, inducted or commissioned in the:

(a) armed forces of the United States and was accepted for and assigned to active duty in the armed forces of the United States;

(b) army reserve, navy reserve, marine corps reserve, air force reserve, coast guard reserve, space force reserve, army national guard or air national guard and was accepted and assigned to duty; or

(c) United States public health service commissioned corps or the national oceanic and atmospheric administration commissioned officer corps and served in the capacity of a commissioned officer while on active duty in defense of the United States.

The Division currently sells annual camping passes for active-duty military personnel and veterans. With the change required by Section 16-2-7.1 NMSA 1978, NM resident veterans will be eligible for a free pass for park use. There is a need to define active-duty military to allow us to continue selling the annual camping pass for this population.

19.5.1.7 DEFINITIONS

- D. “Camping”** means the temporary use of division administered lands and waters for the purpose of overnight occupancy.
- R. “Developed Camping”** a developed camping site is a designated area for camping that includes infrastructure and amenities like restrooms, fire pits, picnic tables, and sometimes even utility hookups.
- The Division currently has no definition for camping. With the change required by NMSA 1978, Section 16-2-7.1, the Division is required to provide unlimited camping to NM resident veterans. There is a need to define camping to meet this requirement.
 - The Division currently has no definition for developed camping, yet charges differentiate rates for developed camping and primitive camping. There is a need to define developed camping to ensure we are charging appropriate rates.

19.5.1.7 DEFINITIONS

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AA. “NM resident veteran” means a New Mexico resident who:

(1) was regularly enlisted, drafted, inducted or commissioned in the:

(a) armed forces of the United States and was accepted for and assigned to active duty in the armed forces of the United States;

(b) army reserve, navy reserve, marine corps reserve, air force reserve, coast guard reserve, space force reserve, army national guard or air national guard and was accepted and assigned to duty for a minimum of six continuous years; or

(c) United States public health service commissioned corps or the national oceanic and atmospheric administration commissioned officer corps and served in the capacity of a commissioned officer while on active duty in defense of the United States; and

(2) was not separated from such service under circumstances amounting to dishonorable discharge.

The Division currently has no definition for NM resident veteran. With the changes required by Section 16-2-7.1 NMSA 1978, NM resident veterans will be eligible for a free pass for park use and camping. There is a need to define NM resident veteran to comply with this change.

19.5.1.7 DEFINITIONS

LL. “**Primitive Camping**” is a specific type of dispersed camping, where you camp within a state park or recreation area without designated campsites or certain amenities.

UU. “**Utilities**” means additional services above and beyond camping such as individual campsite electricity, water and sewer connections that parks may offer that enhance convenience and comfort for users.

- The Division currently has no definition for primitive camping, yet charges differentiate rates for developed camping and primitive camping. There is a need to define primitive camping to ensure we are charging appropriate rates.
- The Division currently has no definition for utilities, yet charges for utilities. There is a need to define utilities to ensure we are charging appropriate rates.

Amend 19.5.2

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- **Clarify wording related to permits vs. passes**
- **Correct wording for Mesilla Valley Bosque state park**
- **Delete language allowing the division to require visitors to pay fees for their entire stay in advance**
- **Correct incorrect references to NMAC sections that have changed numbering**
- **Change the time a reservation site is available for other visitors if not occupied by the visitor holding the reservation**
- **Clarify language allowing the superintendent to restrict the number or size of tents, shade or screen shelters occupying a campsite or day use site**

Amend 19.5.2

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- Clarify language allowing the superintendent to restrict the number or size of vehicles, camping units or trailers occupying a campsite, day use site or parking area
- Add Rio Grande Nature Center state park to parks where annual day use passes are not valid
- Add restrictions to the use of annual day use passes
- Clarify that tribal or federal photo identification may be used for documentation in purchasing passes
- Delete language allowing a photocopy of the award letter the United States Department of Veterans Affairs issues for the purchase of a disabled annual camping pass
- Change wording from active-duty military or honorably discharged veteran to active-duty military passes
- Clarify identification requirements for the purchase of active-duty military passes
- Add Rio Grande Nature Center state park to the parks where an annual camping pass is not valid
- Delete language related to disabled veterans passes and add language related to lifetime veteran passes
- Implement requirements for and procedures for issuing lifetime veteran passes.

