

# FEDERAL REGISTER

THE NATIONAL ARCHIVES  
LITTERA SCRIPTA MANET  
OF THE UNITED STATES  
1934  
VOLUME 24  
NUMBER 121

Washington, Saturday, June 20, 1959

## Title 5—ADMINISTRATIVE PERSONNEL

### Chapter I—Civil Service Commission

#### PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

##### Department of Agriculture

Effective upon publication in the FEDERAL REGISTER, subparagraph (3) of § 6.111(h) is amended as set out below.

##### § 6.111 Department of Agriculture.

##### (h) Agricultural Marketing Service.

(3) Positions of cotton classifiers GS-9 and below, clerks GS-2, and laborers, employed on a seasonal basis in cotton-classing offices outside the Washington, D.C., Metropolitan Area. Employment under this authority (or under a combination of this authority and any other excepting authority) shall not exceed 160 working days a year in the case of cotton classifiers and laborers and 130 working days a year in the case of clerks. (R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] WM. C. HULL,  
Executive Assistant.

[F.R. Doc. 59-5144; Filed, June 19, 1959; 8:49 a.m.]

## Title 7—AGRICULTURE

### Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

#### SUBCHAPTER A—MARKETING ORDERS

[Valencia Orange Reg. 170]

#### PART 922—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

##### Limitation of Handling

§ 922.470 Valencia Orange Regulation 170.

(a) Findings. (1) Pursuant to the marketing agreement and Order No. 22,

No. 121—Pt. I—1

This issue includes two parts bound together. Part II contains a republication of regulations of the National Park Service, 36 CFR Chapter I.

as amended (7 CFR Part 922), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said marketing agreement and order, as amended, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (60 Stat. 237; 5 U.S.C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the

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## CFR SUPPLEMENTS

(As of January 1, 1959)

The following supplement is now available:

### Title 26 (1954), Part 222 to end (\$2.75)

Previously announced: Title 3, 1958 Supp. (\$0.35); Titles 4-5 (\$0.50); Title 6 (\$1.75); Title 7, Parts 1-50 (\$4.00); Parts 51-52 (\$6.25); Parts 53-209 (\$5.50); Parts 210-899 (\$2.50); Parts 900-959 (\$1.50); Part 960 to end (\$2.25); Title 8 (\$0.35); Title 9 (\$4.75); Titles 10-13 (\$5.50); Title 14, Parts 1-39 (\$0.55); Parts 40-399 (\$0.55); Part 400 to end (\$1.50); Title 15 (\$1.00); Title 16 (\$1.75); Title 18 (\$0.25); Title 19 (\$0.75); Title 21 (\$1.00); Titles 22-23 (\$0.35); Title 24 (\$4.25); Title 25 (\$0.35); Title 26, Parts 1-79 (\$0.20); Parts 80-169 (\$0.20); Parts 170-182 (\$0.20); Part 300 to end, Title 27 (\$0.30); Title 26 (1954) Parts 1-19 (\$3.25); Parts 20-221 (\$3.00); Titles 28-29 (\$1.50); Titles 30-31 (\$3.50); Title 32, Parts 1-399 (\$1.50); Parts 400-699 (\$1.75); Parts 700-799 (\$0.70); Parts 800-1099 (\$2.50); Part 1100 to end (\$0.35); Title 32A (\$0.40); Title 33 (\$1.50); Titles 35-37 (\$1.25); Title 38 (\$0.55); Title 39 (\$0.70); Titles 40-42 (\$0.35); Title 43 (\$1.00); Titles 44-45 (\$0.60); Title 46, Parts 1-145 (\$1.00); Parts 146-149, 1958 Supp. 2 (\$1.50); Part 150 to end (\$0.50); Title 47, Parts 1-29 (\$0.70); Part 30 to end (\$0.30); Title 49, Parts 1-70 (\$0.25); Parts 71-90 (\$0.70); Parts 91-164 (\$0.40); Part 165 to end (\$1.00); Title 50 (\$0.75)

Order from Superintendent of Documents, Government Printing Office, Washington 25, D.C.

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[Lemon Reg. 797]

## PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

## Limitation of Handling

## § 953.904 Lemon Regulation 797.

(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 23 F.R. 9053), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (60 Stat. 237; 5 U.S.C. 1001 et seq.) because the time intervening between the date when information upon which this section is based becomes available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on June 17, 1959.

(b) Order. (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a.m., P.s.t., June 21, 1959, and ending at 12:01 a.m., P.s.t., June 28, 1959, are hereby fixed as follows:

- (i) District 1: Unlimited movement;
- (ii) District 2: 465,000 cartons;

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Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on June 18, 1959.

(b) Order. (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a.m., P.s.t., June 21, 1959, and ending at 12:01 a.m., P.s.t., June 28, 1959, are hereby fixed as follows:

- (i) District 1: Unlimited movement;
  - (ii) District 2: 739,200 cartons;
  - (iii) District 3: Unlimited movement.
- (2) All Valencia oranges handled during the period specified in this section are subject also to all applicable size restrictions which are in effect pursuant to this part during such period.
- (3) As used in this section, "handler," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said marketing agreement and order, as amended.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: June 19, 1959.

S. R. SMITH,  
Director, Fruit and Vegetable  
Division, Agricultural Market-  
ing Service.

[F.R. Doc. 59-5189; Filed, June 19, 1959;  
11:45 a.m.]

(iii) District 3: Unlimited movement.  
(2) As used in this section, "handler," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: June 18, 1959.

S. R. SMITH,  
Director, Fruit and Vegetable  
Division, Agricultural Market-  
ing Service.

[F.R. Doc. 59-5201; Filed, June 19, 1959;  
9:41 a.m.]

## SUBCHAPTER A—MARKETING ORDERS

## PART 969—AVOCADOS GROWN IN SOUTH FLORIDA

## Findings and Determinations Relative to Expenses and Fixing of the Rate of Assessment for 1959-60 Fiscal Year

Notice was published in the June 2, 1959, issue of the FEDERAL REGISTER (24 F.R. 4494) that consideration was being given to proposals regarding the expenses and the fixing of the rate of assessment for the fiscal year (April 1, 1959, through March 31, 1960) under the marketing agreement, as amended, and Order No. 69, as amended (7 CFR Part 969), regulating the handling of avocados grown in south Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice which were submitted by the Avocado Administrative Committee (established pursuant to the said amended marketing agreement and order), it is hereby found and determined that:

## § 969.207 Expenses and rate of assessment for the 1959-60 fiscal year.

(a) Expenses: The expenses that are reasonable and likely to be incurred by the Avocado Administrative Committee, established pursuant to the provisions of the aforesaid amended marketing agreement and order, for the maintenance and functioning of such committee, in accordance with the provisions thereof, during the said fiscal year beginning April 1, 1959, and ending March 31, 1960, will amount to \$7,040.00.

(b) Rate of assessment: The rate of assessment which each handler who first handles avocados shall pay as his pro rata share of the aforesaid expenses in accordance with the applicable provisions of said amended marketing agreement and order is hereby fixed at three cents (\$0.03) per bushel, or equivalent quantity of avocados handled by such handler during the 1959-60 fiscal year.

(c) Terms used in said amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order.



(d) The provisions hereof shall become effective 30 days after publication in the FEDERAL REGISTER.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: June 16, 1959.

FLOYD F. HEDLUND,  
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 59-5139; Filed, June 19, 1959; 8:48 a.m.]

## PART 1001—LIMES GROWN IN FLORIDA

### Determination Relative to Expenses and Fixing of Rate of Assessment for 1959-60 Fiscal Year

Notice was published in the June 2, 1959, issue of the FEDERAL REGISTER (24 F.R. 4494), that consideration was being given to proposals regarding the expenses and the fixing of the rate of assessment for the 1959-60 fiscal year under the marketing agreement, as amended, and Order No. 101, as amended (7 CFR Part 1001), regulating the handling of limes grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

After consideration of all relevant matters presented, including the proposals set forth in such notice which were submitted by the Florida Lime Administrative Committee, established pursuant to the aforesaid amended marketing agreement and order, it is hereby found and determined that:

#### § 1001.206 Expenses and rate of assessment for the 1959-60 fiscal year.

(a) Expenses: The expenses that are reasonable and likely to be incurred by the Florida Lime Administrative Committee, established pursuant to the provisions of the aforesaid amended marketing agreement and order, for the maintenance and functioning of such committee, in accordance with the provisions thereof, during the fiscal year beginning April 1, 1959, and ending March 31, 1960, will amount to \$7,040.00.

(b) Rate of assessment: The rate of assessment which each handler who first handles limes shall pay as his pro rata share of the aforesaid expenses in accordance with the applicable provisions of said amended marketing agreement and order is hereby fixed at three cents (\$0.03) per bushel, or equivalent quantity of limes handled by such handler during the 1959-60 fiscal year.

(c) Terms used in the said amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order.

(d) The provisions hereof shall become effective 30 days after publication in the FEDERAL REGISTER.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: June 16, 1959.

FLOYD F. HEDLUND,  
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 59-5140; Filed, June 19, 1959; 8:48 a.m.]

## PART 1021—TOMATOES GROWN IN THE LOWER RIO GRANDE VALLEY IN TEXAS

### Order Terminating Limitation of Shipments

(a) Findings. (1) Pursuant to Marketing Order No. 121 (7 CFR Part 1021), regulating the handling of tomatoes grown in the counties of Cameron, Hidalgo, Starr, and Willacy in Texas (Lower Rio Grande Valley), effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674), and upon the basis of the recommendation and information submitted by the Texas Valley Tomato Committee, established pursuant to said marketing order, and upon other available information, it is hereby found that the termination of the limitation of shipments, as herein-after provided, will tend to effectuate the declared policy of the act.

(2) It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, and engage in public rule making procedure, and that good cause exists for not postponing the effective date of this termination order until 30 days or any other period beyond the date specified (5 U.S.C. 1001 et seq.) in that: (i) The time intervening between the date when information upon which this termination order is based became available and the time when this termination order must become effective in order to effectuate the declared policy of the act is insufficient; (ii) information regarding the committee's recommendations has been made available to producers and handlers in the production area; and (iii) this order relieves restrictions on the handling of tomatoes grown in the production area.

(b) Order. The provisions of § 1021.301 (24 F.R. 3319) are hereby terminated as of June 18, 1959.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: June 17, 1959 to become effective June 18, 1959.

S. R. SMITH,  
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 59-5154; Filed, June 19, 1959; 8:50 a.m.]

## SUBCHAPTER B—PROHIBITIONS OF IMPORTED COMMODITIES

### PART 1065—TOMATOES

#### Order Terminating Tomato Import Regulation

Pursuant to the requirement contained in section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674), § 1065.4, *Tomato Regulation No. 4* (23 F.R. 8115; 24 F.R. 3365), is hereby terminated as of June 18, 1959.

It is hereby found that good cause exists for not postponing the effective date of this termination order beyond that herein specified (5 U.S.C. 1001 et seq.) in that (a) the provisions of section 8e of the Agricultural Marketing Agreement Act of 1937, as amended, supra, make such termination mandatory upon termination of the corresponding regulations imposed on shipments of domestic tomatoes; and (b) termination of such regulations on shipments of domestic tomatoes under Marketing Order No. 121 (7 CFR 1021.301; 24 F.R. 3319) will become effective June 18, 1959. (c) This amendment relieves restrictions on the importation of tomatoes.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated June 17, 1959, to become effective June 18, 1959.

S. R. SMITH,  
Director,  
Fruit and Vegetable Division.

[F.R. Doc. 59-5153; Filed, June 19, 1959; 8:50 a.m.]

## Title 14—AERONAUTICS AND SPACE

### Chapter II—Civil Aeronautics Board

#### SUBCHAPTER B—ECONOMIC REGULATIONS

[Regulation No. ER-275]

### PART 203—TERMS, CONDITIONS AND LIMITATIONS OF CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY; FOREIGN AIR TRANSPORTATION

#### Persons Upon Whom Notice Must Be Served

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 17th day of June 1959.

The Post Office Department has requested the Board to amend § 203.7 of the Economic Regulations, which prescribes the persons upon whom a copy of each application for change in approved service plan relating to foreign air transportation must be served, to reflect a change made by the Department in the title of a Departmental official. The title "Second Assistant Postmaster General" as now set forth therein does not correspond with the title presently in use in the Department which is "As-



sistant Postmaster General—Bureau of Transportation."

On the basis of the information furnished the Board by the Post Office Department, the Board finds that this amendment should be adopted, that it is not substantive but merely formal in nature, that consequently notice and public procedure thereon are not required, and that it may be made effective immediately upon publication.

Accordingly, the Board hereby amends Part 203 of the Economic Regulations (14 CFR Part 203) effective June 20, 1959, by deleting the words "Second Assistant Postmaster General" from § 203.7(a) thereof and substituting in lieu thereof the words "Assistant Postmaster General—Bureau of Transportation."

(Sec. 204(a), 72 Stat. 743; 49 U.S.C. 1324. Interpret or apply sec. 401, 72 Stat. 754; 49 U.S.C. 1371)

By the Civil Aeronautics Board.

[SEAL] PHYLLIS T. KAYLOR,  
Acting Secretary.

[F.R. Doc. 59-5151; Filed, June 19, 1959; 8:50 a.m.]

### Chapter III—Federal Aviation Agency

#### SUBCHAPTER D—AIRPORT REGULATIONS

[Regulatory Docket No. 26, Amdt. 2]

### PART 565—RELEASE OF AIRPORT PROPERTY FROM RESTRICTIONS OF SURPLUS AIRPORT PROPERTY INSTRUMENTS OF DISPOSAL

#### Release of Rights in Lands Containing Radioactive Minerals

The Surplus Property Act of 1944, as amended (50 U.S.C. App. 1622(b)), authorizes the Administrator of the Federal Aviation Agency to reform, correct, or amend any instrument of disposal by which airport property was transferred to a nonfederal public agency and to conform the transfer to the requirements of applicable law. Part 565 implements that section and, as presently written, paragraph (a) of § 565.4 specifies that the policy of the Administrator is to deny requests for such releases involving lands in which the United States has reserved rights to any uranium, thorium or other radioactive minerals essential to the production of fissionable materials or rights to enter thereon for the purpose of prospecting for, mining and removing such minerals. However, on August 19, 1958, the Congress amended section 68 of the Atomic Energy Act of 1954, by specifically releasing, remising, and quitclaiming to the persons entitled thereto all rights in such minerals previously reserved to the United States in any instrument disposing of its interest in public or acquired lands.

Therefore, it is necessary to repeal paragraph (a) of § 565.4 because the policy embodied therein has been super-

seded by this recent amendment to the Atomic Energy Act. Furthermore, it is also deemed advisable to inform interested persons that they may apply to the Administrator of the Federal Aviation Agency for the issuance of such instruments of reform, correction or amendment as may be necessary to reflect such blanket release of these mineral restrictions in particular instruments of disposal.

In consideration of the foregoing, Part 565 of the Regulations of the Administrator (14 CFR Part 565) is hereby amended as follows:

1. By adding a new paragraph (c) to § 565.2 to read as follows:

§ 565.2 Applicable law.

(c) Section 68 of the Atomic Energy Act of 1954, as amended (72 Stat. 632; 42 U.S.C. § 2098), releases, remises, and quitclaims to the persons entitled thereto all reserved rights, of the United States, concerning radioactive minerals contained in any instrument disposing of its interest in public or acquired lands. In addition, the Surplus Property Act of 1944, as amended (50 U.S.C. App. 1622(b)), authorizes the Administrator of the Federal Aviation Agency to issue such instruments of reform, correction, or amendment as he shall determine to be necessary for the correction of any instrument of disposal by which surplus property was transferred to a nonfederal public agency for airport purposes or to conform such transfer to the requirements of applicable law. Accordingly, upon written application by persons duly entitled to the ownership, occupancy or use of the land involved under applicable Federal or State laws the Administrator will issue appropriate instruments of reform, correction, or amendment to release of record any reservations of radioactive mineral rights in surplus property instruments of disposal.

§ 565.4 [Amendment]

2. Delete paragraph (a) of § 565.4.  
3. Respectively renumber paragraphs (b), (c), (d), (e), (f) and (g) of § 565.4 as paragraphs (a), (b), (c), (d), (e) and (f).

§ 565.5 [Amendment]

4. Delete subparagraph (1) of § 565.5 (a) and substitute therefor the following:

(1) Execute such instruments of release or correction or other instruments as may be necessary to effect the removal of record of (i) any restriction against use of structures for industrial purposes, and (ii) any reservations of radioactive mineral substances, fissionable materials, or source materials, together with the right to enter upon the land and prospect for, mine, and remove the same, contained in any surplus property instrument of disposal.

This amendment shall be effective upon the date of its publication in the FEDERAL REGISTER.

(Sec. 3, 63 Stat. 700, as amended; 50 U.S.C. App. 1622(b))

Issued in Washington, D.C., on June 12, 1959.

E. R. QUESADA,  
Administrator.

[F.R. Doc. 59-5115; Filed, June 19, 1959; 8:45 a.m.]

## Title 16—COMMERCIAL PRACTICES

### Chapter I—Federal Trade Commission

[Docket 7356 c.o.]

#### PART 13—DIGEST OF CEASE AND DESIST ORDERS

Caravel Products, Ltd., et al.

Subpart—Advertising falsely or misleadingly: § 13.155 Prices: Exaggerated as regular and customary. Subpart—Misbranding or mislabeling: § 13.1280 Price; § 13.1325 Source or origin: Place: Domestic product as imported. Subpart—Misrepresenting oneself and goods—Prices: § 13.1805 Exaggerated as regular and customary; § 13.1810 Fictitious marking.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Caravel Products, Ltd., et al., New York, N.Y., Docket 7356, May 19, 1959]

In the Matter of Caravel Products, Ltd., a Corporation, and Herman Sobel, Individually and as an Officer of Said Corporation, and Trading as Fairbanks Company

This proceeding was heard by a hearing examiner on the complaint of the Commission charging a New York City distributor of perfumes with representing falsely in advertising and on the labeling and packaging of their products that fictitious and excessive amounts were the usual retail prices; advertising that certain of their products were currently and regularly advertised in nationally distributed magazines, when any such advertisements appeared about 1951; and representing through use of French words and the French tricolor on labels and packaging that some of their products were compounded in France, when the major portion of the ingredients was of domestic origin.

Based on an agreement for a consent order, the hearing examiner made his initial decision and order to cease and desist which became on May 19 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That respondents Caravel Products, Ltd., a corporation, and its officers, and Herman Sobel, also known as Arthur H. Sobel, M. H. Sobel, Arthur Sobel and Henry Sobel, individually and as an officer of said corporation and trading as Fairbanks Company, or under any other name, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of perfumes or other products, do forthwith cease and desist from:



1. Disseminating, or causing to be disseminated, any advertisement by means of the United States mails, or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase of said products, which advertisement:

(a) Represents, directly or by implication, that the usual or customary retail price of any product is in excess of the price at which such product is regularly or customarily sold at retail in the normal course of business.

(b) Represents, directly or by implication, that any product is being currently advertised in *Vogue*, *Mademoiselle* or *Seventeen* magazines; or in any other magazine or publication, when such is not the fact, or that any product has been advertised in any magazine or publication in the past unless the date of such advertisement is clearly set forth.

2. Disseminating, or causing the dissemination of, any advertisement by any means for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase of said products in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement contains any of the representations prohibited by paragraph 1 hereof.

*It is further ordered*, That respondents, Caravel Products, Ltd., a corporation, and its officers, and Herman Sobel, also known as Arthur H. Sobel, M. H. Sobel, Arthur Sobel and Henry Sobel, individually and as an officer of said corporation and trading as Fairbanks Company, or under any other name, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of perfumes or other products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication, that the usual or customary retail prices of any product is in excess of the price at which such product is regularly or customarily sold at retail in the normal course of business.

2. Using the words "concentre fabrique avec essence de France" or a replica of the tricolor of France, or any other word, term, symbol or depiction indicative of foreign origin as descriptive of, or in connection with, products manufactured or compounded in the United States, unless it is clearly and conspicuously disclosed in immediate connection therewith that such products are manufactured or compounded in the United States.

3. Otherwise representing that products which are manufactured or compounded in the United States are manufactured or compounded in France, or in any other foreign country, provided, however, that in cases where certain of the ingredients of any product are imported into the United States such fact may be stated if accompanied by a clear and conspicuous statement that such ingredients were blended with domestic ingredients and that the resulting prod-

uct was bottled and packaged in the United States.

