

**TITLE 630. SCENIC RIVERS COMMISSION  
CHAPTER 10. LICENSING AND USE PERMITS**

TEXT OF PROPOSED 2009 REVISIONS

For rulemaking hearing and adoption by the  
Scenic Rivers Commission on March 17, 2009

**Subchapter 1. General Provisions and Licensing**

**630:10-1-4. User fees [REVOKED] <sup>1</sup>**

The user fee assessed by paragraph B of 82 O.S. § 1470 shall be collected and administered as follows:

- ~~(1) Each person using a commercial flotation device must pay the statutory user fee to the commercial float operator.~~
- ~~(2) Each person using a private flotation device must purchase a wrist band by paying the statutory private user fee to the OSRC office, OSRC rangers, commercial float operators, or other authorized businesses.~~
- ~~(3) The Scenic Rivers Act allows property owners adjacent to the scenic river to own and operate one flotation device for their individual use without paying the user fee.~~
- ~~(4) Everyone not exempt by statute must pay the user fee before entering the waters of a scenic river. A River Ranger may require anyone not in an exempt or commercial flotation device or not wearing a wrist band when leaving the waters of a scenic river to pay the statutory fee.~~
- ~~(5) Commercial float operators and authorized businesses shall accurately record the number of users and user fees collected on tally sheets provided by the OSRC. The tally sheets and the fees collected each month shall be mailed or delivered to the OSRC by the 10th day of the following month or the user fees shall be in arrears and subject to the statutory late fee.~~

**630:10-1-5. Commercial licensing procedures, requirements, and annual use fees [AMENDED] <sup>2</sup>**

- (a) The statutory annual use fee per commercially owned and operated flotation device shall be paid at the time of licensing.
- (b) The license required on commercial float operations shall be an annual license covering a calendar year. Licenses shall be properly displayed on each flotation device prior to its use on the river.
- (c) Applications for new float licenses, not previously held by a commercial float operator, may be filed with the OSRC in January of each year. Commercial float operators shall file applications to renew their existing licenses during the month of September each year.
  - (1) Any commercial float operator that fails to submit a renewal application in September shall only be entitled to renew 85% of the previous number of licenses, and the other 15% shall be released in January of the following year as new licenses. No renewal application shall be accepted after November.
  - (2) Any commercial float operator that applies to renew his licenses must pay the statutory annual use fees, and pay or complete any outstanding OSRC obligations, by the last working day of December or the application shall be denied and the number of licenses released as new licenses in January.

---

<sup>1</sup> The user fees were based on 82 O.S. § 1470(B), which was deleted on 1-1-2009 by SB 1381.

<sup>2</sup> The only change is to require that all obligations be satisfied before licenses are issued.

- (3) Any person may apply in January for new commercial flotation device licenses which may be available, up to the number provided in 630:10-1-7. The OSRC shall process the applications, divide the numbers of licenses among the proper applications and issue them in February.
- (4) Except for temporary licenses, new licenses shall not be issued unless the number of licenses renewed in the previous year was below the number authorized in 630:10-1-7.
- (d) Application for such licenses shall be made on the form prescribed by the OSRC which shall include:
- (1) The name and address of the commercial float operation;
  - (2) The name and address of the owner or owners thereof;
  - (3) A description of lands owned or leased, and/or intended for use in the operation, including the launch and retrieval points;
  - (4) An inventory of usable flotation devices;
  - (5) A description of how the requirements of paragraph (h) of this section will be met; and
  - (6) An agreement to abide by all State laws and all OSRC rules and regulations.
- (e) Licenses shall be issued in such form as is prescribed by the Administrator, and shall be displayed on the right front (starboard bow) of flotation devices that have bows, or conspicuously on the outside surface area above the water line of flotation devices without a discernable bow.
- (f) Licenses granted by this Chapter shall be transferable only after application to and approval by the Administrator upon a finding that the transfer will not exceed the float area restrictions of the scenic rivers as described in 630:10-1-7.
- (g) The number of flotation devices to be licensed for commercial use shall be limited as provided in 630:10-1-7.
- (h) All commercial float operators must maintain clean and sanitary facilities, maintain in good working order their flotation devices offered for use, and also:
- (1) Provide access to toilet facilities to the floating public.
  - (2) Provide trash bags and disposal information to all customers.
  - (3) Conspicuously post on business premises and at launch points warnings against tying flotation devices together, about trespass and safety, and that drunk and disorderly conduct is cause for arrest.
  - (4) All signs placed along the river corridor shall be informational in nature and shall comply to standards established by the OSRC.
  - (5) Display on each flotation device used the name of the enterprise and an identification number at least three (3) inches high and two (2) inches wide on both the right and left sides (port and starboard sides), or once if it has no sides.
  - (6) Provide reasonable assistance in river clean-up and navigational hazard removal in his float area at least once each week during all weeks his flotation devices are operated on the river.
  - (7) Provide, in each flotation device used, at least one wearable personal flotation device in good and serviceable condition for each person on board so placed as to be readily accessible and of a size suitable to the person who is or will be wearing it.
- (i) Non-profit youth organizations may elect to obtain temporary licenses for their flotation devices as commercial flotation devices provided they do not exceed the float area restrictions of the scenic rivers as described in 630:10-1-7.