19.5.2.12 Camping

A. Visitors may camp in parks in designated areas, provided they obtain a valid camping permit/pass. Visitors shall obtain permits/passes upon entry by paying appropriate fees. See 19.5.6 NMAC. Use of park properties and facilities between the hours of 9:00 p.m. and 6:00 a.m., or as posted by the superintendent, is camping. Check out time, the time the campsite is to be vacated, is 2:00 p.m. unless otherwise posted; however, the camping permit allows day use of the park until 9:00 p.m. or as posted by the superintendent, on the day the camping permit expires. Camping is not available at Cerrillos Hills state park, Living Desert Zoo and Gardens state park, Rio Grande Nature Center state park, Mesilla Valley Bosque state park or Smokey Bear historical park.

~~H. ————— The division may require visitors to pay fees for their entire stay in advance (rather than daily) for weekends, holidays or special events.~~

- Correct wording for permits/passes and correct the name of Mesilla Valley Bosque state park. The rule as written uses permits and passes interchangeably and creates confusion. The change will ensure that all annual products sold by the Division are referred to as passes and products sold for a limited time frame are referred to as permits. This change occurs throughout 19.5.2 NMAC as needed.
- Delete subsection H of 19.5.2.12 NMAC as the Division no longer wishes to require visitors to pay fees for their entire stay in advance rather than daily for weekends, holidays or special activities.

19.5.2.12 Camping

HH. Anchoring a boat or vessel overnight within a park constitutes camping and requires a valid camping permit/pass for the anchored boat or vessel unless the visitor has paid camping fees for the towing vehicle.

(1) Visitors may not leave anchored boats or vessels vacant for more than 24 hours without the superintendent's permission. From October 1 through April 30 anchored boats or vessels may remain within a park for a maximum of 14 calendar days during any 20-calendar day period unless the director extends, decreases or waives this limit. From May 1 through September 30 anchored boats or vessels may remain within a park for a maximum of seven calendar days during any 20-calendar day period unless the director extends, decreases or waives this limit. Visitors shall completely remove boats or vessels from the park after reaching the maximum stay limit.

(2) Subsection HH of 19.5.2.12 NMAC does not apply to boats or vessels only while they are moored overnight at concession operated facilities such as marinas or buoy lines. Boats or vessels are subject to division camping permits/passes and camping fees when moored overnight at any other location in the park. Time limits do not apply while boats or vessels are moored at the concession facilities.

- Correct numbering and correct wording for permits/passes.

19.5.2.12 Camping

JL. Reserved campsites shall become available to other visitors if the visitor holding the reservation does not occupy the reserved site or contact the reservations contractor or the park by ~~4:00 p.m.~~ 8:00 a.m. the day after the scheduled arrival date. At that time the site will be available to other visitors and reservations. The visitor holding the reservation who failed to file a cancellation is not eligible for a refund.

- Correct numbering and change the time reservation campsites shall become available to other visitors if the visitor holding the reservation does not occupy the site. This allows the park to make unused sites available to other visitors when the reservation holder does not show up.

19.5.2.13 Use of Facilities

H. Advance reservations are required for the use of group shelters, group areas or reservation campsites. Visitors shall pay the appropriate day use or camping fees in addition to the fees for use of the facility or area. If visitors make reservations through the division's reservation system contractor, visitors shall pay the reservation processing and cancellation fees the contractor charges. The division may accept annual ~~permits~~ passes at reservation campsites if posted. See 19.5.6 NMAC for group shelter fees.

I. The superintendent may restrict the number or size of tents, shade or screen shelters occupying a campsite or day use site by posting the restriction or restrictions in the affected area or areas or by posting on the reservation website.