By "Decision of the Commission", etc., report of compliance was required as follows:

*It is further ordered*, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with the order contained in said initial decision.

Issued: May 19, 1959.

By the Commission.

[SEAL]

ROBERT M. PARRISH,  
Secretary.

[F.R. Doc. 59-5124; Filed, June 19, 1959;  
8:46 a.m.]

[Docket 7377 c.o.]

### PART 13—DIGEST OF CEASE AND DESIST ORDERS

#### M & M Specialties, Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.135 Nature; § 13.170 Qualities or properties of product or service.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order. M & M Specialties, Inc., et al., New York, N.Y., Docket 7377, May 19, 1959]

*In the Matter of M & M Specialties, Inc., a Corporation, and Max Schoman, and Martin Greenwald, Individually and as Officers of Said Corporation*

This proceeding was heard by a hearing examiner on the complaint of the Commission charging a New York City distributor with advertising falsely in newspapers, periodicals, and otherwise that attaching its "Color V"—a sheet of transparent plastic sprayed with orange paint blending into green at one border and blue at the opposite border—to a black and white television set would produce "reallife" color and eliminate glare, and that "Color V" was an electronic device.

After acceptance of an agreement containing consent order, the hearing examiner made his initial decision and order to cease and desist which became on May 19 the decision of the Commission.

The order to cease and desist is as follows:

*It is ordered*, That respondents M & M Specialties, Inc., a corporation, and its officers, and Max Schoman and Martin Greenwald, individually and as officers of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of a plastic sheet to be fastened over the viewing screen of a television set, designated as "Color V," or any other product of substantially similar construction or possessing substantially the same characteristics, whether sold under the same or

any other name, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or by implication:

1. That by the use of such product

(a) In connection with the operation of a black-and-white television set, said television set will thereby produce the same visual effect as a color television set or misrepresenting in any manner the color provided by said product when used in connection with a television set;

(b) Glare will be eliminated from television screens;

2. That such product is an electronic device.

By "Decision of the Commission", etc., report of compliance was required as follows:

*It is ordered*, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: May 19, 1959.

By the Commission.

[SEAL]

ROBERT M. PARRISH,  
Secretary.

[F.R. Doc. 59-5125; Filed, June 19, 1959;  
8:46 a.m.]

## Title 20—EMPLOYEES' BENEFITS

### Chapter II—Railroad Retirement Board

#### PART 325—REGISTRATION AND CLAIMS FOR BENEFITS

#### PART 326—EXHAUSTION OF RIGHTS TO UNEMPLOYMENT BENEFITS

##### Miscellaneous Amendments

Pursuant to the general authority contained in section 12 of the act of June 25, 1938 (52 Stat. 1094, 1107; 45 U.S.C. 362) §§ 325.1, 325.12(a) and 325.12(c) of the Regulations under such act (5 F.R. 2111; 5 F.R. 4815; 7 F.R. 97; 9 F.R. 3192; 11 F.R. 1206; 11 F.R. 6584; 11 F.R. 11768; 12 F.R. 224; 13 F.R. 7239; 14 F.R. 5240; 16 F.R. 6504; 20 F.R. 6767; 21 F.R. 2918) are amended and Part 336 of such Regulations is adopted by Board Order 59-131, dated June 2, 1959; §§ 325.1 and 325.12(c) are amended by the addition of the provisions set forth below, and § 325.12(a) is amended and Part 336 is adopted to read as follows:

##### § 325.1 Statutory provisions.

Section 2(c) of the Railroad Unemployment Insurance Act, as amended, provides that:

... with respect to an employee who has ten or more years of service as defined in section 1(f) of the Railroad Retirement Act of 1937, who did not voluntarily leave work without good cause or voluntarily retire, and who had current rights to normal benefits for days of unemployment in a benefit year but has exhausted such rights, the benefit year in which such rights are ex-



hausted shall be deemed not to be ended until the last day of the extended benefit period determined under the following schedule, and the maximum number of days of, and amount of payment for, unemployment

within such benefit year for which benefits may be paid to the employee shall be enlarged to include all compensable days of unemployment within such extended benefit period:

The extended benefit period shall begin on the first day of unemployment following the day on which the employee exhausted his then current rights to normal benefits for days of unemployment and shall continue for successive fourteen-day periods (each of which periods shall constitute a registration period) until the number of such fourteen-day periods totals—

If the employee's "years of service" total—  
10 and less than 15.....  
15 and over.....

7 (but not more than 65 days).  
13.

but no such extended benefit period shall extend beyond the beginning of the first registration period in a benefit year in which the employee is again qualified for benefits in accordance with section 3 of this Act on the basis of compensation earned after the first of such successive fourteen-day periods has begun.

Section 303(b) of Public Law 86-28, 73 Stat. 31, provides that:

An employee who has less than ten years of service as defined in section 1(f) of the Railroad Retirement Act of 1937, and who has after June 30, 1957, and before April 1, 1959, exhausted (within the meaning prescribed by the Railroad Retirement Board by regulation) his rights to unemployment benefits, shall be paid unemployment benefits for days of unemployment, not exceeding sixty-five, which occur in registration periods beginning on or after June 19, 1958, and before July 1, 1959, and which would not be days with respect to which he would be held entitled otherwise to receive unemployment benefits under the Railroad Unemployment Insurance Act \* \* \*

#### § 325.12 Registration.

(a) *Method of registration.* Registration with respect to any day shall be made by the employee's appearing before an unemployment claims agent at a free employment office during such agent's working hours and claiming the day by signing for it on the registration and claim form provided by the Board: *Provided, however,* That, except for registrations for benefits in extended benefit periods and for benefits provided in Section 303(b), Public Law 86-28, 73 Stat. 31, no registration shall be deemed to have been made with respect to any day which, if registration were made with respect to it, would be the first day of a registration period in a benefit year in which (1) the employee is not a qualified employee under section 3 of the Railroad Unemployment Insurance Act, or (2) benefits have already been payable to him for 130 days of unemployment, or (3) benefits for days of unemployment have already been payable to him in an amount equal to his compensation in the base year: *And provided further,* That if registration is made with respect to any day, and the claim to such day as a day of unemployment on the basis of such registration is not withdrawn, nothing done subsequent to such registration, except reregistration under § 325.50, shall be deemed registration with respect to such

day: *And provided further,* That if, at the time of establishment of an extended benefit period, it is apparent that beginning the extended benefit period with a particular day would clearly be to the employee's disadvantage, no registration shall be deemed to have been made with respect to such day.

#### (c) Day of registration. \* \* \*

(7) Registration with respect to any day before May 19, 1959, for which the employee would not have been entitled to unemployment benefits except for the amendments to the Railroad Unemployment Insurance Act made by Public Law 86-28, 73 Stat. 25, or except for the provisions of section 303(b) of Public Law 86-28, 73 Stat. 31, may be made at any time before May 19, 1960.

(Sec. 12, 52 Stat. 1107, as amended; 5 U.S.C. 362)

Sec.  
336.1 Statutory provisions.  
336.2 Exhaustion of rights.

AUTHORITY: §§ 336.1 and 336.2 issued under sec. 12, 52 Stat. 1107, as amended; 45 U.S.C. 362.

#### § 336.1 Statutory provisions.

Section 2(c) of the Railroad Unemployment Insurance Act, as amended, provides that:

\* \* \* with respect to an employee who has ten or more years of service as defined in section 1(f) of the Railroad Retirement Act of 1937, who did not voluntarily leave work without good cause or voluntarily retire, and who had current rights to normal benefits for days of unemployment in a benefit year but has exhausted such rights, the benefit year in which such rights are exhausted shall be deemed not to be ended until the last day of the extended benefit period determined under the following schedule, and the maximum number of days of, and amount of payment for, unemployment within such benefit year for which benefits may be paid to the employee shall be enlarged to include all compensable days of unemployment within such extended benefit period:

The extended benefit period shall begin on the first day of unemployment following the day on which the employee exhausted his then current rights to normal benefits for days of unemployment and shall continue for successive fourteen-day periods (each of which periods shall constitute a registration period) until the number of such fourteen-day periods totals—

If the employee's "years of service" total—  
10 and less than 15.....  
15 and over.....

7 (but not more than 65 days).  
13.

but no such extended benefit period shall extend beyond the beginning of the first registration period in a benefit year in which the employee is again qualified for benefits in accordance with section 3 of this Act on the basis of compensation earned after the first of such successive fourteen-day periods has begun.

Section 303(b) of Public Law 86-28, 73 Stat. 31, provides that:

An employee who has less than ten years of service as defined in section 1(f) of the Railroad Retirement Act of 1937, and who has after June 30, 1957, and before April 1, 1959, exhausted (within the meaning prescribed by the Railroad Retirement Board by regulation) his rights to unemployment benefits, shall be paid unemployment benefits for days of unemployment, not exceeding sixty-five, which occur in registration periods beginning on or after June 19, 1958, and before July 1, 1959, and which would not be days with respect to which he would be held entitled otherwise to receive unemployment benefits under the Railroad Unemployment Insurance Act \* \* \*

#### § 336.2 Exhaustion of rights.

An employee shall be deemed to have exhausted his current rights to normal benefits for days of unemployment, within the meaning of Section 2(c) of the Railroad Unemployment Insurance Act, and to have exhausted his rights to unemployment benefits, within the meaning of Section 303(b) of Public Law 86-28, 73 Stat. 31, if:

(a) He has received unemployment benefits for 130 days of unemployment in the benefit year, or

(b) He has received unemployment benefits in the benefit year equal to his base-year compensation, or

(c) At the end of a normal benefit year during which he was qualified for benefits he has received less than the maximum unemployment benefits for the benefit year and he is not qualified for benefits in the next succeeding benefit year.

Dated: June 15, 1959.

By authority of the Board.

MARY B. LINKINS,  
Secretary of the Board.

[F.R. Doc. 59-5135; Filed, June 19, 1959; 8:48 a.m.]

## Title 25—INDIANS

### Chapter I—Bureau of Indian Affairs, Department of the Interior

#### SUBCHAPTER K—PATENTS, ALLOTMENTS AND SALES

#### PART 121—ISSUANCE OF PATENTS IN FEE, CERTIFICATES OF COMPE- TENCY, SALE OF CERTAIN INDIAN LANDS, AND REINVESTMENT OF PROCEEDS

##### Status of Applications for Patents in Fee

On pages 1720 and 1721 of the FEDERAL REGISTER of March 10, 1959, there was published a notice of intention to amend Part 121, Title 25 of the Code of Federal Regulations, by adding new material to be designated as § 121.2a. The purpose



of this amendment is to assure, insofar as practicable, that Indian applicants for patents in fee are informed concerning the disposition of their applications before such information is made available to the public.

Interested persons were given an opportunity to submit their views, data, and arguments concerning the proposed amendment within 30 days from the date of publication of the notice. No written communications pertaining to the proposed amendment were received within the period specified.

The proposed amendment to the regulations is hereby adopted, without change, and is set forth below. This amendment is effective upon publication in the FEDERAL REGISTER.

FRED A. SEATON,  
Secretary of the Interior.

JUNE 15, 1959.

A new section is added following § 121.2 to read as follows:

**§ 121.2a Information regarding status of applications for patents in fee.**

The status of applications by Indians for patents in fee shall be disclosed to employees of the Department whose duties require that such information be disclosed to them and to the applicant, or his attorney, upon request. Such information will be made available to all other persons, upon request, fifteen (15) days after the fee patent has been issued by the Bureau of Land Management, or after the application has been rejected and the applicant notified, if such be the case.

(R.S. 161; 5 U.S.C. 22)

[F.R. Doc. 59-5127; Filed, June 19, 1959;  
8:47 a.m.]

## Title 32A—NATIONAL DEFENSE, APPENDIX

### Chapter VI—Business and Defense Services Administration, Department of Commerce

[DMS Reg. No. 1, Direction 5 as amended  
June 17, 1959]

### DMS REG. 1—BASIC RULES OF THE DEFENSE MATERIALS SYSTEM

#### Dir. 5—Special Procedure for the Production of Selected Aircraft Class B Products

This amended direction under DMS Regulation 1 is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this direction, consultation with industry representatives has been rendered impracticable due to the need for immediate action.

Sec.

1. What this direction does.
2. Definition.

Sec.

3. Applicability of DMS Reg. 1.
4. Transition provision for acquisition of controlled materials.
5. Self-authorization procedure for SA Class B products.

**AUTHORITY:** Sections 1 to 5 issued under sec. 704, 64 Stat. 816, as amended, P.L. 85-471, 72 Stat. 241; 50 U.S.C. App. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended, sec. 705, 64 Stat. 816, as amended, P.L. 85-471, 72 Stat. 241; 50 U.S.C. App. 2071, 2155; E.O. 10480, as amended, 18 F.R. 4939, 6201, 19 F.R. 3807, 7249, 21 F.R. 1673; 3 CFR, 1953, 1954 and 1956 Supps.; DMO I-7, as amended, 18 F.R. 5366, 6736, 6737, 19 F.R. 7348; 32A CFR Ch. I; Commerce Dept. Order No. 152 (Revised), 23 F.R. 7951.

#### Section 1. What this direction does.

This amended direction makes basic changes in the special procedure for the production of APRA B products which was established by this direction as originally issued April 1, 1954. It provided that the Aircraft Production Resources Agency of the Department of Defense would authorize production schedules and make allotments to manufacturers of APRA B products. Under this amended direction manufacturers of Selected Aircraft Class B products (formerly APRA B products) who receive rated orders for such products will operate under the self-authorization provisions of section 17 of DMS Reg. 1 but, in lieu of using the program identification B-5, will use their customers' program identifications in obtaining controlled materials and other products and materials.

#### Sec. 2. Definition.

As used in this direction, "SA Class B product" means any Class B product listed in Table 1 of this direction.

#### Sec. 3. Applicability of DMS Reg. 1.

The provisions of DMS Regulation No. 1 are superseded to the extent that they are inconsistent with the provisions of this direction. In all other respects the provisions of DMS Regulation No. 1 shall remain in full force and effect.

#### Sec. 4. Transition provision for acquisition of controlled materials.

(a) All allotments for the production of SA Class B products (formerly APRA B products) for delivery of controlled materials subsequent to the third calendar quarter of 1959, which were not used prior to the effective date of this amended direction, are hereby cancelled.

(b) A person who has received an allotment for the production of SA Class B products (formerly APRA B products) and who may obtain controlled materials for the same purpose by self-authorization pursuant to this amended direction shall not use either the allotment or self-authorization to obtain more controlled materials than needed for such purpose.

#### Sec. 5. Self-authorization procedure for SA Class B products.

(a) No person shall authorize a production schedule or make an allotment

for the production of an SA Class B product, and no person shall accept an authorized production schedule or an allotment for the production of an SA Class B product.

(b) A manufacturer of an SA Class B product who receives a rated order for such product shall obtain his requirements of controlled materials and other products and materials needed to fill such order in accordance with the self-authorization provisions of section 17 of DMS Regulation No. 1: *Provided*, That he shall use his customer's program identification in lieu of using the program identification B-5.

This direction as amended shall take effect June 17, 1959.

BUSINESS AND DEFENSE SERVICES ADMINISTRATION,  
H. B. MCCOY,  
Administrator.

TABLE 1 OF DIRECTION 5 TO DMS REG. 1  
LIST OF SELECTED AIRCRAFT CLASS B PRODUCTS

Accumulators, hydraulic, aircraft.  
Actuators (cylinder assemblies), linear motion, hydraulic, aircraft.  
Actuators (cylinder assemblies), linear motion, pneumatic, aircraft.  
Actuators, linear motion, electric, aircraft.  
Altimeters, Barometric, aircraft.  
Brake boosters, aircraft.  
Brakes, aircraft.  
Compasses, aircraft.  
Conduit, electric, braided metallic, aircraft.  
Coolers, oil and air, aircraft.  
Dampeners, shimmy.  
Dampeners, yaw.  
Dynamotors, special aircraft.  
Filters, engine, air, aircraft.  
Filters, engine fuel, aircraft.  
Flight control systems, automatic, aircraft.  
Gauges, fuel, capacitor type, aircraft.  
Gearmotors, special aircraft.  
Generators, electric, special aircraft.  
Heat exchanger, aircraft.  
Heaters, airborne, aircraft.  
Indicators, airspeed and mach, aircraft.  
Indicators, rate of climb, aircraft.  
Indicators, turn and bank, aircraft.  
Instruments, Bourdon, aircraft.  
Instruments, gyro, aircraft.  
Instruments, indicating, electric, synchronous, aircraft.  
Instruments, temperature indicating, electric, aircraft.  
Inverters, electric, aircraft.  
Landing gear struts and assemblies.  
Motors, fractional horsepower, special aircraft, except synchros.  
Motors, hydraulic, special aircraft.  
Motors, rotary pneumatic, aircraft.  
Parachute components.  
Pilots, automatic, aircraft.  
Pumps, accumulators and assemblies, hydraulic, special aircraft.  
Pumps and assemblies, fuel, aircraft.  
Pumps and assemblies, vacuum, aircraft.  
Regulators, oxygen, respiration, aircraft.  
Safety belt and harness components, aircraft.  
Sextants, periscope, aircraft.  
Spark plugs, aircraft.  
Starters, electric, aircraft.  
Tachometers, electric, aircraft.  
Towing equipment, airborne, aircraft.  
Valves, control, hydraulic and pneumatic, aircraft.  
Wheels, aircraft.

[F.R. Doc. 59-5136; Filed, June 19, 1959;  
8:48 a.m.]



# Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

## Chapter I—Veterans Administration

### PART 6—UNITED STATES GOVERNMENT LIFE INSURANCE

### PART 8—NATIONAL SERVICE LIFE INSURANCE

#### Miscellaneous Amendments

1. In Part 6, § 6.115 is revised to read as follows:

§ 6.115 Cash value, other than 5-year level premium term policy.

Provisions for cash value, paid-up insurance, and extended term insurance, except as provided in § 6.105(b), shall become effective at the completion of the first policy year on any plan of United States Government life insurance other than the 5-year level premium term plan; all values, reserves, and net single premiums being based on the American Experience Table of Mortality, with interest at the rate of 3½ percent per annum. The cash value at the end of the first policy year and at the end of any policy year thereafter, for which premiums have been paid in full or waived, shall be the reserve together with any dividend accumulations. For each month after the first policy year, for which month a premium has been paid or waived, the reserve at the end of the preceding policy year shall be increased by one-twelfth of the increase in reserve for the current policy year. Upon written request therefor and upon complete surrender of the insurance with all claims thereunder made by the insured while the policy is in force, but not later than 3 calendar months from the due date of the premium in default, the United States will pay to the insured the cash value of the policy less any indebtedness, provided the policy has been in force by payment or waiver of the premiums for at least 1 year. Unless otherwise requested by the insured, a surrender will be deemed completed as of the end of the premium month in which the application for cash surrender is delivered to the Veterans Administration, or as of the date of the check for the cash value, whichever is later. If the application is forwarded by mail, properly addressed, the postmark date will be taken as the date of delivery. If it is forwarded through military channels, the date the application is placed in military channels will be taken as the date of delivery. The provisions of the "cash value" clause in United States Government life insurance policies are hereby amended accordingly.

2. Section 6.116 is revised to read as follows:

§ 6.116 Cash value; 5-year convertible term policy.

The cash value, paid-up insurance, extended insurance, and policy loan provisions under a United States Government life insurance policy on the 5-year convertible term plan shall be effective at

any time after the completion of the sixth policy year, all values, reserves, and net single premiums being based on the American Experience Table of Mortality, with interest at the rate of 3½ percent per annum. The cash value at the end of the sixth policy year and at the end of any policy year thereafter for which premiums have been paid in full shall be the reserve together with any dividend accumulations. For each month after the sixth policy year for which month the premium has been paid, the reserve at the end of the preceding year shall be increased by one-twelfth of the increase in reserve for the current policy year. Upon written request therefor and upon complete surrender of the insurance with all claims thereunder made by the insured while the policy is in force, but not later than 3 calendar months from the due date of the premium in default, the United States will pay to the insured the cash value of the policy less any indebtedness. Unless otherwise requested by the insured, a surrender will be deemed completed as of the end of the premium month in which the application for cash surrender is delivered to the Veterans Administration, or as of the date of the check for the cash value, whichever is later. If the application is forwarded by mail, properly addressed, the postmark date will be taken as the date of delivery. If it is forwarded through military channels, the date the application is placed in military channels will be taken as the date of delivery. The provisions of the "cash value" clause in 5-year convertible term policies are hereby amended accordingly.

