

## National Park Service, Interior

## § 7.74

(iv) Any vehicle operated by a non-profit or educational organization.

(v) Any commercially licensed vehicle or vehicle otherwise identified as a commercial vehicle, when at that particular time it is being used for non-commercial purposes.

(f) *Powerless flight.* The use of devices designed to carry persons through the air in powerless flight is allowed at times and locations designated by the superintendent, pursuant to the terms and conditions of a permit.

(g) *Fishing.* Unless otherwise designated, fishing in any manner authorized under applicable State law is allowed.

[34 FR 13595, Aug. 23, 1969, as amended at 47 FR 4256, Jan. 29, 1982; 48 FR 30295, June 30, 1983; 48 FR 46780, 46782, Oct. 14, 1983; 49 FR 9421, Mar. 13, 1984; 49 FR 18451, Apr. 30, 1984; 50 FR 34130, Aug. 23, 1985; 51 FR 40419, Nov. 7, 1986; 52 FR 34777, Sept. 15, 1987; 69 FR 57181, Sept. 24, 2004]

### § 7.72 Arkansas Post National Memorial.

(a) *Launching, beaching, or landing of vessels.* Except in emergencies, no vessel shall be launched, beached, or landed from or on lands within the Arkansas Post National Memorial.

[35 FR 13206, Aug. 19, 1970]

### § 7.73 Buck Island Reef National Monument.

(a) *Extractive uses.* All extractive uses are prohibited within the boundaries of the Monument, including but not limited to harvest or collection (on the land or in the water) of fish for any use, marine mammals, coastal migratory pelagic fish, baitfish, lobsters, conch, whelk, hermit crabs (soldier crabs), seashells, corals, dead coral, sea fans, sponges and all associated reef invertebrates, plants, fruits and seeds, firewood, driftwood, rocks, sand, gas, oil, and minerals.

(b) *Marine operations.* No dredging, excavating or filling operations of any kind are permitted, and no equipment, structures, byproducts or excavated materials associated with such operations may be deposited in or on the waters or ashore within the boundaries of the Monument.

(c) *Wrecks.* No person shall destroy, molest, remove, deface, displace or

tamper with wrecked or abandoned waterborne craft of any type or condition, or any cargo pertaining thereto, unless permitted in writing by an authorized official of the National Park Service.

(d) *Boats.* (1) No watercraft shall operate in such a manner, nor shall anchors or any other mooring device be cast or dragged or placed, so as to strike or otherwise cause damage to any underwater features.

(2) Anchoring or maneuvering watercraft within the waters that contain underwater marked swimming trails and interpretive signs is prohibited.

(3) Anchoring is prohibited except by permit issued by the Superintendent for deep sand bottom areas or for administrative purposes.

(4) Anchoring will be allowed in emergency situations only to protect life and property.

(5) All watercraft, carrying passengers, for hire, shall comply with applicable regulations and laws of the U.S. Coast Guard and Territory of the Virgin Islands.

(e) *Fishing.* (1) All forms of fishing are prohibited including, but not limited to, spearfishing, rod and reel, handline, nets, gill or trammel, traps or pots, snares, hooks, poison, cast nets, trawl, seine, and long-line.

(2) The use or possession of any type of fishing equipment or any of the items listed in paragraph (a) of this section is prohibited within the boundaries of the Monument.

[29 FR 17091, Dec. 15, 1964, as amended at 48 FR 30295, June 30, 1983; 68 FR 16435, Apr. 4, 2003]

### § 7.74 Virgin Islands National Park.

(a) [Reserved]

(b) *Marine operations.* No dredging, excavating or filling operations of any kind are permitted, and no equipment, structures, byproducts or excavated materials associated with such operations may be deposited in or on the waters or ashore within the boundaries of the Park.

(c) *Wrecks.* No person shall destroy, molest, remove, deface, displace or tamper with wrecked or abandoned waterborne craft of any type or condition, or any cargo pertaining thereto unless

## §7.75

## 36 CFR Ch. I (7-1-10 Edition)

permitted in writing by an authorized official of the National Park Service.

(d) *Boats.* (1) No watercraft shall be operated in such a manner, nor shall anchors or any other mooring device be cast or dragged or placed, so as to strike or otherwise cause damage to any underwater features.

(2) Anchoring or maneuvering watercraft within the waters that contain underwater marked swimming trails and interpretive signs is prohibited.

(3) Vessels desiring to enter Trunk Bay must enter and depart between the two outer buoys delineating the prescribed anchorage area, and shall anchor within described area, and no other, making sure the vessel will lie within this area regardless of wind or sea conditions: Except, that hand-propelled craft may be used to transport passengers and equipment between the anchorage area and the beach.

(4) All vessels carrying passengers for hire shall comply with applicable laws and regulations of the United States Coast Guard and Territory of the Virgin Islands.

(e) *Fishing.* (1) Taking of fishes or any other marine life in any way except with rod or line, the rod or line being held in the hand, is prohibited: *Provided*, That fish may be taken by pots or traps of conventional Virgin Islands design and not larger than five feet at the greatest dimension, and bait fish may be taken by nets of no greater overall length than 20 feet and of mesh not larger than 1 inch stretched: *Provided further*, That paragraphs (e) (3), (4), and (5) of this section shall apply.

(2) The use or possession of any type of spearfishing equipment within the boundaries of the park is prohibited.

(3) The species of crustaceans known as Florida Spiny Lobster (*Panulirus argus*) may be taken by hand or hand-held hook. No person shall take female lobsters with eggs; or take more than two lobsters per person per day; or have in possession more than two days' limit: *Provided*, That paragraph (e)(5) of this section shall apply.

(4) Species of mollusks commonly known as whelks and conchs may be taken by hand. No person shall take more than two conchs or one gallon of whelks, or both, per day, or have in

possession more than two days' limit: *Provided*, That paragraph (e)(5) of this section shall apply.

(5) All known means of taking fish, crustaceans, mollusks, turtles, or other marine life are prohibited in Trunk Bay and in other waters containing underwater signs and markers.

[29 FR 17091, Dec. 15, 1964, as amended at 48 FR 30296, June 30, 1983]

### §7.75 Padre Island National Seashore.

(a) *Off-road motor vehicle and motorcycle operation.* (1) The following regulations pertain to the operation of motor vehicles and motorcycles off established roads and parking areas. The operation of such vehicles and motorcycles is subject also to the applicable provisions of part 4 of this chapter and paragraphs (e) and (g) of this section.

(i) No person may operate a motor vehicle or motorcycle without a valid operator's license or learner's permit in his possession; an operator who has a learner's permit must be accompanied by an adult who has a valid operator's license; a driver's license or learner's permit must be displayed upon the request of any authorized person.

(ii) In addition to the requirements of §4.10 of this chapter, every motor vehicle and motorcycle must have an operable horn, windshield wiper or wipers (except motorcycles), brake light or lights, and rearview mirror.

(iii) Motor vehicles and motorcycles must have valid license plates.

(iv) Every motor vehicle and motorcycle must have a valid State vehicle inspection certificate when such certificate is required for highway use in the State in which the vehicle is licensed.

(v) When two motor vehicles or motorcycles meet on the beach, the operator of the vehicle in southbound traffic shall yield the right-of-way, where necessary, by turning out of the track to the right.

(2) *Off-road motor vehicle and motorcycle use areas and routes.* The following routes and areas are open to such vehicles: (i) Travel is permitted on all of the beach adjacent to the Gulf of Mexico, except for the approximately 4½ miles of beach between the North and South Beach Access Roads.