- Correct wording for permits/passes.
- Clarify the superintendent may restrict the number or size of tents, shade or screen shelters occupying a campsite or day use site by posting on the reservation website. This updates language and makes it consistent with the use of our reservation system.

19.5.2.14 Parking

C. The superintendent may restrict the number or size of vehicles, camping units or trailers occupying a campsite, day use site or parking area by posting the restriction or restrictions in the affected area or areas or by posting on the reservation website.

- Clarify the superintendent may restrict the number or size of vehicles, camping units or trailers occupying a campsite, day use site or parking area by posting on the reservation website. This updates language and makes it consistent with the use of our reservation system.

19.5.2.32 Fees and Charges

A. Upon entering a park, visitors shall pay fees and charges in accordance with 19.5.6 NMAC. The visitor shall display applicable permits/passes in accordance with instructions provided with the permit/pass. If a visitor fails to obtain a permit/pass, state park officials may field collect fees.

B. Fees, charges and permit/pass display requirements do not apply to:

- Correct wording for permits/passes.

19.5.2.32 Fees and Charges

C. Fees and charges do not apply to:

(1) division contractors, suppliers or agents or other persons providing services to a park who are not using the park or its facilities for purposes other than providing services to the park;

(2) concessionaires, concession permittees or their employees or commercial contractors, suppliers and agents who are only traveling to and from the concession and are not using the park or its facilities for personal use;

(3) persons needing to pass through a park to access private property who are only passing through the park and are not using the park or its facilities;

(4) park support group members or volunteers who have a park pass issued pursuant to Subsection D of ~~19.5.2.36~~ 19.5.2.39 NMAC; or

D. Visitors not subject to Subsection B of 19.5.2.32 NMAC shall display permits/passes at all times inside a park.

- Correct numbering referencing NMAC sections that have been amended. The current rule references inaccurate NMAC sections.
- Correct wording for permits/passes.

19.5.2.33 Permits and Concessions

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19.5.2.33 PERMITS AND CONCESSIONS: Concession-operated campgrounds do not accept division-issued permits/passes.

- Correct wording for permits/passes.

19.5.2.34 Day Use and Camping Permits

B. Camping permits. Visitors shall purchase camping permits to camp in a park.

(1) Subject to the availability of a campsite, camping permits authorize visitors to camp in a park.

(2) When purchasing the camping permit visitors shall comply with the instructions on the permit and provide, as requested, their name, address and vehicle license number as well as their site number, the date of purchase, the amount enclosed and length of stay and, if applicable, their annual permitpass number. Visitors shall also indicate they are camping.

- Correct wording for permits/passes.

19.5.2.35 Annual Passes

19.5.2.35 ANNUAL PERMITS AND PASSES:

A. Annual day use passes.

(1) Annual day use passes authorize the vehicle owner or individual to access and use the park at no additional charge during the times indicated in 19.5.2.11 NMAC. Visitors may use annual day use passes at all parks, except at the Living Desert Zoo and Gardens state park, Rio Grande Nature Center state park, and Smokey Bear historical park.

(2) When purchasing an annual day use pass visitors shall comply with the instructions on the pass and provide their name and address.

(3) The division does not issue extra vehicle passes for annual day use passes.

(4) Annual day use passes are non-transferable to individuals not residing in the same household as the original purchaser.

(5) Non-residents may not use a resident annual day use pass.

(6) Annual day use passes that are used in violation of park rules are subject to confiscation.

- Correct wording for permits/passes.
- Add specific restrictions to the use of annual day use passes including making them non-transferable to individuals not residing in the same household as the original purchaser, specifying that non-residents may not use resident annual day use passes, and adding language indicating annual day use passes used in violation of park rules are subject to confiscation. With the previous rule amendment, the Division implemented differentiated fees for residents and non-residents and there is a need to ensure passes are not transferable or used in violation of the rule.
- Add the Rio Grande Nature Center state park as a park where annual day use passes are not valid. With the previous rule change a parking fee was implemented at Rio Grande Nature Center state park and the annual day use pass does not cover parking fees.