3. Section 6.117 is revoked.

§ 6.117 Values for first 5 years; 5-year convertible term policy.

[Revoked.]

4. In § 8.26, paragraphs (f) and (g) are amended to read as follows:

§ 8.26 How paid.

(f) Dividend credit of the insured held for payment of premiums may not be used to satisfy any indebtedness due the United States without the insured's consent. If the insured requests payment of such dividend credit, or any unused portion thereof, in cash, or requests that such credit be left to accumulate on deposit, as provided in paragraph (g) of this section, then any indebtedness due the United States, such as described in § 8.60 will be recovered therefrom.

(g) At the written request of the insured, National Service life insurance dividends may be left to accumulate on deposit at interest which will be credited annually at such rate as the Administrator may determine: *Provided*, That effective April 1, 1953, interest will be computed and credited only on the balance of dividend deposits remaining as of the date preceding the anniversary date of the policy: *Provided further*, That the policy is in force on a basis other than extended term insurance or level premium term insurance. Dividend credit of the insured held for payment of pre-

miums or dividends left to accumulate on deposit as provided in this paragraph may be applied to the payment of premiums in advance upon written request of the insured made before default in payment of a premium. Dividends on deposit under the provisions of this paragraph will be used in addition to the reserve on the policy for the purpose of computing the period of extended term insurance or the amount of paid-up insurance as provided in §§ 8.29 and 8.30 respectively. Any dividend credit of a person who no longer has insurance in force by payment or waiver of premiums will be paid in cash to such person. Upon maturity of the policy, any dividend on deposit, any unpaid dividend payable in cash, and any dividend credit accruing from such policy which cannot be used to pay premiums will be paid to the person currently entitled to receive payments under the policy. If the policy is not in force at death, any such unpaid dividends and dividend credits will be paid to the insured's estate.

5. Section 8.27 is revised to read as follows:

§ 8.27 Cash value.

(a) *Cash value on National Service life insurance other than insurance issued under section 620 of the National Service Life Insurance Act, as amended, and sections 722(a) and 723(b) of Title 38, United States Code.* Provisions for cash value, paid-up insurance, and extended term insurance, except as provided in § 8.29(b), shall become effective at the completion of the first policy year on any plan of National Service life insurance other than the 5-year level premium term plan; all values, reserves, and net single premiums being based on the American Experience Table of Mortality, with interest at the rate of 3 percent per annum. The cash value at the end of the first policy year and at the end of any policy year thereafter, for which premiums have been paid in full, shall be the reserve together with any dividend accumulations. For each month after the first policy year for which month a premium has been paid or waived, the reserve at the end of the preceding policy year shall be increased by one-twelfth of the increase in reserve for the current policy year. Upon written request therefor and upon complete surrender of the insurance with all claims thereunder, the United States will pay to the insured the cash value of the policy less any indebtedness, provided the policy has been in force by payment or waiver of the premiums for at least 1 year. Unless otherwise requested by the insured, a surrender will be deemed completed as of the end of the premium month in which the application for cash surrender is delivered to the Veterans Administration, or as of the date of the check for the cash value, whichever is later. If the application is forwarded by mail, properly addressed, the postmark date will be taken as the date of delivery. If it is forwarded through military channels, the date the application is placed in military channels will be taken as the date of delivery. The provisions of the "Net Cash Value" clause in National



Service life insurance policies are hereby amended accordingly.

(b) *Cash value on insurance issued under the provisions of section 620 of the National Service Life Insurance Act, as amended, and section 722(a) of Title 38, United States Code.* Provisions for cash value, paid-up insurance, and extended term insurance, except as provided in § 8.29(b), shall become effective at the completion of the first policy year on any plan of National Service life insurance other than the 5-year level premium term plan; all values on such insurance, reserves, and net single premiums being based on the Commissioners 1941 Standard Ordinary Table of Mortality, with interest at the rate of 2½ per centum per annum. The cash value at the end of the first policy year and at the end of any policy year thereafter, for which premiums have been paid in full, shall be the reserve. For each month after the first policy year for which month a premium has been paid or waived, the reserve at the end of the preceding policy year shall be increased by one-twelfth of the increase in reserve for the current policy year. Upon written request therefor and upon complete surrender of the insurance with all claims thereunder, the United States will pay to the insured the cash value of the policy less any indebtedness, provided the policy has been in force by payment or waiver of premiums for at least 1 year. Unless otherwise requested by the insured, a surrender will be deemed completed as of the end of the premium month in which the application for cash surrender is delivered to the Veterans Administration, or as of the date of the check for the cash value, whichever is later. If the application is forwarded by mail, properly addressed, the postmark date will be taken as the date of delivery. If it is forwarded through military channels, the date the application is placed in military channels will be taken as the date of delivery.

(c) *Cash value on insurance issued under the provisions of section 723(b) of Title 38, United States Code.* Provisions for cash value, paid-up insurance, and extended term insurance, except as provided in § 8.29(b), shall become effective at the completion of the first policy year on any plan of National Service life insurance other than the limited convertible 5-year level premium term plan; all values on such insurance, reserves, and net single premiums being based on Table X-18 (1950-54 Intercompany Table of Mortality) with interest at the rate of 2½ per centum per annum. The cash value at the end of the first policy year and at the end of any policy year thereafter, for which premiums have been paid in full, shall be the reserve. For each month after the first policy year for which month a premium has been paid or waived, the reserve at the end of the preceding policy year shall be increased by one-twelfth of the increase in reserve for the current policy year. Upon written request therefor and upon complete surrender of the insurance with all claims thereunder, the United States will pay to the insured the cash value of the policy less any indebtedness, pro-

vided the policy has been in force by payment or waiver of premiums for at least 1 year. Unless otherwise requested by the insured, a surrender will be deemed completed as of the end of the premium month in which the application for cash surrender is delivered to the Veterans Administration, or as of the date of the check for the cash value, whichever is later. If the application is forwarded by mail, properly addressed, the postmark date will be taken as the date of delivery. If it is forwarded through military channels, the date the application is placed in military channels will be taken as the date of delivery.

(72 Stat. 1114; 38 U.S.C. 210)

This regulation is effective April 30, 1959.

[SEAL]

BRADFORD MORSE,  
Deputy Administrator.

[F.R. Doc. 59-5145; Filed, June 19, 1959;  
8:49 a.m.]

## Title 46—SHIPPING

### Chapter I—Coast Guard, Department of the Treasury

[CGFR 59-24]

#### ALTERNATE REQUIREMENTS AND EDITORIAL CHANGES

Requirements governing United States citizenship for a person who is born outside the United States and who claims citizenship because one of his parents was a United States citizen at the time of his birth are in 8 U.S.C. 1401 (a) (7) and (b). Determinations with respect to citizenship under this law are made by the United States Immigration and Naturalization Service and such determinations may be evidenced by their Certificates of Citizenship. The amendment to 46 CFR 10.02-5(c) (9) in this document provides for the acceptance of Certificates of Citizenship issued by the United States Immigration and Naturalization Service held by a person born outside of the United States and who is a United States citizen in accordance with 8 U.S.C. 1401 (a) (7) and (b).

The proviso in 46 CFR 10.13-7(b) is obsolete and is therefore canceled. This regulation authorized applicants of 18 years of age who had 6 months' service at sea prior to April 1, 1949 to be eligible for a license as a radio operator.

The requirements governing certification of able seamen and qualified members of the engine department under wartime regulations in 46 CFR 12.05-13 and 12.15-13 expired on July 1, 1953 and therefore these sections are canceled.

The amendments to 46 CFR 35.20-20 (second sentence), 39.01-1(a), 67.50-20 (g), 92.05-5 (headnote), 78.30-20, 97.27-5, 110.15-75, 185.30-5(d), 187.05-35(a) and 187.20-1(b) are editorial in nature and correct cross references, misspelled words or insert omitted words from common definitions.

The provisions regarding lookouts to be stationed at or near the bow of ships navigating the oceans or coastwise waters during the nighttime in 46 CFR

35.20-20 (first sentence), 78.30-1 and 97.27-1 are canceled because they are ambiguous and are not necessary, as the statutory lookout requirements are stated in the so-called "general prudential rule" in the various "Rules of the Road."

It is hereby found that compliance with the Administrative Procedure Act (respecting notice of proposed rule making, public rule making procedures thereon, and effective date requirements thereof) is deemed to be unnecessary.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Order No. 120, dated July 31, 1950 (15 F.R. 6521), Treasury Department Order 167-14, dated November 26, 1954 (19 F.R. 8026), and Treasury Department Order CGFR 56-28, dated July 24, 1956 (21 F.R. 5659), to promulgate regulations in accordance with the statutes cited with the regulations below, the following amendments are prescribed and shall become effective on the date of publication of this document in the FEDERAL REGISTER:

#### SUBCHAPTER B—MERCHANT MARINE OFFICERS AND SEAMEN

#### PART 10—LICENSING OF OFFICERS AND MOTORBOAT OPERATORS AND REGISTRATION OF STAFF OFFICERS

##### Subpart 10.02—General Requirements for All Deck and Engineer Officers' Licenses

1. Section 10.02-5(c) (9) is amended to read as follows:

##### § 10.02-5 Requirements for original licenses.

###### (c) *Citizenship.* \* \* \*

(9) For persons deriving citizenship through naturalization of their parents, or for persons born outside the United States who claim to be United States citizens by virtue of their parents having been United States citizens at the time of such birth, a Certificate of Citizenship issued by the United States Immigration and Naturalization Service is acceptable as documentary evidence of citizenship.

##### Subpart 10.13—Licensing of Radio Officers

2. Section 10.13-7(b) is amended to read as follows:

##### § 10.13-7 Citizenship and age requirements for all licenses issued.

(b) Any citizen who has attained the age of 19 years and is qualified in all other respects shall be eligible for a license.

(R.S. 4405, as amended, 4462, as amended, 46 U.S.C. 375, 416. Interpret or apply R.S. 4417a, as amended, 4426, as amended, 4427, as amended, 4438-4442, as amended, 4445, as amended, 4447, as amended, sec. 2, 29 Stat. 188, as amended, sec. 1, 34 Stat. 1411, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 7, 53 Stat. 1147, as amended, secs. 7, 17, 54 Stat. 165, as amended, 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 2, 68 Stat. 484, sec. 3, 70 Stat. 152, sec. 3, 68 Stat.



675; 46 U.S.C. 391a, 404, 405, 224, 224a, 226, 228, 229, 214, 231, 233, 225, 237, 367, 247, 526f, 526p, 1333, 239b, 390b, 50 U.S.C. 198)

## PART 12—CERTIFICATION OF SEAMEN

### Subpart 12.05—Able Seamen

#### § 12.05-13 [Cancellation]

1. Section 12.05-13 *Certification of able seamen under wartime regulations* is canceled.

### Subpart 12.15—Qualified Member of Engine Department

#### § 12.15-13 [Cancellation]

2. Section 12.15-13 *Certification of qualified members of the engine department under wartime regulations* is canceled.

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4417a, as amended, 4488, as amended, 4551, as amended, sec. 13, 38 Stat. 1169, as amended, sec. 1, 2, 49 Stat. 1544, 1545, sec. 7, 49 Stat. 1936, sec. 3, 54 Stat. 347, as amended, sec. 2, 68 Stat. 484, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 481, 643, 672, 367, 689, 1333, 239b, 50 U.S.C. 198)

## SUBCHAPTER D—TANK VESSELS

### PART 35—OPERATIONS

#### Subpart 35.20—Navigation

Section 35.20-20 is amended by revising the heading and by canceling the first sentence so that it will read as follows:

§ 35.20-20 *Master's and officer's responsibility—TB/ALL.*

Nothing in this part shall exonerate any master or officer in command from the consequences of any neglect to keep a proper lookout or the neglect of any precaution which may be required by the ordinary practice of seamen or by the special circumstances of the case.

(R.S. 4405, as amended, 4417a, as amended, 4462, as amended; 46 U.S.C. 375, 391a, 416. Interpret or apply sec. 3, 68 Stat. 675; 50 U.S.C. 198, E.O. 10402, 17 F.R. 9917; 3 CFR, 1952 Supp.)

## PART 39—INFLAMMABLE OR COMBUSTIBLE LIQUIDS HAVING LETHAL CHARACTERISTICS

### Subpart 39.01—General

#### § 39.01-1 [Amendment]

Section 39.01-1 *Scope of regulations—TB/ALL* is amended by changing the references to Class "B" or "C" poisons in paragraph (a), first sentence, from "§§ 146.25-3 and 146.25-5" to "§§ 146.25-10 and 146.25-15."

(R.S. 4405, as amended, 4417a, as amended, 4462, as amended; 46 U.S.C. 375, 391a, 416. Interpret or apply sec. 3, 68 Stat. 675, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917; 3 CFR, 1952 Supp.)

## SUBCHAPTER G—MARINE ENGINEERING INSTALLATIONS CONTRACTED FOR PRIOR TO JULY 1, 1935

### PART 67—CONSTRUCTION

#### Subpart 67.50—Boiler Mountings and Attachments

#### § 67.50-20 [Amendment]

Section 67.50-20 *Fusible plugs* is amended in paragraph (g), second sentence, by changing the word "head" to "heat."

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416)

## SUBCHAPTER H—PASSENGER VESSELS

### PART 78—OPERATIONS

#### Subpart 78.30—Lookouts, Pilothouse Watch, Patrolmen, and Watchmen

#### § 78.30-1 [Cancellation]

1. Section 78.30-1 *Lookouts required* is canceled.

#### § 78.30-20 [Amendment]

2. Section 78.30-20 *Master's and officer's responsibility* is amended in paragraph (a), first sentence, by changing the reference from "subpart" to "part."

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416)

## SUBCHAPTER I—CARGO AND MISCELLANEOUS VESSELS

### PART 92—CONSTRUCTION AND ARRANGEMENT

#### Subpart 92.05—Structural Fire Protection

#### § 92.05-5 [Amendment]

The headnote in § 92.05-5 regarding *woodwork insulated from heated surfaces* is amended by changing the word "for" to "from."

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416)

### PART 97—OPERATIONS

#### Subpart 97.27—Lookouts

#### § 97.27-1 [Cancellation]

1. Section 97.27-1 *Lookouts required* is canceled.

#### § 97.27-5 [Amendment]

2. Section 97.27-5 *Master's and officer's responsibility* is amended in para-

graph (a), first sentence, by changing the reference from "subpart" to "part."

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416)

## SUBCHAPTER J—ELECTRICAL ENGINEERING

### PART 110—GENERAL PROVISIONS

#### Subpart 110.15—Definition of Terms Used in This Subchapter

#### § 110.15-75 [Amendment]

Section 110.15-75, which defines the word "ferry," is amended by changing the phrase from "deck passengers and vehicles" to "deck passengers and/or vehicles."

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416)

## SUBCHAPTER T—SMALL PASSENGER VESSELS (NOT MORE THAN 65 FEET IN LENGTH)

### PART 185—OPERATIONS

#### Subpart 185.30—Markings Required

#### § 185.30-5 [Amendment]

Section 185.30-5 regarding *lifesaving gear* is amended in paragraph (d) by changing the reference from "§ 180.10-15(b)" to "§ 180.10-30(b)."

(Sec. 3, 70 Stat. 152; 46 U.S.C. 390b)

### PART 187—LICENSING

#### Subpart 187.05—General Requirements

#### § 187.05-35 [Amendment]

1. Section 187.05-35 regarding *right of appeal* is amended in paragraph (a), first and second sentences, by changing the title from "District Coast Guard Commander" to "Coast Guard District Commander."

#### Subpart 187.20—Specific Requirements for Operators on Other Than Ocean and Coastwise Waters

#### § 187.20-1 [Amendment]

2. Section 187.20-1(b) regarding *general application*, is amended by changing the phrase from "Motorboat Act of April 25, 1940, as amended" to "Act of April 25, 1940, as amended (46 U.S.C. 526-526u)."

(Sec. 3, 70 Stat. 152; 46 U.S.C. 390b)

Dated: June 15, 1959.

[SEAL] J. A. HIRSHFIELD,  
Rear Admiral, U.S. Coast Guard,  
Acting Commandant.

[F.R. Doc. 59-5142; Filed, June 19, 1959; 8:49 a.m.]



## NOTICES

## DEPARTMENT OF THE TREASURY

## Coast Guard

[CGFR 59-19]

## EQUIPMENT, INSTALLATIONS, OR MATERIALS, AND CHANGE IN NAME AND ADDRESS OF MANUFACTURERS

## Approval and Termination of Approval; Amendments of Prior Document

1. Various items of lifesaving, fire-fighting, and miscellaneous equipment, installations, and materials used on merchant vessels subject to Coast Guard inspection or on certain motorboats and other pleasure craft are required by law and various regulations in 46 CFR Chapter I to be of types approved by the Commandant, United States Coast Guard. The procedures governing the granting of approvals and termination of approvals are set forth in 46 CFR 2.75-1 to 2.75-50, inclusive. For certain types of equipment, installations, and materials specifications have been also prescribed in 46 CFR Parts 160 to 164, inclusive (Subchapter Q—Specifications).

2. By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Order Nos. 120, dated July 31, 1950 (15 F.R. 6521), 167-14, dated November 26, 1954 (19 F.R. 8026), 167-20, dated June 18, 1956 (21 F.R. 4894), and CGFR 56-28 dated July 24, 1956 (21 F.R. 5659), and R.S. 4405, as amended, 4462, as amended, 4491, as amended, sections 1, 2, 49 Stat. 1544, as amended, section 17, 54 Stat. 166, as amended, and section 3, 54 Stat. 346, as amended, section 3, 70 Stat. 152 (46 U.S.C. 405, 416, 439, 367, 526p, 1333, 390b), and section 3(c) of the Act of August 9, 1954 (50 U.S.C. 198), and implementing regulations in 46 CFR Chapter I:

## It is ordered, That:

a. All the approvals listed in Part I of this document which extend approvals previously published in the FEDERAL REGISTER are prescribed and shall be in effect for a period of 5 years from their respective dates as indicated at the end of each approval, unless sooner canceled or suspended by proper authority; and

b. All the other approvals listed in Part I of this document (which are not covered by paragraph a above) are prescribed and shall be in effect for a period of 5 years from the date of publication of this document in the FEDERAL REGISTER, unless sooner canceled or suspended by proper authority; and

c. All the approvals listed in Part II of this document are terminated because (1) the manufacturer is no longer in business; or (2) the manufacturer does not desire to retain the approval; or (3) the item is no longer being manufactured; or (4) the item of equipment no longer complies with present Coast Guard requirements; or (5) the approval

has expired. Except for those approvals which have expired, all other terminations of approvals made by this document shall be made effective upon the thirty-first day after the date of publication of this document in the FEDERAL REGISTER. Notwithstanding this termination of approval of any item of equipment as listed in Part II of this document, such equipment in service may be continued in use so long as such equipment is in good and serviceable condition.

d. The change in name and address of manufacturers shall be made as indicated in Part III of this document.

e. The corrections to the Coast Guard document CGFR 59-2 regarding approval and termination of approval of equipment, installations, or materials and change in name and address of manufacturers approved March 10, 1959 and published in the FEDERAL REGISTER of March 14, 1959 (24 F.R. 1871-1877) shall be made as indicated in Part IV of this document.

## PART I—APPROVALS OF EQUIPMENT, INSTALLATIONS OR MATERIALS

## LIFE PRESERVERS, Balsa Wood (JACKET TYPE) MODELS 42 AND 46

Approval No. 160.004/19/0, Model 42, adult balsa wood life preserver, U.S.C.G. Specification Subpart 160.004, manufactured by Ben-Sun Products Corp., Eighth and Spring Garden Streets, Philadelphia 23, Pa.

Approval No. 160.004/20/0, Model 46, child balsa wood life preserver, U.S.C.G. Specification Subpart 160.004, manufactured by Ben-Sun Products Corp., Eighth and Spring Garden Streets, Philadelphia 23, Pa.

## LIFE PRESERVERS: REPAIRING AND CLEANING

Approval No. 160.006/22/0, Northwest cleaning process for cork and kapok life preservers as outlined in description of process submitted with letter of November 24, 1953, from Northwest Industrial Laundry Co., 1843 Northwest 23d Avenue, Portland 10, Oregon. (Extension of the approval published in FEDERAL REGISTER March 25, 1954, effective March 25, 1959.)