**630:10-1-7. Limitation on licensing of flotation devices [AMENDED] <sup>3</sup>**

- (a) It is the intent of the OSRC in issuing commercial flotation licenses to protect the ecosystem and environment and the aesthetic, scenic, historic, archaeological, and scientific features of the scenic river areas as well as the public health and safety of individuals using the scenic river areas.
- (b) It is the determination of the OSRC that at this time the scenic rivers cannot assimilate the damages to their ecosystems, environments, aesthetic, scenic, historic, archaeological, and scientific features if more

---

<sup>3</sup> To clarify the provisions governing Area Two.

than 3,900 licenses are issued. Further, the protection of public health and safety requires that the OSRC not grant additional licenses.

(c) The OSRC recognizes the current interests and property rights of persons with respect to flotation devices presently available for hire within its jurisdiction subject to the OSRC Commercial Float Area limitations provided hereinafter. The number of such devices shall be set at a maximum of 3,900 for the combined scenic river areas.

(d) Any licensing of flotation devices in excess of said 3,900 shall be subject to approval of the OSRC if the applicant reasonably demonstrates there will not be an adverse impact on the waterways within the jurisdiction of the OSRC. Such additional licensing shall be determined on the basis of density of current usage, number of licenses requested, and other considerations necessary for river protection.

(e) In the event the OSRC determines that the requested licenses may harm the ecosystem, environment, aesthetic, scenic, historic, archaeologic or scientific features of the section of the river for which the licenses are sought, so that the health and safety of individuals floating on the river may be threatened by the addition of new flotation devices, the OSRC shall deny the number of licenses requested over 3,900 that it deems to be necessary to protect the scenic rivers. Any license issued above 3,900 in any calendar year shall be temporary, for a stated period of time, and shall not be renewed during the annual licensing process.

(f) Since May 1, 1987, the Illinois River scenic river area has been divided into the following sections for commercial flotation operation and licensing purposes:

(1) From the Arkansas-Oklahoma state boundary (Illinois River mile 0) southward to Round Hollow Public Access Area (Illinois River mile 27.7) shall be known as OSRC Commercial Float Area One (OSRC CFA One).

(2) From Round Hollow Public Access Area (Illinois River mile 27.7) southward to the Comb's Bridge (Illinois River mile 36.1) shall be known as OSRC Commercial Float Area Two (OSRC CFA Two).

(3) From Comb's Bridge (Illinois River mile 36.1) southward to and including the confluence of the Barren Fork Creek with the Illinois River shall be known as OSRC Commercial Float Area Three (OSRC CFA Three).

~~(g) Subject to the exception stated in (h) of this section, During weekends and holidays in May through September only the commercial float operations with licenses devices licensed for OSRC CFA Two may float commercial flotation devices within that section of the Illinois River on all Saturdays and Sundays from May 1 through October 1 of each year through OSRC Commercial Float Area Two. However, upon customer request during such times, commercial float operations may allow up to 20 of their commercial flotation devices per day that are not licensed for OSRC CFA Two to combine a float through Commercial Float Area Two with their licensed area.~~

~~(h) In the event commercial float operations with licenses for OSRC CFAs One and/or Three have customers who desire to rent commercial flotation devices from the beginning of OSRC CFA One to the end of OSRC CFAs Two or Three or to float from the beginning of OSRC CFA Two to the end of OSRC CFA Three, those customers are authorized to float through OSRC CFA Two subject to the limitation that no commercial float operation shall allow more than twenty (20) commercial flotation devices to float through OSRC CFA Two pursuant to this exception.~~

(i) The operation of a commercial flotation device within an OSRC Commercial Flotation Area in violation of 630:10-1-7, shall subject that commercial float operation to a fine not to exceed One Hundred Dollars (\$100.00). [82 O.S. Supp. 1991, Section 1470(A)]

