

Answer by letter-Wood

September 25, 1970

OPINION LETTER NO. 477



Mr. Joseph Jaeger, Jr.  
Director of Parks  
Missouri State Park Board  
P. O. Box 176  
1204 Jefferson Building  
Jefferson City, Missouri 65101

Dear Mr. Jaeger:

You have inquired if the Missouri State Park Board has existing statutory authority to impose state park entrance fees.

Section 253.080(1), RSMo, provides:

"The park board may construct, establish and operate suitable public services, privileges, conveniences and facilities on any land, site or object under its jurisdiction and control, and may charge and collect reasonable fees for the use of the same. The park board may charge reasonable fees for supplying services on state park areas. Any facilities so constructed under this provision shall only be done by appropriated funds."

In view of this statute, it is my opinion that the State Park Board does not have existing statutory authority to charge and collect fees for entrance to the state parks. Fees for use of, or supplying of public services, privileges, conveniences or facilities within the parks is not the same as fees for obtaining access to such services, privileges, conveniences or facilities. Use of public roads and highways leading into state parks is not, in my opinion, use of facilities constructed or established thereon that would warrant imposition of fees pursuant to the statute.

Yours very truly,

JOHN C. DANFORTH  
Attorney General