## BUOYANT APPARATUS

Approval No. 160.010/25/1, 6.0' x 4.0' x 0.83' buoyant apparatus, wood decking with unicellular plastic foam core, 20-person capacity, dwg. No. G-490, revised January 26, 1959, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York 7, N.Y. (Supersedes Approval No. 160.010/25/0 published in FEDERAL REGISTER March 25, 1958.)

Approval No. 160.010/26/1, 4.5' x 2.71' x 0.83' buoyant apparatus, wood decking with unicellular plastic foam core, 12-person capacity, dwg. No. G-493, revised January 22, 1959, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York 7, N.Y. (Supersedes Approval No. 160.010/26/0 published in FEDERAL REGISTER July 4, 1958.)

Approval No. 160.010/28/1, 3.75' x 3.0' x 0.75' buoyant apparatus, fibrous

glass reinforced plastic shell with unicellular plastic foam core, 11-person capacity, dwg. No. M-99-13, Alt. C dated January 28, 1959, manufactured by Marine Safety Equipment Corp., Point Pleasant, N.J. (Supersedes Approval No. 160.010/28/0 published in FEDERAL REGISTER June 3, 1958.)

Approval No. 160.010/29/1, 6.0' x 4.0' x 0.75' buoyant apparatus, fibrous glass reinforced plastic shell with unicellular plastic foam core, 20-person capacity, dwg. No. M-99-14, Alt. D dated January 22, 1959, and fabrication specification dated March 10, 1958, revised September 24, 1958, manufactured by Marine Safety Equipment Corp., Point Pleasant, N.J. (Supersedes Approval No. 160.010/29/0 published in FEDERAL REGISTER December 31, 1958.)

## LIFE FLOATS

Approval No. 160.027/48/1, 6.17' x 4.17' (11' x 9' body section) rectangular life float, fibrous glass reinforced plastic shell with unicellular plastic foam core, 15-person capacity, dwg. No. M-99-15, Rev. B dated January 22, 1959, and fabrication specification dated March 10, 1958, revised September 24, 1958, manufactured by Marine Safety Equipment Corp., Point Pleasant, N.J. (Supersedes Approval No. 160.027/48/0 published in FEDERAL REGISTER December 31, 1958.)

Approval No. 160.027/53/0, 5.0' x 3.83' (9' x 9' body section) rectangular life float, fibrous glass reinforced plastic shell with unicellular plastic foam core, 10-person capacity, dwg. No. M-99-16, Rev. A dated January 22, 1959, and fabrication specification dated March 10, 1958, revised March 19, 1959, manufactured by Marine Safety Equipment Corp., Point Pleasant, N.J.

## DAVITS

Approval No. 160.032/47/3, gravity davit, Type G-105S (formerly Type 60-75), approved for a maximum working load of 21,000 pounds per set (10,500 pounds per arm) using 2-part falls, identified by arrangement dwg. No. 3368-2, revision A dated September 11, 1953, manufactured by Welin Davit and Boat Division of Continental Copper and Steel Industries, Inc., Perth Amboy, N.J. (Supersedes Approval No. 160.032/47/2 published in FEDERAL REGISTER March 25, 1954.)

Approval No. 160.032/142/1, mechanical davit, straight boom sheath screw, Type 24-40 Mk. II, approved for a maximum working load of 12,000 pounds per set (6,000 pounds per arm), identified by general arrangement dwg. No. 5011-1E, Alt. B dated May 16, 1957, manufactured by Marine Safety Equipment Corp., Point Pleasant, N.J. (Supersedes Approval No. 160.032/142/0 published in FEDERAL REGISTER March 25, 1954.)

Approval No. 160.032/145/1, mechanical davit, straight boom sheath screw, Type 22-31-8, approved for a maximum working load of 7,500 pounds per set (3,750 pounds per arm), identified by general arrangement dwg. No. 5012-1D, Alt. B dated July 29, 1958, manufactured by Marine Safety Equipment Corp.,



Point Pleasant, N.J. (Supersedes Approval No. 160.032/145/0 published in FEDERAL REGISTER May 12, 1954.)

## LIFEBOATS

Approval No. 160.035/9/2, 14.0' x 5.0' x 2.2' steel, oar-propelled lifeboat, 9-person capacity, identified by construction and arrangement dwg. No. G-1409 dated September 29, 1953, and revised February 5, 1959, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York 7, N.Y. (Supersedes Approval No. 160.035/9/1 published in FEDERAL REGISTER March 25, 1954.)

Approval No. 160.035/28/2, 28.0' x 10.0' x 4.0' steel, motor-propelled lifeboat, without radio cabin (Class B), 60-person capacity, identified by construction and arrangement dwg. No. G-2860 dated January 22, 1952, and revised April 2, 1959, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York 7, N.Y. (Supersedes Approval No. 160.035/28/1 published in FEDERAL REGISTER May 12, 1954.)

Approval No. 160.035/88/2, 14.0' x 5.4' x 2.3' steel oar-propelled square stern lifeboat, 10-person capacity, identified by general arrangement and construction dwg. No. 49R-1411 dated February 14, 1951, and revised April 13, 1959, manufactured by Lane Lifeboat and Davit Corp., 8920 26th Avenue, Brooklyn 14, N.Y. (Reinstates and supersedes Approval No. 160.035/88/1 terminated in FEDERAL REGISTER January 22, 1958.)

Approval No. 160.035/94/2, 20.0' x 6.0' x 2.5' steel oar-propelled lifeboat, 18-person capacity, identified by general arrangement and construction dwg. No. 49R-2020 dated May 5, 1950, and revised February 18, 1959, manufactured by Lane Lifeboat and Davit Corp., 8920 26th Avenue, Brooklyn 14, N.Y. (Supersedes Approval No. 160.035/94/1 published in FEDERAL REGISTER March 25, 1954.)

Approval No. 160.035/97/4, 22.0' x 7.5' x 3.17' steel motor-propelled lifeboat (Class B) without radio cabin, 29-person capacity, identified by general arrangement and construction dwg. No. 58-2219-C dated March 28, 1958, and revised March 25, 1959, manufactured by Lane Lifeboat and Davit Corp., 8920 26th Avenue, Brooklyn 14, N.Y. (Supersedes Approval No. 160.035/97/3 published in FEDERAL REGISTER January 22, 1958.)

Approval No. 160.035/106/2, 26.0' x 8.3' x 3.58' steel, oar-propelled lifeboat, 46-person capacity, identified by general arrangement dwg. No. 49R-2659 dated December 8, 1946, and revised March 9, 1959, manufactured by Lane Lifeboat and Davit Corp., 8920 26th Avenue, Brooklyn 14, N.Y. (Supersedes Approval No. 160.035/106/1 published in FEDERAL REGISTER May 12, 1954.)

Approval No. 160.035/168/1, 14' x 5' x 2.17' steel, oar-propelled lifeboat, 9-person capacity, identified by construction and arrangement dwg. No. 3158 dated March 25, 1947, and revised August 5, 1953, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N.J. (Reinstatement of approval terminated in FEDERAL REGISTER December 31, 1958, effective October 6, 1958.)

Approval No. 160.035/214/3, 20.0' x 6.5' x 2.67' aluminum, oar-propelled lifeboat,

20-person capacity, identified by construction and arrangement dwg. No. 20-2, Alt. C dated December 24, 1947, and revised August 14, 1958, manufactured by Marine Safety Equipment Corp., Point Pleasant, N.J. (Supersedes Approval No. 160.035/214/2 published in FEDERAL REGISTER April 10, 1957.)

Approval No. 160.035/299/1, 24.0' x 8.0' x 3.5' aluminum, oar-propelled lifeboat, 40-person capacity, identified by construction and arrangement dwg. No. 24-9B dated September 5, 1952, and revised April 16, 1958, manufactured by Marine Safety Equipment Corp., Point Pleasant, N.J. (Reinstates and supersedes Approval No. 160.035/299/0 terminated in FEDERAL REGISTER July 4, 1958.)

Approval No. 160.035/342/1, 24.0' x 8.0' x 3.5' aluminum, hand-propelled lifeboat, 40-person capacity, identified by construction and arrangement dwg. No. 24-9F dated September 9, 1955, and revised February 19, 1959, manufactured by Marine Safety Equipment Corp., Point Pleasant, N.J. (Supersedes Approval No. 160.035/342/0 published in FEDERAL REGISTER July 17, 1956.)

Approval No. 160.035/372/0, 26.0' x 8.75' x 3.75' steel, hand-propelled lifeboat, 53-person capacity, identified by general arrangement dwg. No. G-2653-H dated April 1957 and revised February 26, 1959, manufactured by C. C. Galbraith & Sons, Inc., 99 Park Place, New York 7, N.Y.

Approval No. 160.035/373/0, 22' x 7.5' x 3.17' steel, hand-propelled lifeboat, 31-person capacity, identified by general arrangement dwg. No. G-2231-H dated January 1955, and revised March 2, 1959, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York 7, N.Y.

Approval No. 160.035/387/0, 24' x 8' x 3.5' fibrous glass reinforced plastic lifeboat, 40-person capacity, identified by general arrangement dwg. No. 57-2448 dated December 30, 1958, and revised February 16, 1959, manufactured by Lane Lifeboat and Davit Corp., 8920 26th Avenue, Brooklyn 14, N.Y.

Approval No. 160.035/391/0, 28' x 9.79' x 4.13' aluminum, motor-propelled lifeboat (Class "A"), 60-person capacity, identified by general arrangement dwg. No. 28-9B, Rev. C dated February 4, 1959, manufactured by Marine Safety Equipment Corp., Point Pleasant, N.J.

Approval No. 160.035/398/0, 24.0' x 8.0' x 3.58' steel, oar-propelled lifeboat, 40-person capacity, with removable interior, identified by construction and arrangement dwg. No. 80226 dated January 30, 1959, and revised March 24, 1959, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N.J.

**BUOYANT VESTS, KAPOK OR FIBROUS GLASS, ADULT AND CHILD MODELS AK, CKM, CKS, AF, CFM, AND CFS**

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.047/229/0, Model AK, adult kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by Iowa Fibre Products Inc., 2425 Dean Avenue, Des Moines 17, Iowa, for Nu-Way Sporting Goods Co., 708 Eighth Street, Sioux City 2, Iowa.

Approval No. 160.047/230/0, Model CKM, child kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by Iowa Fibre Products Inc., 2425 Dean Avenue, Des Moines 17, Iowa, for Nu-Way Sporting Goods Co., 708 Eighth Street, Sioux City 2, Iowa.

Approval No. 160.047/231/0, Model CKS, child kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by Iowa Fibre Products Inc., 2425 Dean Avenue, Des Moines 17, Iowa, for Nu-Way Sporting Goods Co., 708 Eighth Street, Sioux City 2, Iowa.

## BUOYANT CUSHIONS, KAPOK OR FIBROUS GLASS

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.048/146/0, special approval for 15' x 15' x 2' rectangular buoyant cushion with heat-sealed seams, 20 oz. kapok, dwgs. C-19 and A-100 dated November 19, 1958, manufactured by The American Pad & Textile Co., Greenfield, Ohio.

Approval No. 160.048/147/0, group approval for rectangular or trapezoidal kapok buoyant cushions, U.S.C.G. Specification Subpart 160.048, sizes and weights of kapok filling to be as per Table 160.048-4(c) (1) (i), manufactured by Iowa Fibre Products Inc., 2425 Dean Avenue, Des Moines 17, Iowa, for Nu-Way Sporting Goods Co., 708 Eighth Street, Sioux City 2, Iowa.

Approval No. 160.048/150/0, special approval for 15' x 15' x 2' rectangular buoyant cushion with heat-sealed seams, 20 oz. kapok, The Hettrick Manufacturing Co. dwg. dated October 31, 1958, and bill of material dated October 23, 1958, manufactured by The Hettrick Manufacturing Co., 1401 Summit Street, Toledo 1, Ohio (Plant: Andrews, Ind.) for Sears, Roebuck and Co., 925 South Homan Avenue, Chicago 7, Ill.

Approval No. 160.048/152/0, group approval for rectangular or trapezoidal fibrous glass buoyant cushions, U.S.C.G. Specification Subpart 160.048, sizes and weights of fibrous glass filling to be as per Table 160.048-4(c) (1) (ii), manufactured by Molded Fiber Glass Boat Co., Box 71, Celoron, N.Y.

## BUOYANT CUSHIONS, UNICELLULAR PLASTIC FOAM

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.049/27/0, group approval for rectangular and trapezoidal unicellular plastic foam buoyant cushions, U.S.C.G. Specification Subpart 160.049, sizes to be as per Table 160.049-4(c) (1), manufactured by Saf-T-Mate Division, The Gunn Co., Inc., 652 Turner Avenue NW., Grand Rapids, Mich.

## BUOYANT VESTS, UNICELLULAR PLASTIC FOAM, ADULT AND CHILD

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.052/51/0, Type I, Model AP, adult unicellular plastic foam buoyant vest, U.S.C.G. Specification Subpart 160.052, manufactured by Iowa Fibre Products Inc., 2425 Dean Avenue, Des



Moines 17, Iowa, for Nu-Way Sporting Goods Co., 708 Eighth Street, Sioux City 2, Iowa.

Approval No. 160.052/52/0, Type I, Model CPM, child unicellular plastic foam buoyant vest, U.S.C.G. Specification Subpart 160.052, manufactured by Iowa Fibre Products Inc., 2425 Dean Avenue, Des Moines 17, Iowa, for Nu-Way Sporting Goods Co., 708 Eighth Street, Sioux City 2, Iowa.

Approval No. 160.052/53/0, Type I, Model CPS, child unicellular plastic foam buoyant vest, U.S.C.G. Specification Subpart 160.052, manufactured by Iowa Fibre Products Inc., 2425 Dean Avenue, Des Moines 17, Iowa, for Nu-Way Sporting Goods Co., 708 Eighth Street, Sioux City 2, Iowa.

Approval No. 160.052/55/0, Type I, Model AP, adult unicellular plastic foam buoyant vest, U.S.C.G. Specification Subpart 160.052, manufactured by The S. E. Hyman Co., Fremont, Ohio.

Approval No. 160.052/56/0, Type I, Model CPM, child unicellular plastic foam buoyant vest, U.S.C.G. Specification Subpart 160.052, manufactured by The S. E. Hyman Co., Fremont, Ohio.

Approval No. 160.052/57/0, Type I, Model CPS, child unicellular plastic foam buoyant vest, U.S.C.G. Specification Subpart 160.052, manufactured by The S. E. Hyman Co., Fremont, Ohio.

Approval No. 160.052/58/0, Type I, Model AP, adult unicellular plastic foam buoyant vest, U.S.C.G. Specification Subpart 160.052, manufactured by The Howard Zink Corp., 5550 Paramount Boulevard, Long Beach 5, Calif.

Approval No. 160.052/59/0, Type I, Model CPM, child unicellular plastic foam buoyant vest, U.S.C.G. Specification Subpart 160.052, manufactured by The Howard Zink Corp., 5550 Paramount Boulevard, Long Beach 5, Calif.

Approval No. 160.052/60/0, Type I, Model CPS, child unicellular plastic foam buoyant vest, U.S.C.G. Specification Subpart 160.052, manufactured by The Howard Zink Corp., 5550 Paramount Boulevard, Long Beach 5, Calif.

Approval No. 160.052/67/0, Type I, Model AP, adult unicellular plastic foam buoyant vest, U.S.C.G. Specification Subpart 160.052, manufactured by Canvas Specialty Mfg. Co., 7344 East Bandini Boulevard, Los Angeles 22, Calif.

Approval No. 160.052/68/0, Type I, Model CPM, child unicellular plastic foam buoyant vest, U.S.C.G. Specification Subpart 160.052, manufactured by Canvas Specialty Mfg. Co., 7344 East Bandini Boulevard, Los Angeles 22, Calif.

Approval No. 160.052/69/0, Type I, Model CPS, child unicellular plastic foam buoyant vest, U.S.C.G. Specification Subpart 160.052, manufactured by Canvas Specialty Mfg. Co., 7344 East Bandini Boulevard, Los Angeles 22, Calif.

Approval No. 160.052/70/0, Type II, Model LV-A, adult unicellular plastic foam buoyant vest, dwg. No. LV-A, Rev. A dated April 1, 1959, and bill of material dated April 3, 1959, manufactured by Protection Equipment Co., 100 Fernwood Avenue, Rochester 21, N.Y. (Plant: Sunbury, Pa.)

Approval No. 160.052/71/0, Type II, Model LV-CM, child unicellular plastic foam buoyant vest, dwg. No. LV-CM, Rev. A dated April 1, 1959, and bill of material dated April 3, 1959, manufactured by Protection Equipment Co., 100 Fernwood Avenue, Rochester 21, N.Y. (Plant: Sunbury, Pa.)

Approval No. 160.052/72/0, Type II, Model LV-CS, child unicellular plastic foam buoyant vest, dwg. No. LV-CS, Rev. A dated April 1, 1959, and bill of material dated April 3, 1959, manufactured by Protection Equipment Co., 100 Fernwood Avenue, Rochester 21, N.Y. (Plant: Sunbury, Pa.)

LIGHTS, (WATER): ELECTRIC, FLOATING, AUTOMATIC (WITH BRACKET FOR MOUNTING)

Approval No. 161.001/1/1, automatic floating electric water light (with bracket for mounting), dwg. No. 1000 dated July 16, 1948, Alt. 2, manufactured by Sea Light Engineering Co., P.O. Box 409, Silver Spring, Md. (Extension of the approval published in FEDERAL REGISTER March 25, 1954, effective December 31, 1958.)

#### TELEPHONE SYSTEMS, SOUND POWERED

Approval No. 161.005/39/1, telephone station relay, electrical release, splash-proof, dwg. No. 17-01, Alt. 2, dated December 17, 1958, manufactured by Hose-McCann Telephone Co., Inc., 25th Street and Third Avenue, Brooklyn 32, N.Y. (Supersedes Approval No. 161.005/39/0 published in FEDERAL REGISTER June 22, 1955.)

#### FLASHLIGHTS, ELECTRIC, HAND

Approval No. 161.008/5/0, No. 1918 watertight flashlight, Type I, size No. 2 (2-cell), identified by assembly dwg. No. F-896-3C dated September 27, 1948, and revised October 6, 1948, manufactured by Bright Star Industries, 600 Getty Avenue, Clifton, N.J. (Extension of the approval published in FEDERAL REGISTER March 25, 1954, effective February 8, 1959.)

Approval No. 161.008/6/0, No. 1925 watertight flashlight, Type I, size No. 3 (3-cell), identified by assembly dwg. No. F-896-3C dated September 27, 1948, and revised October 6, 1948, manufactured by Bright Star Industries, 600 Getty Avenue, Clifton, N.J. (Extension of the approval published in FEDERAL REGISTER March 25, 1954, effective February 8, 1959.)

#### VALVES, SAFETY (POWER BOILERS)

Approval No. 162.001/64/2, Type Series 1515B, carbon steel body pop safety valve, exposed spring, maximum pressure 600 p.s.i., maximum temperature 750° F., dwg. No. 3VH953, revised November 10, 1953, approved for the following sizes and type numbers:

Size:	Type No.
1½"	1515HB
2"	1515JB
2½"	1515KB
3"	1515LB

Manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Extension of the approval published in FEDERAL REGISTER March 25, 1954, effective March 25, 1959.)

Approval No. 162.001/65/2, Type Series 1515C, alloy steel body pop safety valve, exposed spring, maximum pressure 600 p.s.i., maximum temperature 900° F., dwg. No. 3VH953, revised November 10, 1953, approved for the following sizes and type numbers:

Size:	Type No.
1½"	1515HC
2"	1515JC
2½"	1515KC
3"	1515LC

Manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Extension of the approval published in FEDERAL REGISTER March 25, 1954, effective March 25, 1959.)

Approval No. 162.001/66/2, Type Series 1515A, carbon steel body pop safety valve, exposed spring, maximum pressure 600 p.s.i., maximum temperature 650° F., dwg. No. 3VH953, revised November 10, 1953, approved for the following sizes and type numbers:

Size:	Type No.
1½"	1515HA
2"	1515JA
2½"	1515KA
3"	1515LA

Manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Extension of the approval published in FEDERAL REGISTER March 25, 1954, effective March 25, 1959.)

Approval No. 162.001/98/1, Series #5-102, bronze body pop safety valve, enclosed spring, maximum pressure 300 p.s.i., maximum temperature 450° F., dwg. No. 5-102 dated December 14, 1948, approved for sizes 1½", 2", 2½" and 3", manufactured by Marine & Industrial Products Co., West Walnut Street, North Wales, Pa. (Extension of the approval published in FEDERAL REGISTER March 25, 1954, effective March 25, 1959.)