19.5.2.35 Annual Passes

B. Annual camping ~~permits~~ passes.

(1) Annual camping ~~permits~~passes authorize the vehicle owner or individual to access and use the park at no additional charge except for utility hookups during the times indicated in 19.5.2.12 NMAC. The annual camping ~~permit~~ pass allows the visitor one sleeping unit. A motor home towing a vehicle or a vehicle towing a camping trailer is considered a sleeping unit. The visitor shall pay the per night camping fee for additional vehicles.

- Correct wording from permits to passes.

19.5.2.35 Annual Passes

B(2) Annual camping ~~permits~~ passes are available for:

(a) New Mexico residents as documented with a current New Mexico driver's license or other state of New Mexico, tribal, or federal issued photo identification;

(b) New Mexico residents 62 years of age or older as documented with a current New Mexico driver's license or other state of New Mexico issued photo identification;

(c) New Mexico residents with disabilities who present a New Mexico handicap motor vehicle license plate issued to them; a parking placard for mobility impaired individuals with a placard holder identification card issued to them by the taxation and revenue department, motor vehicle division if the placard was issued before June 4, 2008; a parking placard for mobility impaired individuals with the photograph of the placard holder issued to them by the taxation and revenue department, motor vehicle division if the placard was issued on June 4, 2008 or after; a New Mexico department of game and fish lifetime hunting and fishing card containing their name; or a written determination from the United States social security administration finding that they are currently eligible for social security disability benefits or supplemental security income disability benefits; or a photocopy of the award letter the United States department of veterans affairs issues indicating they have a one hundred percent service-connected disability;

(d) A New Mexico resident who is active-duty military. The applicant's common access card in addition to their New Mexico driver's license must be presented to purchase an active-duty military pass. ~~or an honorably discharged veteran of the United States military as defined by the New Mexico department of veterans' services. Orders or other documentation (excluding military ID cards) of current active-duty service must be presented to purchase an active-duty military pass. The applicant's DD-214 must be presented to purchase a veteran pass.~~

- Correct wording for permits/passes.
- Include tribal and federal issued photo identification as identification that may be used to verify residency. Not all visitors to state parks have a state issued identification and adding the option for federal and tribal issued photo identification ensures these visitors can purchase passes as residents.
- Remove reference to a photocopy of the award letter the United States Department of Veterans Affairs issues indicating they have a one hundred percent service-connected disability as a verification document for purchasing a disabled annual camping pass.
- Change the active-duty military and veteran annual camping pass to just an active-duty military annual camping pass and clarify identification requirements for purchasing the pass. With the new rule amendments, NM resident veterans will receive a lifetime veteran pass good for camping and day use.

19.5.2.35 Annual Passes

B(3) When purchasing an annual camping ~~permit~~pass, visitors shall comply with the instructions on the ~~permit~~ pass and provide their name; address; if applicable, proof of age or residency; and the license plate number of the vehicle for which the visitor is purchasing the ~~permit~~pass.

B(4) Visitors may use annual camping ~~permits~~ passes at all parks, except at the Living Desert Zoo and Gardens state park, Rio Grande Nature Center state park, and Smokey Bear historical park.

B(5) Annual camping ~~permits~~ passes are authorized for use by the person the ~~permit~~pass is issued to as indicated on the ~~permit~~pass receipt and are non-transferrable.

- Correct wording from permit to pass.
- Add Rio Grande Nature Center state park as a park where the annual camping pass is not valid. With the previous rule amendment, a parking fee was implemented at Rio Grande Nature Center state park and the annual camping pass does not cover parking fees.

19.5.2.35 Annual Passes

C. Annual day use passes and annual camping ~~permits~~passes are valid from January 1 through December 31 annually. Annual day use passes and annual camping ~~permits~~passes for the next calendar year may be purchased beginning July 1 each year. The division shall not make refunds or prorations for ~~permits~~ ~~or~~ passes that remain in effect for less than 12 months.

