
SENATE COMMITTEE ON NATURAL RESOURCES AND WATER

Senator Dave Min, Chair
2023 - 2024 Regular

Bill No: AB 618 **Hearing Date:** July 3, 2023
Author: Bauer-Kahan
Version: June 19, 2023 Amended
Urgency: No **Fiscal:** Yes
Consultant: Catherine Baxter

Subject: State parks: reservations

BACKGROUND AND EXISTING LAW

Existing law:

- 1) Establishes the Department of Parks and Recreation (State Parks) within the California Natural Resources Agency (CNRA) under the control of the director. *Public Resources Code (PRC) section (§) 501.*
- 2) Vests State Parks with control of the state park system (*PRC §5001*) and directs State Parks to:
 - a) Administer, protect, develop, and interpret the state park system for the use and enjoyment of the public. *PRC §5003.*
 - b) Protect the state park system from damage and preserve the peace. *PRC §5008.*
- 3) Authorizes, whenever significant savings can be achieved, State Parks to enter into a contract to operate a reservation system for the state park system, including the associated collection of state park fees. The contract may provide for the retention of a portion of every fee or the imposition of a surcharge as reimbursement for the cost of providing that service. *PRC §5010.1.*
- 4) Limits occupancy by the same persons, equipment, or vehicles of any camping facility to a total of 30 days in any calendar year in that unit, and specifies that State Parks may establish shorter or longer limits of occupancy. *Title 14, California Code of Regulations §4455.*

Background:

State Parks oversees 280 park units throughout the state, with more than 15,000 campsites and other lodging options, like rustic cabins, cottages, tent cabins, floating campsites, and yurts. For many of these locations, reservations are available in advance of the arrival date through an online or phone-based reservation system called Reserve California. This system is managed by a contracted vendor. Sites become available for reservation on a rolling basis at 8am, 6 months prior to the reservation start date.

In recent years, the demand for public campsites has skyrocketed as more people are heading outdoors for their well-being and mental health. Many camping and lodging

locations are very popular and sites are reserved within minutes of being offered. Currently, there are few consequences for booking a site and then cancelling right before the reservation start date or not showing up at all. The maximum financial consequence for booking a site and then not showing up is typically the forfeiture of the cost of a single night plus a reservation fee.

As a result of no-shows, sites may appear to be unoccupied but they are reserved and cannot be made available to other interested people for at least 24 hours. There are anecdotal stories of fully reserved popular campgrounds with many empty spots due to no-shows. (See <https://www.outsideonline.com/adventure-travel/news-analysis/camping-reservations-no-shows/>). According to State Parks, its cancellation rate is approximately 15 percent. It is unclear whether that figure includes no-shows.

PROPOSED LAW

This bill would require changes to State Parks' reservation system and require State Parks to institute a reservation drawing for up to five of the most popular camping and lodging sites. Specifically, this bill would:

- 1) Require, beginning January 1, 2024, any contract State Parks enters into to manage its reservation system to include all of the following:
 - a) Require, if someone cancels within seven days of the reservation start date, a credit, valid for five years, which can be used for future reservations.
 - b) Require, if someone cancels within three days of the reservation start date, the campsite or lodging site to be returned to the online inventory for reservation.
 - c) Require the contractor to send at least two reminder emails to reservation holders, with the following information:
 - i) Ten days before the reservation start date, encouraging cancellation before seven calendar days to receive a refund, excluding any reservation fees.
 - ii) Four days before the reservation start date, encouraging cancellation before three calendar days to receive a credit, excluding any reservation fees.
 - d) Require the contractor to notify the reservation holder that the entire reservation cost will be forfeited with no credits given if the individual does not show up within 24 hours of the reservation start time and does not provide advance notice to state park staff.
 - i) Authorize State Parks, upon appropriation by the Legislature, to use the forfeited reservation costs for deferred maintenance projects.
 - e) Make any unreserved camp or lodging sites or camp or lodging sites where the reservation holder does not show up, as specified, available for walkup reservations.
 - f) Provide real-time availability of any sites described in (e) that are available for walkup reservations.