Approval No. 162.001/99/1, Series #5-101, bronze body pop safety valve, enclosed spring, maximum pressure 150 p.s.i., maximum temperature 366° F., dwg. No. 5-101 dated December 14, 1948, approved for sizes 1½", 2", 2½" and 3", manufactured by Marine & Industrial Products Co., West Walnut Street, North Wales, Pa. (Extension of the approval published in FEDERAL REGISTER March 25, 1954, effective March 25, 1959.)

Approval No. 162.001/141/1, Type Series 1415A, carbon steel body pop safety valve, exposed spring, maximum pressure 600 p.s.i., maximum temperature 650° F., dwg. No. 3VA953, revised November 10, 1953, approved for the following sizes and type numbers:

Size:	Type No.
1½"	1415FA
1½"	1415GA
1½"	1415HA
2"	1415JA
2½"	1415KA
3"	1415LA
4"	1415NA

\* Maximum pressure limited to 450 p.s.i.

Manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Extension of the approval published in FEDERAL REGISTER March 25, 1954, effective March 25, 1959.)



Approval No. 162.001/142/1, Type Series 1415B, carbon steel body pop safety valve, exposed spring, maximum pressure 600 p.s.i., maximum temperature 750° F., dwg. No. 3VA953, revised November 10, 1953, approved for the following sizes and type numbers:

Size:	Type No.
1½"	1415FB
1½"	1415GB
1½"	1415HB
2"	1415HB
2½"	1415JB
3"	1415KB
4"	1415LB
4"	1415NB

\*Maximum pressure limited to 450 p.s.i.

Manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Extension of the approval published in FEDERAL REGISTER March 25, 1954, effective March 25, 1959.)

Approval No. 162.001/143/1, Type Series 1415C, alloy steel body pop safety valve, exposed spring, maximum pressure 600 p.s.i., maximum temperature 900° F., dwg. No. 3VA953, revised November 10, 1953, approved for the following sizes and type numbers:

Size:	Type No.
1½"	1415FC
1½"	1415GC
1½"	1415HC
2"	1415HC
2½"	1415JC
3"	1415KC
4"	1415LC
4"	1415NB

\*Maximum pressure limited to 450 p.s.i.

Manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Extension of the approval published in FEDERAL REGISTER March 25, 1954, effective March 25, 1959.)

Approval No. 162.001/153/1, Type Series 1555A, carbon steel body pop safety valve, exposed spring, maximum pressure 600 p.s.i., maximum temperature 650° F., dwg. No. 3VD953, revised November 10, 1953, approved for the following sizes and type numbers:

Size:	Type No.
1½"	1555HA
2"	1555JA
2½"	1555KA
3"	1555LA

Manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Extension of the approval published in FEDERAL REGISTER March 25, 1954, effective March 25, 1959.)

Approval No. 162.001/154/1, Type Series 1555B, carbon steel body pop safety valve, exposed spring, maximum pressure 600 p.s.i., maximum temperature 750° F., dwg. No. 3VD953, revised November 10, 1953, approved for the following sizes and type numbers:

Size:	Type No.
1½"	1555HB
2"	1555JB
2½"	1555KB
3"	1555LB

Manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Extension of the approval published in FEDERAL REGISTER March 25, 1954, effective March 25, 1959.)

Approval No. 162.001/155/1, Type Series 1555C, alloy steel body pop safety valve, exposed spring, maximum pressure 600 p.s.i., maximum temperature 900° F., dwg. No. 3VD953, revised November 10, 1953, approved for the following sizes and type numbers:

Size:	Type No.
1½"	1555HC
2"	1555JC
2½"	1555KC
3"	1555LC

Manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Extension of the approval published in FEDERAL REGISTER March 25, 1954, effective March 25, 1959.)

Approval No. 162.001/156/1, Type Series 1555D, alloy steel body pop safety valve, exposed spring, maximum pressure 600 p.s.i., maximum temperature 1,000° F., dwg. No. 3VD953, revised November 10, 1953, approved for the following sizes and type numbers:

Size:	Type No.
1½"	1555HD
2"	1555JD
2½"	1555KD
3"	1555LD

Manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Extension of the approval published in FEDERAL REGISTER March 25, 1954, effective March 25, 1959.)

Approval No. 162.001/158/1, Type Series 1556A, carbon steel body pop safety valve, exposed spring, maximum pressure 900 p.s.i., maximum temperature 650° F., dwg. No. 3VG953, revised November 10, 1953, approved for the following sizes and type numbers:

Size:	Type No.
1½"	1556HA
2"	1556JA
2½"	1556KA
3"	1556LA

Manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Extension of the approval published in FEDERAL REGISTER March 25, 1954, effective March 25, 1959.)

Approval No. 162.001/160/1, Type Series 1556B, carbon steel body pop safety valve, exposed spring, maximum pressure 900 p.s.i., maximum temperature 750° F., dwg. No. 3VG953, revised November 10, 1953, approved for the following sizes and type numbers:

Size:	Type No.
1½"	1556HB
2"	1556JB
2½"	1556KB
3"	1556LB

Manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Extension of the approval published in FEDERAL REGISTER March 25, 1954, effective March 25, 1959.)

Approval No. 162.001/162/1, Type Series 1556C, alloy steel body pop safety valve, exposed spring, maximum pressure 900 p.s.i., maximum temperature 900° F., dwg. No. 3VG953, revised November 10, 1953, approved for the following sizes and type numbers:

Size:	Type No.
1½"	1556HC
2"	1556JC
2½"	1556KC
3"	1556LC

Manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Extension of the approval published in FEDERAL REGISTER March 25, 1954, effective March 25, 1959.)

Approval No. 162.001/164/1, Type Series 1556D, alloy steel body pop safety valve, exposed spring, maximum pressure 900 p.s.i., maximum temperature 1,000° F., dwg. No. 3VG953, revised November 10, 1953, approved for the following sizes and type numbers:

Size:	Type No.
1½"	1556HD
2"	1556JD
2½"	1556KD
3"	1556LD

Manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Extension of the approval published in FEDERAL REGISTER March 25, 1954, effective March 25, 1959.)

Approval No. 162.001/169/1, Type Series 1557A, carbon steel body pop safety valve, exposed spring, maximum pressures 1,200 p.s.i. and 1,500 p.s.i., maximum temperature 650° F., dwg. Nos. 3VE953 and 3VF953, revised November 10, 1953, approved for the following sizes and type numbers:

Size (Inches)	Type No.	
	1,200 p.s.i.	1,500 p.s.i.
1½"		1557FA
2"	1557HA	1557GA
2½"	1557JA	1557HA
3"	1557KA	1557JA
4"	1557LA	

Manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Extension of the approval published in FEDERAL REGISTER March 25, 1954, effective March 25, 1959.)

Approval No. 162.001/171/1, Type Series 1557B, carbon steel body pop safety valve, exposed spring, maximum pressures 1,200 p.s.i. and 1,500 p.s.i., maximum temperature 750° F., dwg. Nos. 3VE953 and 3VF953, revised November 10, 1953, approved for the following sizes and type numbers:

Size (Inches)	Type No.	
	1,200 p.s.i.	1,500 p.s.i.
1½"		1557FB
2"	1557HB	1557GB
2½"	1557JB	1557HB
3"	1557KB	1557JB
4"	1557LB	

Manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Extension of the approval published in FEDERAL REGISTER March 25, 1954, effective March 25, 1959.)

Approval No. 162.001/173/1, Type Series 1557C, alloy steel body pop safety valve, exposed spring, maximum pressures 1,200 p.s.i. and 1,500 p.s.i., maximum temperature 900° F., dwg. Nos. 3VE953 and 3VF953, revised November 10, 1953, approved for the following sizes and type numbers:



Size (inches)	Type No.	
	1,200 p.s.i.	1,500 p.s.i.
1 1/2		1557FC
2	1557HC	1557GC
2 1/2	1557JC	1557HC
3	1557KC	1557JC
4	1557LC	

Manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Extension of the approval published in FEDERAL REGISTER March 25, 1954, effective March 25, 1959.)

Approval No. 162.001/175/1, Type Series 1557D, alloy steel body pop safety valve, exposed spring, maximum pressures 1,200 p.s.i. and 1,500 p.s.i., maximum temperature 1,000° F., dwg. Nos. 3VE953 and 3VF953, revised November 10, 1953, approved for the following sizes and type numbers:

Size (inches)	Type No.	
	1,200 p.s.i.	1,500 p.s.i.
1 1/2		1557FD
2	1557HD	1557GD
2 1/2	1557JD	1557HD
3	1557KD	1557JD
4	1557LD	

Manufactured by Manning, Maxwell & Moore, Inc., Stratford, Conn. (Extension of the approval published in FEDERAL REGISTER March 25, 1954, effective March 25, 1959.)

#### BOILERS, HEATING

Approval No. 162.003/78/1, Model 523C, horizontal water tube steam heating boiler, 1,075 pounds per hour, dwg. No. 38-8186-2, Rev. 2 dated December 8, 1953, maximum design pressure 30 p.s.i., approval limited to bare boiler, manufactured by The International Boiler Works Co., 1 Birch Street, East Stroudsburg, Pa. (Extension of the approval published in FEDERAL REGISTER March 25, 1954, effective March 25, 1959.)

#### FIRE EXTINGUISHERS, PORTABLE, HAND, CARBON DIOXIDE TYPE

Approval No. 162.005/113/0, Ace Model ACC-5 (Symbol GEN), 5-lb. carbon dioxide type hand portable fire extinguisher, assembly dwg. No. 5AKR-11793 dated January 19, 1959, name plate dwg. No. 5AKR-11787, Rev. A dated January 16, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by The Fire Guard Corp., 1685 Shermer Road, Northbrook, Ill., for Ace Chemical Co., 627 Howard Street, Detroit 26, Mich.

Approval No. 162.005/114/0, Ace Model AC-10 (Symbol GEN), 10-lb. carbon dioxide type hand portable fire extinguisher, assembly dwg. No. 10AKR-11790 dated January 16, 1959, name plate dwg. No. 10AKR-11788 revised January 16, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by The Fire Guard Corp., 1685 Shermer Road, Northbrook, Ill., for Ace Chemical Co., 627 Howard Street, Detroit 26, Mich.

Approval No. 162.005/115/0, Ace Model AC-15 (Symbol GEN), 15-lb. carbon

dioxide type hand portable fire extinguisher, assembly dwg. No. 15AKR-11797 dated January 19, 1959, name plate dwg. No. 15AKR-11789 revised January 16, 1959 (Coast Guard classification: Type B, Size II; and Type C, Size II), manufactured by The Fire Guard Corp., 1685 Shermer Road, Northbrook, Ill., for Ace Chemical Co., 627 Howard Street, Detroit 26, Mich.

#### FIRE EXTINGUISHERS, PORTABLE, HAND, CHEMICAL FOAM TYPE

Approval No. 162.006/44/0, Quick Aid Model SF-4M (Symbol GS, GEC, GEN or GEP), 2 1/2-gal. chemical foam type hand portable fire extinguisher, assembly dwg. No. 6289, Rev. A dated February 9, 1959, name plate dwg. No. 6290, Rev. A dated March 2, 1959 (Coast Guard classification: Type A, Size II; and Type B, Size II), manufactured by The General Fire Extinguisher Corp., 6801 Rising Sun Avenue, Philadelphia 11, Pa., and 8740 Washington Boulevard, Culver City, Calif.

Approval No. 162.006/45/0, Quick Aid Model TF-4M (Symbol GE, GEC, GEN or GEP), 2 1/2-gal. chemical foam type hand portable fire extinguisher, assembly dwg. No. 819, Rev. D dated March 2, 1959, name plate dwg. No. 6291, Rev. A dated March 2, 1959 (Coast Guard classification: Type A, Size II; and Type B, Size II), manufactured by The General Fire Extinguisher Corp., 6801 Rising Sun Avenue, Philadelphia 11, Pa., and 8740 Washington Boulevard, Culver City, Calif.

Approval No. 162.006/46/0, Fire Guard Model F15M (Symbol GE, GEC, GEN or GEP), 2 1/2-gal. chemical foam type hand portable fire extinguisher, assembly dwg. No. 6292, Rev. A dated March 2, 1959, name plate dwg. No. 6293, Rev. A dated March 2, 1959 (Coast Guard classification: Type A, Size II; and Type B, Size II), manufactured by The Fire Guard Corp., 1685 Shermer Road, Northbrook, Ill.

Approval No. 162.006/47/0, Fire Guard Model F2bM (Symbol GE, GEC, GEN or GEP), 2 1/2-gal. chemical foam type hand portable fire extinguisher, assembly dwg. No. 6294, Rev. A dated March 2, 1959, name plate dwg. No. 6295, Rev. A dated March 2, 1959 (Coast Guard classification: Type A, Size II; and Type B, Size II), manufactured by The Fire Guard Corp., 1685 Shermer Road, Northbrook, Ill.

#### FIRE EXTINGUISHERS, PORTABLE, HAND, SODA-ACID TYPE

Approval No. 162.007/39/1, Quick Aid Model TS-15 (Symbol GE, GEC, GEN or GEP), 2 1/2-gal. soda-acid type hand portable fire extinguisher, assembly dwg. No. 811, Rev. A dated March 3, 1959, name plate dwg. No. 572, Rev. D dated October 2, 1958 (Coast Guard classification: Type A, Size II), manufactured by The General Fire Extinguisher Corp., 6801 Rising Sun Avenue, Philadelphia 11, Pa., and 8740 Washington Boulevard, Culver City, Calif. (Supersedes Approval No. 162.007/39/0 published in FEDERAL REGISTER July 17, 1956.)

Approval No. 162.007/55/0, Quick Aid Model SS-15 (Symbol GE, GEC, GEN or GEP), 2 1/2-gal. soda-acid type hand

portable fire extinguisher, assembly dwg. No. 301, Rev. A dated May 1, 1957, name plate dwg. No. 571, Rev. M dated December 1, 1958 (Coast Guard classification: Type A, Size II), manufactured by The General Fire Extinguisher Corp., 6801 Rising Sun Avenue, Philadelphia 11, Pa., and 8740 Washington Boulevard, Culver City, Calif.

Approval No. 162.007/56/0, Fire Guard Model SA1s (Symbol GE, GEC, GEN or GEP), 2 1/2-gal. soda-acid type hand portable fire extinguisher, assembly dwg. No. 301, Rev. A dated May 1, 1957, name plate dwg. No. 5119, Rev. C dated October 3, 1958 (Coast Guard classification: Type A, Size II), manufactured by The Fire Guard Corp., 1685 Shermer Road, Northbrook, Ill.

Approval No. 162.007/57/0, Fire Guard Model SA2b (Symbol GE, GEC, GEN or GEP), 2 1/2-gal. soda-acid type hand portable fire extinguisher, assembly dwg. No. 811, Rev. A dated March 3, 1959, name plate dwg. No. 5108, Rev. A dated October 3, 1958 (Coast Guard classification: Type A, Size II), manufactured by The Fire Guard Corp., 1685 Shermer Road, Northbrook, Ill.

#### FIRE EXTINGUISHERS, PORTABLE, HAND, WATER, CARTRIDGE-OPERATED OR STORED PRESSURE TYPE

Approval No. 162.009/1/2, Kidde Model KAM Anti-Freeze (Symbol AM), 2 1/2-gal. anti-freeze cartridge-operated type hand portable fire extinguisher, shell assembly dwg. No. 240223, Rev. F dated November 4, 1958, cage assembly dwg. No. 840154, Rev. K dated March 18, 1955, cartridge assembly dwg. No. 907702, Rev. AD dated December 6, 1957, instruction panel dwg. No. 157083, Rev. D dated November 2, 1958 (Coast Guard classification: Type A, Size II), manufactured by Walter Kidde & Co., Inc., Belleville 9, N.J. (Supersedes Approval No. 162.009/1/1 published in FEDERAL REGISTER March 25, 1954.)

Approval No. 162.009/2/2, Kidde Model KWM Water (Symbol AM), 2 1/2-gal. water cartridge-operated type hand portable fire extinguisher, shell assembly dwg. No. 240222, Rev. G dated November 4, 1958, cage assembly dwg. No. 840154, Rev. K dated March 18, 1955, cartridge assembly dwg. No. 907702, Rev. AD dated December 6, 1957, instruction panel dwg. No. 157085, Rev. C dated November 2, 1958 (Coast Guard classification: Type A, Size II), manufactured by Walter Kidde & Co., Inc., Belleville 9, N.J. (Supersedes Approval No. 162.009/2/1 published in FEDERAL REGISTER March 25, 1954.)

Approval No. 162.009/16/0, Fyr-Fyter Conversion Unit for converting 2 1/2-gal. size soda-acid type fire extinguishers into pressure cartridge-operated fire extinguishers of plain water type, Part No. 81590, assembly dwg. No. B-61816, Rev. 1 dated January 18, 1954, name plate dwg. No. C-2416, Rev. 9 dated December 1, 1958 (Coast Guard classification: Type A, Size II), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio, Plant: P.O. Box 750, Newark 1, N.J. (Supersedes Approval No. 162.009/16/0 published in FEDERAL REGISTER May 12, 1954.)

Approval No. 162.009/17/0, Fyr-Fyter Conversion Unit for converting 2 1/2-gal-



ion size soda-acid type fire extinguishers into pressure cartridge-operated fire extinguishers of anti-freeze water type, Part No. 81585, assembly dwg. No. B-61816, Rev. 1 dated January 18, 1954, name plate dwg. No. C-2616, Rev. 9 dated December 1, 1958 (Coast Guard classification: Type A, Size II), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio, Plant: P.O. Box 750, Newark 1, N.J. (Supersedes Approval No. 162.009/17/0 published in FEDERAL REGISTER May 12, 1954.)

**FIRE EXTINGUISHERS, PORTABLE, HAND, DRY  
CHEMICAL TYPE**

Approval No. 162.010/36/0, C-O-Two Type PDC-5P, 5-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. D-2770, Rev. 4 dated January 18, 1957, name plate dwg. No. C-3225, Rev. 12 dated March 20, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio.

Approval No. 162.010/37/0, C-O-Two Type PDC-10P, 10-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. D-2945, Rev. 6 dated September 30, 1957, name plate dwg. No. C-3226, Rev. 11 dated March 20, 1959 (Coast Guard classification: Type B, Size II; and Type C, Size II), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio.

Approval No. 162.010/47/0, Model CP-5 (Symbol GE, GEC, GEN or GEP), 5-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. 5284, Rev. C dated June 5, 1958, name plate dwg. No. CP-5-5280, Rev. J dated August 1, 1958 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by The General Fire Extinguisher Corp., 6801 Rising Sun Avenue, Philadelphia 11, Pa., and 8740 Washington Boulevard, Culver City, Calif.

Approval No. 162.010/48/0, Model CP-10 (Symbol GE, GEC, GEN or GEP), 10-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. CP-10-5401, Rev. B dated March 1958, name plate dwg. No. CP-10-5333, Rev. F dated August 1, 1958 (Coast Guard classification: Type B, Size II; and Type C, Size II), manufactured by The General Fire Extinguisher Corp., 6801 Rising Sun Avenue, Philadelphia 11, Pa., and 8740 Washington Boulevard, Culver City, Calif.

Approval No. 162.010/49/0, Model CP-20 (Symbol GE, GEC, GEN or GEP), 20-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. CP-20-5396, Rev. B dated March 1958, name plate dwg. No. CP-20-5371, Rev. G dated August 1, 1958 (Coast Guard classification: Type B, Size III; and Type C, Size III), manufactured by The General Fire Extinguisher Corp., 6801 Rising Sun Avenue, Philadelphia 11, Pa., and 8740 Washington Boulevard, Culver City, Calif.

Approval No. 162.010/50/0, Model CP-30 (Symbol GE, GEC, GEN or GEP), 30-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. CP-30-5397, Rev. B dated March 1958, name plate dwg. No. CP-30-5377, Rev. E dated August 1, 1958

(Coast Guard classification: Type B, Size IV; and Type C, Size IV), manufactured by The General Fire Extinguisher Corp., 6801 Rising Sun Avenue, Philadelphia 11, Pa., and 8740 Washington Boulevard, Culver City, Calif.

Approval No. 162.010/51/0, C-O-Two Type PDC-20P, 20-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. D-4369, Rev. 4 dated May 29, 1957, name plate dwg. No. D-4383, Rev. 9 dated January 27, 1959 (Coast Guard classification: Type B, Size III; and Type C, Size III), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio.

