



New York State Office of Parks, Recreation and Historic Preservation
Nelson A. Rockefeller Empire State Plaza
Agency Building 1
Albany, NY 12238

Summary of Changes State Parks Access Pass Program May, 2010

What Is The Access Pass?

The Access Pass provides New York State residents with certain disabilities free use of state park facilities, including waiving vehicle use fees, base fees for camping and cabin rentals, and fees charged for golf, historic sites tours, and other recreational activities under the jurisdiction of the Office of Parks, Recreation and Historic Preservation (OPRHP) and the Department of Environmental Conservation (DEC). Approximately 34,000 individuals currently hold an Access Pass.

What Changes Have Been Made to The Access Pass Program?

Under OPRHP's newly adopted revision to the state regulation that implements the Access Pass Program (9 NYCRR Part 382), effective May 19, 2010 two categories of individuals, that previously were eligible to participate in the program, are no longer eligible for the Access Pass. The non-eligible categories are: a) individuals who are semi-ambulatory (people who can walk but require a cane, crutches, walker, or other mobility aid); and b) individuals receiving federal Social Security Disability, Supplemental Security Income, or Railroad Disability.

What Individuals Will Remain Eligible for the Access Pass?

The Access Pass program will continue to provide free use of state parks and recreational facilities for individuals who are blind, deaf, non-ambulatory, amputees, veterans who have a service-related disability, or individuals who have a mental disability.

Approximately 65% of prior Access Pass holders qualified under the two categories that have now been eliminated. Individuals who believe they qualify under one of the six remaining categories may re-apply to OPRHP for a determination.

When Are the Changes Effective?

Implementation of the Access Pass rule will occur in two phases:

- **Fees for Golf, Camping, Cabin Rentals, Swimming Pools, Tennis, Marina, Historic Site Tours, and Other Recreational Activities.** Effective May 19, 2010, all previously-issued Access Passes granted on the basis of the “semi-ambulatory,” federal Social Security Disability, Supplemental Security Income, or Railroad Disability categories will no longer be valid for the waiver of fees for these activities at OPRHP- or DEC-administered facilities. Note: In instances where camping or cabin rental reservations were made prior to May 19, 2010, the Access Pass refund will still be provided even if the actual camping date is after that date.
- **Vehicle Use Fee (VUF).** Until November 11, 2010, all existing Access Passes will continue to be honored for the Vehicle Use Fee (which is the day-use fee for vehicles entering OPRHP-administered state parks and historic sites). Effective November 11, 2010, all Access Passes issued on the basis of the “semi-ambulatory,” federal Social Security Disability, Supplemental Security Income, or Railroad Disability categories will no longer be valid for Vehicle Use Fees or any other park fees.

Why Were These Changes Adopted?

Since the Access Pass was adopted in 1977, it has grown well beyond its original intent. What started out as a program intended to provide recreational opportunity to individuals with specific disabilities has expanded dramatically over the past 30 years. Two-thirds of current Access Pass holders are qualified under categories that are not specified by law. In addition, media reports have raised questions about abuse of the program.

Today, New York’s focus is not on providing *free* access to individuals with disabilities, but rather ensuring *equal* access. Equal access means that accommodations are implemented to assure, to the greatest extent possible, that people with disabilities can participate in the programs and activities enjoyed by other members of the public. Over the past several decades, OPRHP and DEC have made significant capital investments and have taken advantage of technological innovation, consistent with the Americans with Disabilities Act, to facilitate equal access to State Parks and recreational facilities.

OPRHP conservatively estimates that the changes to the Access Pass program will generate \$1 million in additional annual revenue. Given the recent announcement that a number of State Parks and Historic Sites may need to be closed and public services curtailed at other facilities in response to the fiscal crisis facing New York State, the agency needs to tighten eligibility requirements for the Access Pass program.

For more information about the changes to the Access Pass program, please visit our website, www.nysparks.com.