- g) For a reservation holder who, at least three times in the a calendar year, fails to show up within 24 hours of a reservation start time and fails to provide advance notice to staff at the state park, provide that new reservations for this individual shall be limited.
 - h) Provide that (a) through (h) only applies to a camp or lodging site that uses the online reservation system operated by, or on behalf of, the state park system.
 - i) Prohibit a person from reserving a site if that person has occupied a site at the same unit of a state park system for more than 30 total days in a calendar year.
 - j) Limit a reservation at a site in a unit of the state park system to no more than seven consecutive nights during peak season.
- 2) Require, by January 1, 2025, until January 1, 2029, State Parks to implement a reservation drawing for up to five of the most popular units of the state park system.
- a) Authorize State Parks to determine the top units based on units that have the most booking interest six months before the reservation date.
 - b) Require the reservation drawing to occur at least once per year for each of the selected units.
 - c) Authorize State Parks to continue to use the reservation system in (1) for the most popular units of the state park system for a subset of camping or lodging sites in order to provide an analysis between the reservation drawing process and the existing reservation system processes.
 - d) Require, by January 1, 2028, State Parks to provide a report to the Legislature regarding the reservation drawing, including the analysis from (c), as specified.

ARGUMENTS IN SUPPORT

According to the author, "All Californians should have equal opportunities and access to reserve a campsite within our public parks. AB 618 promotes outdoor access for everyone by requiring State Parks to adopt modifications to the online camping registration system that deter late cancellations and no-shows."

According to California State Parks Foundation, "While it is great that many of State Parks' camping and lodging sites are extremely popular, this popularity limits access to overnight stays at many of California's most beautiful locations. AB 618 proposes changes to the reservation system that incentivize early cancellations, which in turn should make more campsites available to everyone. This bill also requires State Parks to develop a pilot reservation lottery system for a subset of the most popular camping and lodging sites in order to make access to these sites more equitable."

ARGUMENTS IN OPPOSITION

None received.

COMMENTS

Reforming the online reservation system. This bill requires any contract State Parks enters into, on and after January 1, 2024, for purposes of managing the State Parks reservation system – Reserve California – to include provisions to incentivize early cancellations. It would do so by:

- Requiring Reserve California to send at least two reminder emails prior to the reservation start date to remind the reservation holder of their upcoming reservation, cancellation, and refund or credit options. State Parks is in the process of implementing something similar for some units through pre check-in via text and automatic reminder emails and texts.
- Increasing the financial consequences of a late cancellation or no-show. In particular, these reservation holders would lose their entire reservation cost and reservation fees.
- Limiting new reservations for people who repeatedly book sites and fail to show up or cancel those reservation, leaving those sites unavailable for other people to access. The Wyoming State Parks system has implemented a similar policy.

The bill also makes late cancellation and no-show sites available for walkup reservation, which should show up in real time on the Reserve California website. Finally, the reservation drawing pilot program proposed by the bill for the five most popular state park units would test whether a drawing process might level the playing field for people to access the most competitive camping grounds. Importantly, under the bill, those units would still have some sites available through the normal reservation process to provide a comparison.

Reservation lottery example. This bill defers to State Parks as to how to design an equitable reservation drawing process that increases access to some of the most popular camping sites. The National Park Service implemented an early access lottery system for the 2022 and 2023 camping seasons at the North Pines Campground in Yosemite National Park. The goals of the lottery were to create a better experience that reduces confusion and frustration for the highly competitive reservation process; offer a new method for reserving campsites at this high-demand location for a more equitable experience; and address visitor complaints about the perception of an unfair reservation process.

Successful lottery applicants had an opportunity to make a reservation for campsites in North Pines Campground during a less-competitive early access period. Following the early access period, any remaining availability was released on the usual on-sale dates. During the 2022 lottery pilot, there were 22,033 applications for the 640 time slots, resulting in a success rate of 2.9 percent. Of people awarded an early access time slot, 82.5 percent made a reservation, resulting in 48 percent of availability being booked. In 2023, there were 2,500 time slots, but data is not yet available about applications and bookings made.