Approval No. 162.010/71/0, Safety First Dri-Power Model DP-3, 3-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. DP-30, Rev. A dated January 27, 1958, name plate dwg. No. DP-25, revised February 2, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by Safety First Products Corp., 175 Saw Mill River Road, Elmsford, N.Y.

Approval No. 162.010/77/0, Ansul Model M2½ disposable recharge dry chemical stored pressure type hand portable fire extinguisher consisting of Ansul Model M2½ Control Head and Ansul Model 2½R Charged Shell Assembly, assembly dwg. No. 6870 dated November 14, 1958, or 6842 dated February 17, 1959, name plate dwg. No. 6822, Rev. 4 dated January 13, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by Ansul Chemical Co., Marinette, Wis.

Approval No. 162.010/81/0, C-O-Two Model No. PDC-2½P, 2½-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. PDC-2½P, Rev. F dated March 6, 1959, name plate dwg. No. 7141, Rev. C dated February 3, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio.

Approval No. 162.010/83/0, Fyr-Fyter Model No. 23-3, 2½-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. 23-3, Rev. F dated March 6, 1959, name plate dwg. No. 7134, Rev. C dated February 3, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio.

Approval No. 162.010/85/0, Buffalo Better-Built Model No. 23-4, 2½-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. 23-4, Rev. F dated March 6, 1959, name plate dwg. No. 7140, Rev. C dated February 3, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio.

Approval No. 162.010/91/0, Stempel Model No. 304 (Symbol GEN), 4-lb. cartridge-operated dry chemical type hand portable fire extinguisher, assembly dwg. No. DC4-2569, Rev. A dated August 20, 1957, name plate dwg. No. DC4-3307, Rev. A dated February 3, 1958 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by The Fire Guard Corp., 1685 Shermer Road, Northbrook, Ill., for M. L. Snyder & Son,

Inc., Jasper and York Streets, Philadelphia 25, Pa.

Approval No. 162.010/93/0, Stempel Model No. 602 (Symbol GEN), 2½-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. CP2½-11826, Rev. A dated March 10, 1959, name plate dwg. No. CP2½-11800 dated January 20, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by The Fire Guard Corp., 1685 Shermer Road, Northbrook, Ill., for M. L. Snyder & Son, Inc., Jasper and York Streets, Philadelphia 25, Pa.

Approval No. 162.010/94/0, Dayton Model No. 23-8, 2½-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. 23-8, Rev. F dated March 6, 1959, name plate dwg. No. 7367, Rev. A dated March 3, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio.

Approval No. 162.010/95/0, C-O-Two Type PDC-30P, 30-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. D-4391, Rev. 7 dated March 26, 1958, name plate dwg. No. D-4397, Rev. No. 9 dated January 27, 1959 (Coast Guard classification: Type B, Size IV; and Type C, Size IV), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio.

Approval No. 162.010/96/0, Fyr-Fyter Model No. 29-5, 5-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. D-2770, Rev. 4 dated January 18, 1957, name plate dwg. No. C-4938, Rev. 9 dated February 20, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio.

Approval No. 162.010/97/0, Fyr-Fyter Model No. 26-5, 10-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. D-2945, Rev. 6 dated September 30, 1957, name plate dwg. No. C-4943, Rev. 9 dated March 20, 1959 (Coast Guard classification: Type B, Size II; and Type C, Size II), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio.

Approval No. 162.010/98/0, Fyr-Fyter Model No. 27-5, 20-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. D-4369, Rev. 4 dated May 29, 1957, name plate dwg. No. D-4946, Rev. 7 dated January 23, 1959 (Coast Guard classification: Type B, Size III; and Type C, Size III), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio.

Approval No. 162.010/99/0, Fyr-Fyter Model No. 28-5, 30-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. D-4391, Rev. 7 dated March 26, 1958, name plate dwg. No. D-4950, Rev. 7 dated January 23, 1959 (Coast Guard classification: Type B, Size IV; and Type C, Size IV), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio.

Approval No. 162.010/100/0, Buffalo Better-Built Model No. 29-6, 5-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. D-2770, Rev. 4 dated January 18, 1957, name plate dwg. No. C-4953, Rev. 7 dated



March 20, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio.

Approval No. 162.010/101/0, Buffalo Better-Built Model No. 26-6, 10-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. D-2945, Rev. 6 dated September 30, 1957, name plate dwg. No. C-4958, Rev. 7 dated March 20, 1959 (Coast Guard classification: Type B, Size II; and Type C, Size II), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio.

Approval No. 162.010/102/0, Buffalo Better-Built Model No. 27-6, 20-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. D-4369, Rev. 4 dated May 29, 1957, name plate dwg. No. D-4961, Rev. 5 dated January 27, 1959 (Coast Guard classification: Type B, Size III; and Type C, Size III), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio.

Approval No. 162.010/103/0, Buffalo Better-Built Model No. 28-6, 30-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. D-4391, Rev. 7 dated March 26, 1958, name plate dwg. No. D-4965, Rev. 5 dated February 26, 1959 (Coast Guard classification: Type B, Size IV; and Type C, Size IV), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio.

Approval No. 162.010/111/0, Model SP-5 (Symbol GE, GEC, GEN, or GEP), 5-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. 5284, Rev. C dated June 5, 1958, name plate dwg. No. CP-5-5612, Rev. J dated August 1, 1958 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by The Fire Guard Corp., 1685 Shermer Road, Northbrook, Ill.

Approval No. 162.010/112/0, Model SP-10 (Symbol GE, GEC, GEN, or GEP), 10-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. CP-10-5401, Rev. B dated March 1958, name plate dwg. No. CP-10-5613, Rev. F dated August 1, 1958 (Coast Guard classification: Type B, Size II; and Type C, Size II), manufactured by The Fire Guard Corp., 1685 Shermer Road, Northbrook, Ill.

Approval No. 162.010/113/0, Model SP-20 (Symbol GE, GEC, GEN, or GEP), 20-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. CP-20-5396, Rev. B dated March 1958, name plate dwg. No. 5614, Rev. G dated August 1, 1958 (Coast Guard classification: Type B, Size III; and Type C, Size III), manufactured by The Fire Guard Corp., 1685 Shermer Road, Northbrook, Ill.

Approval No. 162.010/114/0, Model SP-30 (Symbol GE, GEC, GEN, or GEP), 30-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. CP-30-5397, Rev. B dated March 1958, name plate dwg. No. 5615, Rev. E dated August 1, 1958 (Coast Guard classification: Type B, Size IV; and Type C, Size IV), manufactured by The Fire Guard Corp., 1685 Shermer Road, Northbrook, Ill.

#### VALVES, PRESSURE VACUUM RELIEF AND SPILL

Approval No. 162.017/68/1, Figure No. 240, pressure-vacuum relief valve, enclosed pattern, weight-loaded poppet, nickel cast iron bronze 85-5-5-5 (B62, Grade 4A) or stainless steel (Type 304) bodies, dwg. No. 240-A, Alt. 1 dated January 20, 1959, approved for 4" size, manufactured by the Mechanical Marine Co., Inc., 17 Battery Place, New York 4, N.Y. (Supersedes Approval No. 162.017/68/0 published in FEDERAL REGISTER May 12, 1954.)

Approval No. 162.017/69/1, Figure No. 250, pressure only or vacuum only relief valve, enclosed pattern, weight-loaded poppet, nickel cast iron bronze 85-5-5-5 (B62, Grade 4A) or stainless steel (Type 304) bodies, dwg. No. 250-A, Alt. 1 dated January 20, 1959, approved for 4" size, manufactured by the Mechanical Marine Co., Inc., 17 Battery Place, New York 4, N.Y. (Supersedes Approval No. 162.017/69/0 published in FEDERAL REGISTER May 12, 1954.)

Approval No. 162.017/70/1, Figure No. 260, pressure only relief valve, enclosed pattern, weight-loaded poppet, nickel cast iron bronze 85-5-5-5 (B62, Grade 4A) or stainless steel (Type 304) bodies, dwg. No. 260-A, Alt. 1 dated January 20, 1959, approved for 4" size, manufactured by the Mechanical Marine Co., Inc., 17 Battery Place, New York 4, N.Y. (Supersedes Approval No. 162.017/70/0 published in FEDERAL REGISTER May 12, 1954.)

#### GAGING DEVICE, LIQUID LEVEL, LIQUEFIED COMPRESSED GAS

Approval No. 162.019/1/2, "RegO" No. 2148R liquefied petroleum gas slip tube liquid level gauge, dwg. No. 2148R, Rev. C dated December 30, 1955, manufactured by The Bastian-Blessing Co., 4201 West Peterson Avenue, Chicago 46, Ill. (Supersedes Approval No. 162.019/1/1 published in FEDERAL REGISTER October 6, 1954.)

Approval No. 162.019/4/1, "RegO" No. 2148RD liquefied petroleum gas slip tube liquid level gauge, dwg. No. 2148RD, Rev. B dated December 30, 1955, manufactured by The Bastian-Blessing Co., 4201 West Peterson Avenue, Chicago 46, Ill. (Reinstates and supersedes Approval No. 162.019/4/0 terminated in FEDERAL REGISTER December 31, 1958.)

Approval No. 162.019/5/1, "RegO" No. 2148RPD liquefied petroleum gas slip tube liquid level gauge, dwg. No. 2148RPD, Rev. B dated December 30, 1955, manufactured by The Bastian-Blessing Co., 4201 West Peterson Avenue, Chicago 46, Ill. (Reinstates and supersedes Approval No. 162.019/5/0 terminated in FEDERAL REGISTER December 31, 1958.)

Approval No. 162.019/11/0, Figure ST-9400 High Pressure Automatic Tank Gage for liquefied compressed gas service, dwg. No. TM-3016 dated January 29, 1959 (300 p.s.i.), manufactured by Shand & Jurs Co., 2600 Eighth Street, Berkeley 10, Calif.

Approval No. 162.019/12/0, "RegO" No. 2148RP liquefied petroleum gas slip tube and fixed tube liquid level gauge, dwg. No. 2148RP, Rev. B dated December 30, 1955, manufactured by The Bastian-

Blessing Co., 4201 West Peterson Avenue, Chicago 46, Ill.

#### APPLIANCES, LIQUEFIED PETROLEUM GAS CONSUMING

Approval No. 162.020/58/0, 9000 Series range for liquefied petroleum gas service, approved by the American Gas Association, Inc., under Certificate No. 1-917-57.001, manufactured by Caloric Appliance Corp., Topton, Pa. (Extension of the approval published in FEDERAL REGISTER March 25, 1954, effective March 25, 1959.)

#### INDICATORS, BOILER WATER LEVEL, SECONDARY TYPE

Reliance Eye-Hye secondary type boiler water level indicators, remote reading, 1,500 p.s.i. maximum pressure, dwg. No. B-6616-2 dated March 1, 1949, manufactured by The Reliance Gauge Column Co., 5902 Carnegie Avenue, Cleveland 3, Ohio, approved for the following model numbers:

Approval No.:	Model No.
162.025/63/0	E-1500
162.025/64/0	E1500-A
162.025/65/0	E1500-B

(Extension of the approvals published in FEDERAL REGISTER March 25, 1954, effective March 25, 1959.)

#### DECK COVERINGS

Approval No. 164.006/5/0, "CEL-O-CRETE", magnesite type deck covering identified to that described in National Bureau of Standards Test Report No. TG3610-1232:FR1806 dated October 30, 1940, approved for use without other insulating material as meeting Class A-60 requirements in a 1 1/4 inch thickness, manufactured by Johns-Mansville Sales Corp., 1617 Pennsylvania Boulevard, Philadelphia 3, Pa. (Extension of the approval published in FEDERAL REGISTER March 25, 1954, effective December 31, 1958.)

#### STRUCTURAL INSULATIONS

Approval No. 164.007/26/0, "Fiberglas Insulation PF-CG", glass wool type structural insulation identical to that described in National Bureau of Standards Test Report TG10210-1536:FP2661 dated December 1, 1948, bats and blankets approved for use without other insulating material to meet Class A-60 requirements in a 4-inch thickness and 6 pounds per cubic foot density, manufactured by Owens-Corning Fiberglas Corp., Toledo 1, Ohio. (Extension of the approval published in FEDERAL REGISTER March 25, 1954, effective February 8, 1959.)

#### PART II—TERMINATIONS OF APPROVALS OF EQUIPMENT, INSTALLATIONS OR MATERIALS WATER, EMERGENCY DRINKING (IN HERMETICALLY SEALED CONTAINERS)

Termination of Approval No. 160.026/24/0, Container for emergency drinking water, dwg. dated October 6, 1953, manufactured by Scientific Distilling Co., 12710 Aurora Avenue, Seattle 33, Wash. (Approval FEDERAL REGISTER March 25, 1954. Termination of approval effective March 25, 1959.)



## LIFEBOATS

Termination of Approval No. 160.035/66/1, 36.5' x 11.75' x 5.25' aluminum, hand-propelled lifeboat, 135-person capacity, identified by construction and arrangement dwg. No. 2894-A dated April 24, 1945, and revised November 12, 1953, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N.J. (Approved FEDERAL REGISTER March 25, 1954. Termination of approval effective March 25, 1959.)

Termination of Approval No. 160.035/307/0, 16.0' x 5.5' x 2.38' aluminum, oar-propelled lifeboat, 12-person capacity, identified by construction and arrangement dwg. No. 3473 dated April 7, 1953, and revised November 19, 1953, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N.J. (Approved FEDERAL REGISTER March 25, 1954. Termination of approval effective March 25, 1959.)

Termination of Approval No. 160.035/315/0, 28.0' x 9.0' x 4.0' steel, motor-propelled lifeboat without radio cabin (Class B), 50-person capacity, identified by construction and arrangement dwg. No. 3486 dated August 10, 1953, and revised January 15, 1954, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N.J. (Approved FEDERAL REGISTER March 25, 1954. Termination of approval effective March 25, 1959.)

## FIRE EXTINGUISHERS, PORTABLE, HAND, CARBON-DIOXIDE TYPE

Termination of Approval No. 162.005/19/0, General Quick Aid Sno Fog Fire Guard, Model 10AK, squeeze grip valve, 10-lb. carbon-dioxide hand portable fire extinguisher, assembly dwg. No. BC-210-X, Rev. A dated September 6, 1946, name plate dwg. No. CC-210-1, revised June 27, 1947 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by The General Detroit Corp., 2272 East Jefferson Avenue, Detroit 7, Mich. (Approved FEDERAL REGISTER March 25, 1954. Termination of approval effective February 8, 1959.)

## PART III—CHANGE IN NAMES AND ADDRESSES OF MANUFACTURERS

The address of Iowa Fibre Products Inc., 316 Court Avenue, Des Moines 9, Iowa, has been changed to 2425 Dean Avenue, Des Moines 17, Iowa, for Approval Nos. 160.047/24/0 and 160.047/25/0 for kapok buoyant vests published in the FEDERAL REGISTER of May 7, 1955; Approval Nos. 160.047/31/0, 160.047/32/0, 160.047/33/0, and 160.047/34/0 for kapok buoyant vests and 160.048/7/0, 160.048/8/0, 160.048/9/0, and 160.048/10/0 for kapok buoyant cushions published in the FEDERAL REGISTER of June 22, 1955; Approval Nos. 160.049/4/0 and 160.049/9/0 for unicellular plastic foam buoyant cushions published in the FEDERAL REGISTER of December 20, 1955; and Approval Nos. 160.052/1/0, 160.052/2/0, 160.052/3/0, 160.052/4/0, 160.052/5/0, and 160.052/6/0 for unicellular plastic foam buoyant vests published in the FEDERAL REGISTER of September 27, 1958

The name and address of the L.O.F. Glass Fibers Co., 1810 Madison Avenue, Toledo 1, Ohio, have been changed to Johns-Manville Sales Corp., 22 East 40th Street, New York 16, N.Y., for Approval No. 164.009/35/0, 164.009/38/0, and 164.009/41/0 for glass fiber insulation type incombustible materials.

## PART IV—CORRECTION TO PRIOR DOCUMENT

The Coast Guard Document CGFR 59-2 and Federal Register Document 59-2196 published in the FEDERAL REGISTER of March 14, 1959, are corrected by making the following changes:

1. Substitute 160.002/82/0 in lieu of 160.002/80/0 for the sixth approval under the heading "Life Preservers, Kapok, Adult and Child (Jacket Type) Models 3 and 5". (24 F.R. 1872, 1st col.)

2. Substitute 4.13' in lieu of 4.23' for Approval No. 160.035/384/0 under the heading "Lifeboats". (24 F.R. 1872, 3d col.)

3. Substitute EA-CG in lieu of EA-OG for Approval No. 162.009/20/0 under the heading "Fire Extinguishers, Portable, Hand, Water, Cartridge-Operated or Stored Pressure Type". (24 F.R. 1875, 2d col.)

4. Substitute the words Rev. E dated March 10, 1959, in lieu of Rev. D dated August 15, 1958, for Approval Nos. 162.010/75/0 and 162.010/76/0 under the heading "Fire Extinguishers, Portable, Hand, Dry-Chemical Type". Also, under the same heading for Approval No. 162.010/89/0 substitute the words "Rev. A dated March 10, 1959," in lieu of "dated December 15, 1958,". (24 F.R. 1875, 3d col.)

5. Substitute 1948 in lieu of 1958 for Termination of Approval No. 160.006/16/0 under the heading "Cleaning Processes for Life Preservers". (24 F.R. 1876, 2d col.)

Dated: 15 June 1959.

[SEAL] J. A. HIRSHFIELD,  
Rear Admiral, U.S. Coast Guard,  
Acting Commandant.

[F.R. Doc. 59-5143; Filed, June 19, 1959; 8:49 a.m.]

## DEPARTMENT OF JUSTICE

## Office of Alien Property

G. A. K. BARON VAN LYNDEN ET AL.

## Notice of Intention to Return Vested Property

Pursuant to section 32(f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

G. A. K. Baron van Lynden as Guardian of his minor children: Alexander Frederik van Lynden, Ellen Cornelie Catharina van Lynden, Cecilia Everarda Ursula Bonifacia van Lynden, Lucile Constantia Wendelmooet van

Lynden, and Dirk Boudewijn van Lynden, Hemmen, The Netherlands; All right, title and interest of the Attorney General acquired pursuant to Vesting Order No. 18519 (16 F.R. 10101, October 3, 1951) in and to Cities Service Company 5/69, Debenture Nos. 24249 and 27049, in the principal amount of \$1,000.00, each.

Vesting Order No. 18519; Claim No. 66872.

Executed at Washington, D.C., on June 10, 1959.

For the Attorney General.

[SEAL]

PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

[F.R. Doc. 59-5141; Filed, June 19, 1959; 8:49 a.m.]

## DEPARTMENT OF THE INTERIOR

Bureau of Land Management  
ALASKA

## Notice of Proposed Withdrawal and Reservation of Lands

The Bureau of Land Management has filed an application, Serial Number A.049034 for the withdrawal of the lands described below, from all forms of appropriation under the public land laws, including mining but not the mineral leasing laws nor the disposal of materials under the Materials Act. The applicant desires the land for public recreational purposes.

For a period of 60 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Mailing: 334 East Fifth Avenue, Anchorage Operations Office, Anchorage, Alaska.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

## UPPER FIRE LAKE AREA

T. 15 N., R. 1 W., S.M., Section 30: Lots 87, 96, 105, 107, 108, 109.

Containing 9.49 acres.

L. T. MAIN,  
Operations Supervisor, Anchorage.

[F.R. Doc. 59-5128; Filed, June 19, 1959; 8:47 a.m.]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

## Social Security Administration

## FINDING REGARDING FOREIGN SOCIAL INSURANCE AND PENSION SYSTEMS OF YUGOSLAVIA

Section 202(t)(2) of the Social Security Act (42 U.S.C. 402(t)(2)) au-



thorizes and requires the Secretary of Health, Education, and Welfare to find whether a foreign country has in effect a social insurance or pension system which is of general application in such country and under which periodic benefits, or the actuarial equivalent thereof, are paid on account of old age, retirement, or death, and whether individuals who are citizens of the United States but not citizens of such foreign country and who qualify for such benefits are permitted to receive such benefits or the actuarial equivalent thereof while outside such foreign country without regard to the duration of the absence.

Pursuant to authority duly vested in him by the Secretary of Health, Education, and Welfare, the Commissioner of Social Security has considered evidence presented by Yugoslavia with respect to the social insurance or pension system of such country, from which evidence it appears that such country has a social insurance or pension system of general application in such country which pays periodic benefits on account of old age, retirement, and death, and under which citizens of the United States, not citizens of Yugoslavia, who leave that country are permitted to receive such benefits while outside that country.