D. Visitors may obtain replacement annual camping ~~permits~~passes and stickers by submitting a signed affidavit describing the facts of the purchase and the ~~permit's~~pass's loss or destruction and the original ~~permit-pass~~ ~~or~~ and proof of purchase. The division shall not issue replacement annual camping ~~permits~~passes without proof of purchase. The division does not issue replacements for annual day use passes.

E. The division may sell gift certificates for annual day use passes and annual camping ~~permits~~passes.

- Correct wording from permits to passes.
- Clarify that a proof of purchase is necessary to obtain a replacement ACP.

19.5.2.36 Lifetime Veteran Passes

19.5.2.36 ~~DISABLED VETERANS~~ LIFETIME VETERAN PASSES:

- Change the title from disabled veterans passes to lifetime veteran passes. House Bill 161 changed the statutory requirement for state parks to issue passes to all NM resident veterans not just disabled veterans.

19.5.2.36 Lifetime Veteran Passes

A. New Mexico resident veterans are eligible for a free lifetime veteran pass that provides the individual with unlimited entry into state parks or recreation areas operated by the division and unlimited use of camping areas operated by the division subject to restrictions outlined in 19.5.2.11 NMAC, 19.5.2.12 NMAC, and 19.5.2.13 NMAC.

- Delete previous language referencing disabled veteran passes and adding language indicating that New Mexico resident veterans are eligible for a free lifetime veteran pass that provides the individual with unlimited entry into state parks or recreation areas operated by the division and unlimited use of camping areas operated by the division subject to restrictions outlined in 19.5.2.11 NMAC, 19.5.2.12 NMAC, and 19.5.2.13 NMAC. This change implements the requirements outlined in House Bill 161 to provide NM resident veterans with free access to state parks for day use and camping.

19.5.2.36 Lifetime Veteran Passes

B. To obtain a lifetime veteran pass, an eligible veteran shall apply with the New Mexico department of veterans services for certification that verifies the veteran's status and residency.

- Delete previous language referencing disabled veteran annual passes and adding language outlining the process for obtaining a lifetime veteran pass. This change implements the requirements outlined in House Bill 161 to provide NM resident veterans with free access to state parks for day use and camping.

19.5.2.36 Lifetime Veteran Passes

C. Upon certification of eligibility, the New Mexico department of veterans services will issue all lifetime veteran passes.

D. Lifetime veteran passes are not valid for the following fees:

(1) central reservation system contractor's service fees;

(2) group shelter fees;

(3) or meeting, event and lodging facility fees.

- Add language indicating that the NM Department of Veteran Services will issue all lifetime veteran passes upon certification of eligibility and adding language indicating that lifetime veteran passes are not valid for central reservation system contractor's service fees, group shelter fees, or meeting, event and lodging facility fees. This change implements the requirements outlined in House Bill 161 to provide NM resident veterans with free access to state parks for day use and camping.

19.5.2.39 Park Passes

A. Concessionaires. The director or director designee (see Subsection R of 19.5.1.7 NMAC ~~Q of 19.5.7 NMAC~~) may issue park passes to concessionaires, concession permittees or their employees or commercial contractors, suppliers and agents for access to and from the concession. Concessionaires, concession permittees or their employees or commercial contractors, suppliers and agents using the park, lake or facilities away from the concession premise shall pay the appropriate fees.

B. Contractors. The director or director designee (see Subsection R of 19.5.1.7 NMAC ~~Q of 19.5.1.7 NMAC~~) may issue park passes to division contractors, suppliers or agents or other persons providing services to a park for access to the park. Division contractors, suppliers or agents or other persons providing services to a park using the park or its facilities for purposes other than providing services to a park shall pay the appropriate fees.

- Correct references to rules that are being changed.