Committee amendments. While the intent of the bill is clear, the language is a little confusing. There appear to be some implied rules and other provisions that may be located in the wrong part of the bill. The Committee may wish to consider amending section one of the bill to spell out each of the rules and clarify the requirements. Mostly,

these changes are non-substantive and minor. One substantive change, however, would limit the ban to one calendar year for people who repeatedly book sites and fail to cancel or show up, leaving those sites unavailable for others to access. See *amendments*.

SUGGESTED AMENDMENTS

Strike section 1 and replace it with the following:

SECTION 1. Section 5010.1.5 is added to the Public Resources Code, to read:

- 5010.1.5. (a) On and after January 1, 2024, any contract the department enters into for purposes of managing the department's reservation system pursuant to subdivision (b) of Section 5010.1 shall reflect the rules and requirements of this section.*
- (b) A person may not reserve a site in a unit of the state park system for more than seven consecutive nights during peak season.*
- (c) A person may not reserve a site in a unit of the state park system if that person has occupied a site at the same unit proposed for reservation for more than 30 days in a calendar year.*
- (d) A person may not reserve a site in a unit of the state park system through the online reservation system for one calendar year if that person, at least three times in one calendar year, fails to show up for the reservation. During this time, this person may reserve a site through the walkup reservation system.*
- (e) A reservation holder who cancels a reservation eight calendar days or more before the reservation start date shall receive a refund of the cost of the reservation, excluding any reservation fees.*
- (f) A reservation holder who cancels a reservation within seven calendar days before the reservation start date shall receive a credit, excluding any reservation fees, that can be used for a future reservation within five years of the original reservation start date.*
- (g) A reservation holder who cancels a reservation on the day of the reservation start date or after or fails to show up for the reservation shall forfeit the entire cost of the reservation and shall not receive a credit.*
- (h) A reservation holder must show up on the day of the reservation start date or provide advance notice to staff at the state park unit where the reservation is held that the reservation holder will arrive late to not forfeit the entire cost of the reservation.*
- (i) A camp or lodging site where the reservation holder cancels a reservation three calendar days or more before the reservation start date shall be made available for reservation through the online reservation system.*
- (j) The following shall be made available for walkup reservation. They shall show up in real-time as available on the online reservation system, but shall not be available for reservation through this system.*
- (1) A camp or lodging site where the reservation holder cancels a reservation on the day of the reservation start date or up to two calendar days prior to the reservation start date.*
- (2) A camp or lodging site where the reservation holder does not show up on the day of the reservation start date and does not provide advance notice to staff at the state park unit where the reservation is held that the reservation holder will arrive late.*
- (3) A camp or lodging site that has not been reserved up to two days prior to the start date.*
- (k) A reservation holder shall receive at least two reminder emails, as follows:*
- (1) Ten days before the reservation start date, that encourages cancellation at least eight days before the reservation start date to receive a refund of the cost of the reservation, excluding any reservation fees.*
- (2) Four days before the reservation start date, encouraging cancellation before the reservation start date to receive a credit for the cost of the reservation, excluding any reservation fees.*
- (l) As part of the email communication described in subdivision (k), a reservation holder shall be informed that the entire cost of the reservation shall be forfeited, and no credits shall be given, if the reservation holder does either of the following:*
- (1) Cancels on the day of the reservation start date.*
- (2) Fails to show up on the day of the reservation start date or provide advance notice to staff at the state park unit where the reservation is held that the reservation holder will arrive late.*
- (m) Upon appropriation by the Legislature, the department may use the forfeited reservation costs, described in subdivisions (g) and (h), for purposes of deferred maintenance projects.*
- (n) This section shall only apply to a camp or lodging site that uses the reservation system described in subdivision (b) of Section 5010.1.*

SUPPORT

California State Parks Foundation

OPPOSITION

None received.

-- END --