Accordingly, it is hereby determined and found by the Commissioner of Social Security that Yugoslavia does meet the requirements of section 202(b)(2) of the Social Security Act (42 U.S.C. 402(b)(2)).

[SEAL] W. L. MITCHELL,  
Commissioner of Social Security.

Approved: June 15, 1959.

BERTHA ADKINS,  
Acting Secretary of Health,  
Education, and Welfare.

[F.R. Doc. 59-5126; Filed, June 19, 1959;  
8:46 a.m.]

## FINDING REGARDING FOREIGN SOCIAL INSURANCE AND PENSION SYSTEM OF BURMA

### Correction

In the third paragraph of F.R. Doc. 59-5047, appearing at page 4971 of the issue for Thursday, June 18, 1959, "Yugoslavia" should read "Burma".

## FEDERAL POWER COMMISSION

[Docket No. G-13828, etc.]

### PARKER PETROLEUM CO., INC. ET AL.

#### Notice of Applications and Date of Hearing

JUNE 12, 1959.

In the matters of Parker Petroleum Company, Inc., Operator, et al.,<sup>1</sup> Docket No. G-13828; Pan American Petroleum Corporation, Docket No. G-13836; Union Oil Company of California, Docket No. G-13857; Shell Oil Company,<sup>2</sup> Docket No. G-13859; J. M. Huber Corporation,

Docket No. G-13865; John E. Lydle, et al.,<sup>3</sup> Docket No. G-13866; Needle Oil & Gas Company, by W. V. Proper, Partner, Docket No. G-13869; The Ohio Oil Company,<sup>4</sup> Docket No. G-13871; Fred Whitaker, Operator, et al.,<sup>5</sup> Docket No. G-13885; Omega Oil Corporation, Operator, et al.,<sup>6</sup> Docket No. G-13887; Republic Natural Gas Company, Operator, et al.,<sup>7</sup> Docket No. G-13889; C. L. Roberts, et al.,<sup>8</sup> Docket No. G-13905; Kansas Natural Gas, Inc., Operator,<sup>9</sup> Docket No. G-13906; W. L. Joyce, Operator, et al.,<sup>10</sup> Docket No. G-13930; Murphy H. Baxter, Operator, et al.,<sup>11</sup> Docket No. G-13956.

Each of the above applicants has filed an application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing each to render service as herein-after described, subject to the jurisdiction of the Commission, all as more fully represented in the respective applications, and any amendments thereto, which are on file with the Commission and open to public inspection.

The respective applicants produce and propose to sell natural gas for transportation in interstate commerce for resale as indicated below:

#### Docket No.; Field and Location; Purchaser

G-13828; Northwest Eva Pool, Texas County, Oklahoma; Colorado Interstate Gas Company.

G-13836; Atwood East Field, Logan County, Colorado; Kansas-Nebraska Natural Gas Company, Inc.

G-13857; Colquitt Field, Claiborne Parish, Louisiana; Arkansas Louisiana Gas Company.

G-13859; Elm Grove, Atwood East, Key and Dune Ridge Fields, Logan County, Colorado; Kansas-Nebraska Natural Gas Company, Inc.

G-13865; Acreage in Hutchinson County, Texas; Shamrock Oil and Gas Corporation.

G-13866; Sherman District, Calhoun County, West Virginia; Hope Natural Gas Company.

G-13869; Murphy District, Ritchie County, West Virginia; Hope Natural Gas Company.

G-13871; Nichols Field, Kiowa County, Kansas; Michigan-Wisconsin Pipe Line Company.

G-13885; Carthage Field, Panola County, Texas; Texas Gas Transmission Company.

G-13887; Hugoton Field, Finney County, Kansas; Northern Natural Gas Company.

G-13889; Colquitt Field, Claiborne Parish, Louisiana; Arkansas Louisiana Gas Company.

G-13905; Hugoton Field, Finney County, Kansas; Northern Natural Gas Company.

G-13906; Hugoton Field, Finney County, Kansas; Northern Natural Gas Company.

G-13930; Bloomington Townsite, Victoria County, Texas; United Gas Pipe Line Company.

G-13956; Azalea Field, Midland County, Texas; Phillips Petroleum Company.

Temporary authorization, pursuant to § 157.28 of the Commission's regulations under the Natural Gas Act, to render the above services has been granted each Applicant herein.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure,

a hearing will be held on July 28, 1959, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such applications: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before July 16, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIE,  
Secretary.

[F.R. Doc. 59-5116; Filed, June 19, 1959;  
8:45 a.m.]

<sup>1</sup>Parker Petroleum Company, Inc., Operator, is filing for itself and on behalf of the following non-operators: Louis D. Duff, Jr., Joseph Bird Hall, W. L. Scheu Products Co., Bessie K. Carver, R. F. Riddle, Dr. Arthur K. Solomon, Captain Kenneth D. Chandler, Dr. Harold L. Gaine, Thomas A. Yawkey, Emma Overbacker, Intercom, Inc., Daniel N. League, John R. Dow, Loren B. Corliss, John S. Bottomly, Dr. Karl Morris and William E. Benjamin, II. All are signatory seller parties to the subject gas sales contract.

<sup>2</sup>Application covers a basic gas sales contract dated October 23, 1957, and two amendatory agreements adding additional acreages thereto dated May 8, 1958, and July 8, 1958. Applicant is the only signatory seller party to said contract and amendatory agreements. Amendments to application filed June 20, 1958, and August 29, 1958, request incorporation of the provisions of aforesaid amendatory agreements; amendment filed February 4, 1959, is statement invoking the provisions of section 157.28 for temporary authorization covering amendatory agreement dated July 8, 1958.

<sup>3</sup>John E. Lydle is filing for himself and as agent for Bruce J. Lowe and both are signatory seller parties to the subject gas sales contract.

<sup>4</sup>Application covers a ratification agreement dated October 24, 1957, of a basic gas sales contract dated January 17, 1956, as amended, between Gulf Oil Corporation et al., sellers, and Michigan-Wisconsin Pipeline Company, buyer. Both Applicant and Michigan-Wisconsin are signatory parties to the subject ratification agreement. Gulf et al. were authorized in Docket No. G-9991 to sell gas under the basic contract.

<sup>5</sup>Fred Whitaker, Operator, is filing for himself and on behalf of the following non-operators listed, together with the percentage of working interest of each, in the application: Earl Barber, Virginia Barber and Temple Pyle, Jr., Marvin Briggs, John Lewis Bunyard, J. B. Chambers, Joe Garner, Ivan Greene, Gus Layton, L. T. N. Drilling Company, Ruff Wall, Herbert Voss Drilling Company, German Hollandsworth and Continental Oil Company. Operator, Earl Barber, Virginia Barber and Temple Pyle, Jr., are signatory seller parties to the gas sales contract; the remaining above-named parties



are listed as sellers under the contract but have not executed said contract.

\*Omega Oil Corporation, Operator, is filing for itself and on behalf of the following non-operators: George Trees, M. C. Hoffman, Daniel C. Searle, Gilbert P. Bogert, John Holmes, Hubert Howard, Jr., John Rogers, Lester C. Rogers, Lucius P. Ordway and Robert W. Wood, Trustee for Katherine King Wood and Sarah H. Wood. Non-operators acquired their respective interests by separate assignments each dated November 18, 1957 from Omega. Operator is the sole signatory seller party to the basic gas sales contract, however, the non-operators have attained signatory status to said contract to the extent of their assignments.

\*Republic Natural Gas Company, Operator, is filing for itself and on behalf of the following non-operators: Crescent Drilling Company, Inc., A. C. Duerr, C. H. Lyons, W. P. Prentiss, M. F. McCain, A. M. Jackson and Harway Producers, Inc.; in addition, Republic, as non-operator, is filing for its working interest in certain acreage. Applicant proposes to sell natural gas from subject acreages pursuant to a letter agreement dated September 23, 1957 (signed by both Republic and Buyer), which adopts the terms and conditions of a basic gas sales contract dated August 24, 1950, between Stanolind Oil & Gas Company (now Pan American Petroleum Corporation), seller, and Arkansas Louisiana Gas Company, buyer. In assignment dated December 24, 1953, Stanolind conveyed to A. C. Duerr the subject non-productive acreage; subsequently, in assignment dated February 24, 1954, A. C. Duerr conveyed to Republic and Crescent Drilling Company working interests in said acreage.

\*In Docket No. G-13906, Kansas Natural Gas, Inc., Operator, proposes to sell its share of production from certain acreage pursuant to a gas sales contract dated April 24, 1957, to which it is the only signatory seller party. In Docket No. G-13905, C. L. Roberts, non-operator, is filing for himself and on behalf of the following non-operators: Producers Pipe Line and Gas, Inc., Imo Oil and Gas Company, Grover M. Simpson, R. S. Johnston, H. C. Bennett, D. L. Roberts, Harold V. Smith and D. T. Huffstutter; Roberts proposes to sell the remaining portion of production from the above-mentioned acreage pursuant to a ratification agreement dated July 9, 1957, of the aforementioned contract and all non-operators, as well as Northern Natural Gas Company, are signatory parties to said ratification agreement.

\*W. L. Joyce, Operator, is filing for himself and on behalf of the following non-operators: L. S. Torrains, Mary J. Torrains and Roy Linzay. All are signatory seller parties to the subject gas sales contract.

\*Murphy H. Baxter, Operator, is filing for himself and on behalf of the following non-operators: R. W. Baxter, Theodore P. Beasley, Great Western Drilling Company and Phillips Petroleum Company. All are signatory seller parties to the subject gas sales contract.

[Docket No. G-18764]

### PEERLESS OIL & GAS CO.

#### Order for Hearing and Suspending Proposed Change in Rate

JUNE 15, 1959.

Peerless Oil & Gas Company (Peerless), on May 18, 1959, tendered for filing a proposed change in its presently effective rate schedule<sup>1</sup> for sales of natural gas subject to the jurisdiction of the Commission. The proposed change,

<sup>1</sup> The presently effective rate is subject to refund in Docket No. G-14087.

which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, undated.  
Purchaser: El Paso Natural Gas Company.  
Rate schedule designation: Supplement No. 9 to Peerless' FPC Gas Rate Schedule No. 3.  
Effective date: June 18, 1959.<sup>2</sup>

Peerless in support of its favored-nation rate increase of 5.3992¢ resulting in a proposed rate of 16.0¢ per Mcf, cites the favored-nation clause of its contract; states that such clause was activated by the 16.0¢ per Mcf (plus gathering costs) initial rate paid West Texas Gathering Company (West Texas) in Winkler County, Texas; and contends that the contract was negotiated at arm's-length, that the favored-nation clause was designed to insure seller a fair market value of its gas over the long term of the contract, and that the proposed rate is no more than the fair market value of the gas.

El Paso, the buyer, has protested this and other similar favored-nation increases based on the 16.0¢ rate paid to West Texas, claiming the purchase from West Texas is of a nature that does not activate the favored-nation clause. El Paso requests rejection of the filing. A hearing on this issue is being held on three similar favored-nation increases in the Matter of The Pure Oil Company, Docket No. G-17930.

The increased rate and charge so proposed have not been shown to be justified and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed change and that Supplement No. 9 to Peerless' FPC Gas Rate Schedule No. 3 be suspended and the use thereof deferred as hereinafter ordered.

#### The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing shall be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 9 to Peerless' FPC Gas Rate Schedule No. 3.

(B) Pending the hearing and decision thereon, said supplement is suspended and the use thereof deferred until November 18, 1959, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

<sup>2</sup> The stated effective date is that proposed by Peerless.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 59-5117; Filed, June 19, 1959; 8:45 a.m.]

[Docket No. G-4933]

### GREGORY KREBS

#### Notice of Hearing

JUNE 15, 1959.

Notice of application for a certificate of public convenience and necessity in the above-entitled matter having been given by publication in the FEDERAL REGISTER on July 31, 1956 (21 F.R. 5725), and otherwise served upon all parties in the manner prescribed by the rules and regulations of the Commission, and the time for filing of protests to the granting of the application and for filing petitions to intervene in said matter having passed and no protests or petitions to intervene having been made and filed, said application should be heard as promptly as possible under the applicable rules and regulations.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on July 15, 1959 at 9:30 a.m., e.d.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 59-5118; Filed, June 19, 1959; 8:45 a.m.]

[Docket Nos. G-13717, G-13718]

### JAMES I. SHEARER AND JAMES DRILLING CORP.

#### Notice of Application and Date of Hearing

JUNE 15, 1959.

In the matters of James I. Shearer, Docket No. G-13717; James Drilling Corporation, Docket No. G-13718.

Take notice that James I. Shearer (Shearer) and James Drilling Corporation (James), independent producers of natural gas, filed separate applications



[Docket No. G-17941]

## CITIES SERVICE GAS CO.

## Notice of Application and Date of Hearing

JUNE 15, 1959.

on November 15, 1957, in Docket Nos. G-13717 and G-13718 respectively, for permission and approval to abandon service pursuant to the jurisdiction of the Commission, as more fully represented in the respective applications which are on file with the Commission and open to public inspection.

The respective applications seek permission and approval for:

(1) Shearer to abandon service to New York State Natural Gas Corporation (New York Natural) from Benetzette Township, Elk County, Pennsylvania, covered by Applicant's contract No. 96 dated August 12, 1953.

(2) James to abandon service to New York Natural from Benetzette Township, Elk County, Pennsylvania, covered by Applicant's contracts No. 98 dated August 12, 1953, and No. 116 dated October 31, 1953.

In support of the subject applications, Applicants state that nominal daily deliveries to New York Natural from Applicants' wells make it uneconomical for them to continue to operate the wells and facilities incident thereto.

Submitted with the respective applications are letters from New York Natural, dated November 7, 1957, wherein New York Natural states that it has no objection to the proposed abandonment of service.

The subject sales were authorized to Shearer on January 5, 1955, in Docket No. G-3565 and to James on March 7, 1955, in Docket No. G-3581.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on July 21, 1959 at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such applications: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 130(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before July 10, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 59-5119; Filed, June 19, 1959; 8:45 a.m.]

Take notice that Cities Service Gas Company (Applicant) a Delaware corporation with its principal office in Oklahoma City, Oklahoma, filed an application on February 24, 1959, as supplemented on April 17, 1959, in Docket No. G-17941, pursuant to section 7 of the Natural Gas Act, for (1) a certificate of public convenience and necessity to construct and operate certain facilities to be attached to its natural gas transmission system in the States of Kansas, Missouri and Oklahoma, and (2) authority to abandon certain transmission facilities which are to be replaced by a portion of the proposed facilities, all as more fully described in the application on file with the Commission and open to public inspection.

The proposed additions and replacements are for the purpose of enabling Cities Service to meet its estimated peak day requirements during the 1959-60 heating season and thereafter.

Applicant states that to meet its estimated 1959-60 peak day requirements with its existing facilities, it would be required to operate certain of its compressor stations at overloads which it considers dangerously excessive and to operate certain of its pipelines at unsafe pressures. To avoid this situation Applicant proposes to install and operate the subject facilities and to reclaim the inadequate pipe. This will enable it to transport the volumes of gas required to meet its 1959-60 peak day requirements at pressures it considers safe.

Applicant proposes to replace a total of 22.1 miles of 4 to 10-inch transmission lines with about 22.5 miles of 4 to 16-inch pipe and in addition build a total of 43.4 miles of 12 to 30-inch lines paralleling an equal length of 8 to 20-inch pipelines, all on several segments of its integrated transmission system, namely the Saginaw-Springfield, Hutchinson-Superior, Fort Scott, Welda-Ottawa and West Lawrence segments.

It also proposes to add 1,800 horsepower to its Alva Station on its main Panhandle-Wichita 20-inch line and 340 horsepower to its Atchison Station to improve service in the Atchison, Kansas, area.

The company also proposes to acquire, develop and operate a new gas storage area (Denton Storage Area) in Elk County, Kansas, to be attached to its Cambridge-Welda system. Included in the proposed loops is a 21.5 mile 30-inch segment on Applicant's Welda-Ottawa system which is to be built in lieu of 18 miles of 26-inch loop previously authorized in Docket No. G-13562 but not constructed because it was not needed for the 1958-59 season as had been expected. Looping of this section is now needed for the 1959-60 season mainly to help serve the Kansas City, Missouri, area.

Applicant requests that the authorization for the 26-inch loop in Docket No. G-13562 be vacated and that it be authorized in the subject docket to construct the 30-inch loop instead, because it expects future developments of storage facilities in the area will ultimately require greater capacity and putting in the larger diameter pipe now will be more economical ultimately.

Applicant states its estimated entire system requirements for the 1959-60 peak day as follows:

Requirements:	Mcf at 14.73 psia
Firm	1,438,594
Leakage and fuel	78,298
Total firm	1,516,892
Industrial	586,796
Field sales	568
Total requirements	2,104,256

Requirements capable of being served with present facilities:	
Firm	1,516,892
Industrial	154,789
Field sales	568
Total requirements served	1,672,249

Applicant states the estimated capital cost of constructing its proposed facilities at \$8,217,000, of which \$4,336,000 is for developing the Denton Storage Project including wells, gathering system and appurtenances. The cost of reclaiming the facilities to be replaced is estimated at \$82,000, with \$77,000 estimated as the salvage value of these facilities. Applicant proposes to finance the construction out of treasury cash.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on July 20, 1959, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 130(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before July 10, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 59-5120; Filed, June 19, 1959; 8:45 a.m.]



[Docket No. G-17959]

## UNITED GAS PIPE LINE CO.

## Notice of Application and Date of Hearing

JUNE 15, 1959.

Take notice that United Gas Pipe Line Company (Applicant), a Delaware corporation with a principal office in Shreveport, Louisiana, filed in Docket No. G-17959 on March 2, 1959, an application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of approximately 8.4 miles of 16-inch lateral supply pipeline and appurtenant facilities extending from a point of connection on United's existing facilities in Section 6, Township 19 South, Range 19 East, Terrebonne Parish, Louisiana, southwesterly to a proposed metering station to be installed in the Lapeyrouse Area in Terrebonne Parish. The purpose of the proposed construction is to enable Applicant to transport additional volumes of natural gas purchased from various producers in the subject area, subject to the jurisdiction of the Commission, all as more fully described in the application on file with the Commission and open to public inspection.

Applicant states it was previously authorized in Docket No. G-12416 to construct and operate a supply lateral necessary to receive into its transmission facilities natural gas from the Lapeyrouse Area. However, due to the great increase in proven reserves (from 70,396,000 Mcf to 327,771,518 Mcf at 14.73 psia) and in deliverability, Applicant states that its existing facilities are inadequate to transport the gas available from the subject area. The proposed new pipeline will constitute a second lateral into the same producing area.

The estimated initial cost of the proposed facilities is \$972,642, which cost will be financed out of current working funds.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on July 27, 1959, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before July

17, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 59-5121; Filed, June 19, 1959;  
8:45 a.m.]

[Docket No. G-18011]

## O. NEATHERY, JR., AND SYLJO GAS CO.

## Notice of Application and Date of Hearing

JUNE 15, 1959.

Take notice that on February 25, 1959, O. Neathery, Jr. (Neathery), Operator, and Syljo Gas Company (Syljo), a partnership, consisting of R. A. Pitzer, Wayne J. Johnson and R. R. Herring, filed a joint application in Docket No. G-18011, pursuant to section 7 of the Natural Gas Act, requesting the Commission to:

(1) Rescind the certificate of public convenience and necessity issued January 4, 1955, in the Matter of Rodney DeLange and O. Neathery, Jr., Docket No. G-2691, authorizing a sale of gas to Trunkline Gas Company (Trunkline) from the Maetzo Field, Goliad County, Texas, under a sales contract dated July 2, 1952, between said parties on file as O. Neathery, Jr. FPC Gas Rate Schedule No. 1; and

(2) Issue a certificate of public convenience and necessity authorizing Syljo to continue the service to Trunkline formerly rendered by Neathery, under the terms of the aforementioned contract. The foregoing requests are more fully described in the application on file with the Commission, and open to public inspection.

The application recites that by an assignment dated January 8, 1959, Syljo acquired from DeLange and Neathery all of their interests in the gas producing properties dedicated to the aforementioned contract, except for certain non-productive leases which expired and were released.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on July 27, 1959, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for,

unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before July 17, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 59-5122; Filed, June 19, 1959;  
8:45 a.m.]

[Docket No. G-13335, etc.]