19.5.2.39 Park Passes

- E. Complimentary park passes. The director or director designee (see Subsection R of 19.5.1.7 NMAC ~~Q of 19.5.1.7 NMAC~~) may issue complimentary passes as rainchecks to visitors for unused services or to resolve visitor complaints about park operation or maintenance.
- Correct references to rules that are being changed.

Amend 19.5.6

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- Delete language referencing the disabled veterans pass
- Correct wording from permit to pass
- Change the New Mexico active-duty military or honorably discharged veteran pass to just active-duty military pass
- Add the lifetime veteran pass.

19.5.6.10 Annual Day Use Pass

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19.5.6.10 ANNUAL DAY USE PASS (per vehicle):

Resident annual day use pass	\$75.00
Non-resident annual day use pass	\$150.00
Disabled veterans pass	No Charge (New Mexico resident veteran with a fifty percent or greater service-connected disability)

- Delete the reference to the disabled veterans pass. House Bill 161 changed the statutory language requiring the Division to provide passes to all NM resident veterans not just disabled veterans. The disabled veteran pass has been eliminated.

19.5.6.11 Annual Camping Pass

19.5.6.11 ANNUAL CAMPING PASSPERMIT (per vehicle includes one tow vehicle upon request):

New Mexico resident with valid state issued ID	\$300.00
New Mexico senior resident – 62 years or older with valid state issued ID	\$150.00
New Mexico physically disabled resident (see Subsection B of 19.5.2.35 NMAC)	\$150.00
New Mexico active-duty military or honorably discharged veteran	\$150.00
Out-of-state resident	\$600.00
<u>Lifetime veteran pass</u>	<u>FREE</u>

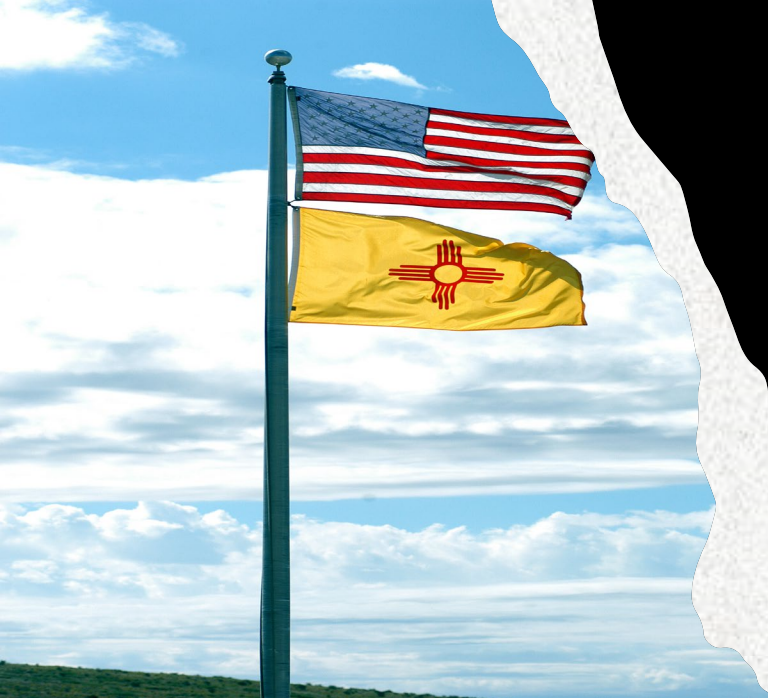
- Change the title from annual camping permit to annual camping pass and changing the New Mexico active-duty military or honorably discharged veteran pass to just a New Mexico active-duty military pass and adding the lifetime veteran pass as a free pass. The change in the title ensures consistent use of the word pass or permit throughout the rule. Eliminating the veteran pass is consistent with the implementation of the free lifetime veteran pass.

19.5.6.12 Replacement of Annual Camping Pass

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**19.5.6.12 REPLACEMENT OF ANNUAL CAMPING
PASS~~PERMIT~~: \$25.00.**

- Change the title from replacement of annual camping permit to replacement of annual camping pass. The change in the title ensures consistent use of the word pass or permit throughout the rule.



Thank you