## Subchapter 2. Public Access Areas

### 630:10-2-2. Camping fees [AMENDED] <sup>4</sup>

- (a) Camping shall only be allowed in campsites that are located within Public Access Areas and are designated by the Administrator.
- (b) ~~There shall be a camping fee of \$8.00 per night, or \$16.00 per night if the OSRC has provided water and electricity at the campsite~~ Camping fees shall be the same as the camping rates charged by the Oklahoma Tourism and Recreation Department. The OSRC shall post the current fee schedule. See, 82 O.S. § 1470(C).
- (c) The regular camping fee shall be discounted 50%:
  - (1) where one or more campers are 62 years of age or older, as documented by a valid driver's license, state-issued identification card, or passport;
  - (2) where one or more campers are certified as totally (100%) disabled or blind, as documented by a Medicare card or other federal or state-issued instrument; or
  - (3) for youth groups that provide at least 25 hours each year of beneficial service to the environment such as tree planting, refuse clean up or wildlife habitat improvement, as approved by the Administrator.
- (d) The Administrator may waive or suspend camping fees for certain periods in the public interest.

### 630:10-2-4. Use of public access areas [AMENDED] <sup>5</sup>

- (a) No person shall camp in a campsite under the jurisdiction of the OSRC without paying the fee established by this section.
- (b) Camping fee receipts shall be retained by campers for the duration of their stay and shall be available for review upon request of the Administrator, a Camp Host or a River Ranger.
- (c) Camping fees receipts entitle the named holder to use a campsite for the duration indicated on the receipt under the conditions set forth in this section. All camping fee receipts are non-transferable.
- (d) The daily fee covers use of campsites from 5:00 p.m. on the day of payment until 5:00 p.m. on the following day. Occupants shall vacate the campsite by removing their personal property from the campsite prior to 5:00 p.m. on the day they are scheduled to leave.
- (e) The following activities are prohibited in all public access areas:
  - (1) Excavation or leveling of the ground.
  - (2) Hanging a propane or gas operated lantern on any tree or plant.
  - (3) Leaving refuse or human waste at a campsite after departure.
  - (4) Camping within 25 feet of a water hydrant or within 100 feet of a stream, river or body of water, except where otherwise designated.
  - (5) Creating or sustaining unreasonable noise at a campsite as determined by the Administrator or a ~~Senior~~ River Ranger considering the nature and purpose of the actor's conduct, the impact on other users, and other factors which would govern the conduct of a reasonably prudent person under the circumstances.
  - (6) Constructing permanent camping facilities or dwellings.
  - (7) Camping or parking vehicles outside of campsites and parking areas designated by the Administrator.
  - (8) Parking a vehicle in, blocking access to, or occupying any designated campsites without having first paid camping fees for that campsite.
  - (9) Using the utility services in a campsite or public access area without having first paid campsite or utility fees.

---

<sup>4</sup> The only change is to match the camping fees charged by Tourism & Recreation.

<sup>5</sup> Three more public access areas added to alcohol restrictions in paragraph (h).

- (10) Connecting more than one water, electrical or sanitary connection per campsite or connecting to a utility which exceeds its manufactured design or capacity.
- (11) The placing or parking of 2 or more vehicles on any site not designed for more than one vehicle.
- (12) Camping longer than duration of stay noted on the camping receipt or exceeding the time limits set forth in this subchapter without prior written approval from the Administrator.
- (13) Entering or remaining in a public access area for any purpose other than camping or authorized day use activities, except fishing.
- (14) Possession or use of fireworks or firearms in public access areas. The Administrator may authorize fireworks on the 4th of July.
- (15) Fires may only be built in fire pits or cookers established by the Commission.
- (f) Day use of public access areas for general recreational activities, such as swimming, picnicking, fishing, and boat launching is permissible without charge only during open hours as defined and posted by the Administrator.
- (g) Entering or remaining in a day use area during closed hours is prohibited for any purpose, except fishing.
- (h) Possession of an open container, or consumption, of alcohol (including 3.2 beer) is prohibited in ~~four~~ seven public access areas: Round Hollow, Todd, ~~and~~ US 62 Bridge Access on the Illinois River, ~~and~~ US 412 Bridge Access on Flint Creek, Lake Francis Dam Public Access Site, US 59 Illinois River Bridge Crossing Access Area, and Carnes Ford Area.
- (i) Violations of OSRC regulations or state law may result in the suspension or revocation of camping authorization or day use privileges. Other penalties prescribed by law may also apply.