## REPUBLIC NATURAL GAS CO. ET AL.

## Notice of Applications and Date of Hearing

JUNE 16, 1959.

In the matters of Republic Natural Gas Company, Operator,<sup>1</sup> Docket No. G-13335; Messman-Rinehart Oil Company, Operator, et al.,<sup>2</sup> Docket No. G-13341; Honaker-Davis Drilling Company, Operator,<sup>3</sup> Docket No. G-13342; Wayne Moore and W. H. Gilmore, d/b/a Moore & Gilmore,<sup>4</sup> Docket No. G-13343; W. H. Gilmore,<sup>5</sup> Docket No. G-13344; Monsanto Chemical Company, Docket No. G-13348; Skelly Oil Company,<sup>6</sup> Docket No. G-13350; Tom Cook, Jr., Operator, et al.,<sup>7</sup> Docket No. G-13353; The Atlantic Refining Company,<sup>8</sup> Docket No. G-13355; Finley Company, Operator, et al.,<sup>9</sup> Docket No. G-13366; Barnwell Production Company, Operator,<sup>10</sup> Docket No. G-13368; Cabrun Gas Company, By L. G. Pigott, Partner,<sup>11</sup> Docket No. G-13693; Century Oil & Gas Company, Operator, et al.,<sup>12</sup> Docket No. G-13694; The Atlantic Refining Company,<sup>13</sup> Docket No. G-13708.

Take notice that each of the above Applicants has filed an application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing each to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the respective applications which are on file with the Commission and open to public inspection.

The respective Applicants produce and propose to sell natural gas for transportation in interstate commerce for resale as indicated below:

## Docket No.; Field and Location; Purchaser

G-13335; Colquitt Field, Claiborne Parish, La.; Arkansas Louisiana Gas Company.

G-13341; Laredo Field, Reno County, Kansas; Panhandle Eastern Pipe Line Company.

G-13342; Nippawalla and South Rhodes Fields, Barber County, Kansas; Cities Service Gas Company.

G-13343; Acreage in Pecos County, Texas; El Paso Natural Gas Company.

G-13344; Blanco (Mesaverde & Pictured Cliffs) Field, San Juan County, New Mexico; El Paso Natural Gas Company.

See footnotes at end of document.



G-13348; Colquitt Field, Claiborne Parish, La.; Arkansas Louisiana Gas Company.

G-13350; Hiawatha Field, Moffat County, Colorado; Mountain Fuel Supply Company.

G-13353; Willow Springs Field, Gregg County, Texas; Texas Eastern Transmission Corporation.

G-13355; Gottschalt Field, Goliad County, Texas; United Gas Pipe Line Company.

G-13366; Gyp Field, Brooks County, Texas; Texas Eastern Transmission Corporation.

G-13368; Waskom Field, Harrison County, Texas; Mississippi River Fuel Corporation.

G-13693; Central District, Doddridge County, West Virginia; Hope Natural Gas Company.

G-13694; Cabeza Creek Field, Goliad County, Texas; United Gas Pipe Line Company.

G-13708; Midland Field, Acadia Parish, La.; United Fuel Gas Company.

Temporary authorization, pursuant to § 157.28 of the Commission's regulations under the Natural Gas Act, to render the above sales has been granted each Applicant herein.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on July 28, 1959, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such applications: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.10) on or before July 16, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 59-5123; Filed, June 19, 1959; 8:46 a.m.]

<sup>1</sup> Republic Natural Gas Company is filing (1) as nonoperator, for its working interests in the Tigner and Greer Units, and (2) as Operator, for itself and on behalf of the following nonoperating owners of working interests in eight leases: Crescent Drilling Company, A. C. Duerr, Alvin M. Jackson, Harway Producers, Inc., C. H. Lyons, Sr., W. P. Prentiss and M. F. McCain. Republic is the only signatory seller party to the basic gas sales contract dated August 7, 1957, and amendatory agreement adding additional acreage thereto dated November 7, 1957. It is noted that the amendatory agreement

dedicates an additional 40 acres (Thomas S. Sale, Jr., Lease) which lease is not covered by the original application. Amendment to application filed December 9, 1957, requests incorporation of provisions of the aforesaid amendatory agreement.

<sup>2</sup> Messman-Rinehart Oil Company, a partnership consisting of Roger L. Messman and C. B. Rinehart, Operator, is filing for itself and on behalf of the following nonoperators: James L. Allen, Harold H. Anderson, Franklin J. Lunding, E. H. McDermott, Foster G. McGaw, Don T. McNeill, Lawrence J. Plym, A. A. Seelgson, Sr., A. A. Seelgson, Jr., Richard Gill and Josephine L. Gill. All are signatory seller parties to the gas sales contract dated August 15, 1957, and amendatory agreement adding additional acreage thereto dated February 24, 1958 (C. B. Rinehart has signed amendatory agreement for himself and remaining co-owners). Amendment to application filed April 7, 1958, requests incorporation of provisions of aforesaid amendatory agreement.

<sup>3</sup> Honaker-Davis Drilling Company, a partnership consisting of Joe J. Honaker, Ruby Lee Honaker, H. C. Davis and H. S. Forbes, Operator, is filing for itself and on behalf of the following nonoperators: Hudson Gas & Oil Corporation, James D. Conway, Miss G. S. Flagg, Frank Flagg, W. J. Finn, Mrs. Arnela L. Nelson, Fred Steffens, J. H. Page, S. D. Ford, Jr., Hal Lainsen, Mrs. Gretchen H. Lainsen, Claren Kerr, Kenneth Morrison, John P. McKnight, John P. Quirk, S. D. Whiteman, Thomas Creigh, Jr., Mrs. Juliana R. Minier, Mrs. Elizabeth Marvel, E. S. Newton, J. R. Seberg, Mrs. Lillian P. Swan, R. J. Kealy and Frank Kealy. Applicant, through the signatures of above-named partners, is the only signatory seller party to the subject gas sales contract.

<sup>4</sup> Wayne Moore and W. H. Gilmore (non-operators), d/b/ Moore & Gilmore, are both signatory seller parties to the subject gas sales contract.

<sup>5</sup> W. H. Gilmore, nonoperator, is filing for authorization to sell its interest in production from the subject acreage pursuant to two basic gas sales contracts each dated February 4, 1957. One contract covers Mesaverde production and the other Pictured Cliffs production.

<sup>6</sup> Application covers an amendatory agreement dated September 25, 1957 which adds additional acreage to a basic gas sales contract dated May 21, 1956. Applicant was authorized in Docket No. G-10589 to sell gas under the basic contract.

<sup>7</sup> Tom Cook, Jr., Operator, is filing for himself and on behalf of the following nonoperators: John C. Whitaker, H. E. Bingham, Joe Bander, Dr. Charles Bloom, W. D. McMahon, H. U. Garrett, John Baxter, Taylor Milton, Charles W. Lutes, Trustee, and Key Production Company. All are signatory seller parties to the subject gas sales contract.

<sup>8</sup> Application covers an amendatory agreement dated September 6, 1957, which dedicates additional depths (between surface and base of Wilcox Sand) to specified acreage dedicated under a basic gas sales contract dated July 1, 1949. Applicant was authorized in Docket No. G-3894 to sell gas under the basic contract.

<sup>9</sup> Finley Company, Operator, is filing for itself and on behalf of the nonoperator, J. H. Harvey, and both are signatory seller parties to the subject gas sales contract.

<sup>10</sup> Barnwell Production Company, a partnership composed of R. S. Barnwell, Sr. and R. S. Barnwell, Jr., Operator, is filing for itself and on behalf of forty-five nonoperators (listed in application with their respective working interests). Barnwell Production Company is the only signatory seller party to the subject gas sales contract.

<sup>11</sup> Cabrun Gas Company, Applicant, is a partnership consisting of unnamed partners and is filing through L. G. Pigott, Partner.

Applicant submitted a short form rate schedule filing pursuant to Section 154.92(c) of Order No. 174-B. No contract was filed as a part thereof, nor is a copy of one required under said Section 154.92(c).

<sup>12</sup> Century Oil & Gas Company, Operator, is filing for itself and on behalf of the following nonoperators: William H. Forney, Lee Durst & G. Ray Boyd, Texas Oil Corporation and Walter H. Smartt. Applicant proposes to sell production from subject acreage pursuant to a basic sales contract executed by above-named nonoperators on September 6, 1957 (executed by United on September 20, 1957) and a ratification agreement of said contract dated October 3, 1957, executed by Century and United.

<sup>13</sup> Application covers an amendatory agreement dated January 31, 1956, which adds additional depths (Hayes and Upper Bathysiphon Sands) to acreage previously dedicated to a basic gas sales contract dated January 5, 1953, as amended. Applicant was authorized in Docket No. G-3765 to continue sales of gas under the basic contract.

[Project No. 2263]

## GEORGIA POWER CO.

### Notice of Application for Preliminary Permit

JUNE 16, 1959.

Public notice is hereby given that Georgia Power Company, of Atlanta, Georgia (Applicant), has filed application under the Federal Power Act (16 U.S.C. 791a-825r) for a preliminary permit for proposed hydroelectric Project No. 2263, located on the Coosawattee River in Murray and Gilmer Counties, near Ellijay, Georgia, and affecting a proposed Government dam. The applicant seeks a preliminary permit to make studies, in cooperation with the Corps of Engineers, to determine the feasibility of the construction by the Applicant of power facilities in connection with the proposed multiple-purpose dam and reservoir on the Coosawattee River near Carters, Georgia, which has been recommended for construction by the Department of the Army, Corps of Engineers. The proposed power facilities would consist of a 20,000-foot tunnel and a powerhouse with an installation of 72,000 kilowatts, in conventional units developing a head of 561 feet.

No construction is authorized under a preliminary permit. A permit, if issued, gives the permittee, during the period of the permit, the right to priority of application for license while the permittee undertakes the necessary studies and examinations, including the preparation of maps and plans, in order to determine the economic feasibility of the proposed project, the means of securing the necessary financial arrangements for construction, the market for the project power, and all other information necessary for inclusion in an application for license, should one be filed.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 and 1.10). The last date upon which protests or petitions may be filed is July 27, 1959.



The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,  
Secretary.

[P.R. Doc. 59-5147; Filed, June 19, 1959;  
8:49 a.m.]

[Docket No. G-18701, etc.]

# PEERLESS OIL AND GAS CO. ET AL.

## Order for Hearing and Suspending Proposed Changes in Rates<sup>1</sup>

JUNE 16, 1959.

In the matters of Peerless Oil and Gas Company, Docket No. G-18701; Texaco, Inc., Docket No. G-18702; G. Stratton, Jr. (Operator), et al., Docket No. G-18692.

The proposed changes hereinafter designated, which constitute increased rates and charges in presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission, have been tendered for filing by the above-named Respondents. In each filing the purchaser is El Paso Natural

Gas Company, except in that of Texaco, Inc. where the purchaser is Kansas-Nebraska Natural Gas Company, Inc.

In support of their increases Peerless Oil and Gas Company and G. Stratton, Jr. (Operator), et al. cite the favored-nation clauses of the gas purchase contracts and state that such clauses were activated by the initial rate paid by El Paso Natural Gas Company to West Texas Gathering Company in Winkler County, Texas. Respondents additionally state that the contracts were negotiated at arm's length, and the proposed rate does not exceed the fair value of the gas in the area. Texaco, Inc. states that the contract was negotiated at arm's length; the proposed increase is one of a series of periodic adjustments all covering one overall contract price; and the increase is necessary to compensate seller for continuously increasing costs of exploration, development, operation and maintenance.

The increased rates and charges so proposed have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful.

practice and procedure (18 CFR 1.8 or 1.37(f)).

By the Commission.

JOSEPH H. GUTRIDE,  
Secretary.

[P.R. Doc. 59-5149; Filed, June 19, 1959;  
8:50 a.m.]

[Project No. 2005]

# OAKDALE IRRIGATION DISTRICT AND SOUTH SAN JOAQUIN IRRIGATION DISTRICT

## Land Withdrawal Modification

JUNE 17, 1959.

By letters dated September 14, 1948, and June 23, 1950, and notice of land withdrawal dated March 15, 1956, this Commission gave notice of the withdrawal of a total of 2,495.22 acres of United States land for Project No. 2005, pursuant to the filing of an application for license and amendments of license by the Oakdale Irrigation District of Oakdale, California, and South San Joaquin Irrigation District of Monteca, California.

On May 6 and 11, 1959, the licensees for Project No. 2005, in accordance with Article 19 of their license, filed revised Exhibits F and K-1, 5, 6, 11, and 12 delimiting the lands occupied by the Donnell's Reservoir, power tunnel, power plant and access road and Beardsley Reservoir, afterbay, and access road.

Therefore, in accordance with the provisions of section 24 of the Act of June 10, 1920, as amended, notice is hereby given that the hereinafter described lands of the United States are included in the aforesaid power project as licensed. Under said section 24, these lands are, from the date of filing of completed application for amendment, May 11, 1959, reserved from entry, location, or other disposal under the laws of the United States until otherwise directed by the Commission or by Congress. This notice modifies and supersedes in their entirety the notices of September 14, 1948, June 23, 1950, and March 15, 1956.

All portions of the following described subdivision lying within the dam, reservoir, power tunnel, and power plant areas as shown on amendatory maps filed May 6, 1959, designated as Exhibits K-1, 5, 6, 11 (Revised)—F.P.C. Nos. 2005-42 through 45, inclusive—entitled:

K-1, Beardsley Project, Map of Project boundary.

K-5, Donnell's Project, General Layout Tunnel and P.H.

K-6, Donnell's Project, Map of Reservoir Project Boundary.

K-11, Beardsley Afterbay Dam, Map of Project Boundary.

WILLAMETTE MERIDIAN—OREGON

T. 4 N., R. 17 E.,

Sec. 1: SE $\frac{1}{4}$ SE $\frac{1}{4}$  (Unsurveyed);

Sec. 11: SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;

Sec. 12: E $\frac{1}{2}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;

Sec. 13: NW $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;

Sec. 14: NW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;

Sec. 15: E $\frac{1}{2}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ .

	Rate sched. No.	Supp. No.	Notice of change dated	Date tend.	Effect. date <sup>1</sup>	Rate susp. until	Rate in effect subject to refund in Docket No.
1. Peerless Oil and Gas Co.	4	8	Undated.....	5-18-59	6-18-59	11-18-59	G-14087 (Supplement Nos. 6, 5, 2, 4, 5 and 3 to FPO Gas Rate Schedule Nos. 4, 6, 7, 8, 11, 13, and 18, respectively).
2. Peerless Oil and Gas Co.	6	6					
	7	3					
	8	3					
	11	5					
	13	6					
	18	4					
3. G. Stratton, Jr. (Operator) et al.	1	5	5-20-59.....	5-22-59	6-22-59	11-22-59	Docket No. G-13998 (Supplement No. 1).
4. Texaco, Inc.	46	2	5-18-59.....	5-19-59	6-23-59	11-23-59	Docket No. G-16535 (Supplement No. 4).

<sup>1</sup>The stated effective date is either that proposed by the Respondent or the first day after the expiration of the required thirty days notice, whichever is later.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon hearings concerning the lawfulness of the several proposed changes and that the designated supplements to Respondents' FPC Gas Rate Schedules be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), public hearings shall be held upon dates to be fixed by notices from the Secretary concerning the lawfulness of the proposed increased rates and charges contained in the designated supplements to Respondents' FPC Gas Rate Schedules.

(B) Pending hearing and decision thereon, each of the said supplements tendered by Peerless Oil and Gas Company is hereby suspended and the use

thereof deferred until November 18, 1959, and until such further time as each is made effective in the manner prescribed by the Natural Gas Act.

(C) Pending hearing and decision thereon, the said supplement tendered by Texaco, Inc. be and it hereby is suspended and the use thereof deferred until November 23, 1959, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(D) Pending hearing and decision thereon, the said supplement of G. Stratton, Jr. (Operator) et al. be and it is hereby suspended and the use thereof deferred until November 22, 1959, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(E) None of the several supplements hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until the relevant proceeding has been disposed of or until the applicable period of suspension has expired, unless otherwise ordered by the Commission.

(F) Interested State commissions may participate as provided by §§ 1.8 or 1.37(f) of the Commission's rules of

<sup>1</sup>This order does not provide for the consolidation for hearing or disposition of the several matters covered herein, nor should it be so construed.



T. 4 N., R. 18 E.,  
 Sec. 6: Lots 3, 4, 5, 6, SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 7: Lot 1.  
 T. 5 N., R. 18 E.,  
 Sec. 2: Lots 3, 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 3: E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 10: N $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ ,  
 NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 15: W $\frac{1}{2}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 Sec. 16: E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 21: N $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ ,  
 SW $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 28: N $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 29: NE $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 31: Lots 3, 4, NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$   
 SW $\frac{1}{4}$ ;  
 Sec. 32: N $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ .  
 T. 6 N., R. 18 E. (Unsurveyed),  
 Sec. 25: SE $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 35: S $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ ;  
 Sec. 36: N $\frac{1}{2}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ .  
 T. 6 N., R. 19 E. (Unsurveyed),  
 Sec. 19: SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 30: W $\frac{1}{2}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 Sec. 31: NW $\frac{1}{4}$ NW $\frac{1}{4}$ .

All portions of the following described subdivisions lying within 33 feet of the center line survey of the Donnell Dam Access Road, as delimited on map Exhibit K-5 (F.P.C. No. 2005-43), and within 30 feet of the center line survey of the Beardsley Dam Access Road, as delimited on map Exhibit K-12 (F.P.C. No. 2005-46):

#### WILLAMETTE MERIDIAN—OREGON

T. 4 N., R. 17 E.,  
 Sec. 13: SW $\frac{1}{4}$ ;  
 Sec. 14: SE $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 24: NE $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ NW $\frac{1}{4}$ ,  
 SE $\frac{1}{4}$ NW $\frac{1}{4}$ .  
 T. 5 N., R. 18 E.,  
 Sec. 3: Lots 3, 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 Sec. 4: NE $\frac{1}{4}$ SE $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 Sec. 9: NW $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ ,  
 W $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
 Sec. 16: NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
 Sec. 17: E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 20: E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 21: W $\frac{1}{2}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 29: E $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
 W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 32: W $\frac{1}{2}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ .  
 T. 6 N., R. 18 E. (Unsurveyed),  
 Sec. 34: SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 35: NE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ .

The area of United States Land reserved pursuant to this filing is approximately 1,389.47 acres, wholly within the Stanislaus National Forest, of which approximately 1,222.54 acres have been heretofore reserved in connection with Projects No. 789, 1318, 2005, and 2018 or Power Site Classification No. 220.

Copies of the amendatory project maps, Exhibits K-1, 5, 6, 11, and 12 (Revised)—F.P.C. Nos. 2005-42 through 46—have been transmitted to the Bureau of Land Management, Forest Service, and Geological Survey.

JOSEPH H. GUTRIDE,  
 Secretary.

[F.R. Doc. 59-5148; Filed, June 19, 1959;  
 8:49 a.m.]

[Docket No. G-14200, etc.]

#### CARTER OIL CO. AND SKELLY OIL CO.

#### Notice of Applications, Consolidation, Continuance, and Date of Hearing

JUNE 16, 1959.

In the matters of The Carter Oil Company, Docket Nos. G-14200, G-14280, and

G-16497; Skelly Oil Company, Docket No. G-16571.

Take notice that on January 6, 1958, on January 17, 1958, and on September 29, 1958, as supplemented on April 27, 1959, The Carter Oil Company (Carter) filed applications, pursuant to section 7 of the Natural Gas Act, as follows:

(1) In Docket No. G-14200, for a certificate of public convenience and necessity, pursuant to section 7(c), authorizing the sale of natural gas to Lone Star Gas Company (Lone Star) from the Moss-Wilson C-233 Lease in Garvin County, Oklahoma, covered by a gas sales contract dated January 1, 1953, as amended, on file as The Carter Oil Company FPC Gas Rate Schedule No. 19;

(2) In Docket No. G-14280, for a certificate of public convenience and necessity, pursuant to section 7(c), authorizing the sale of natural gas to Lone Star from 20 acres in the Golden Trend-Gibson Hart Field, Garvin County, Oklahoma, covered by a gas sales contract dated September 16, 1953, by and between Sinclair Oil & Gas Company (Sinclair) and Lone Star Producing Company (Producing), as sellers, and Lone Star, as buyer, which contract and subject acreage (among other acreage) were acquired by Carter by assignment from Sinclair on June 28, 1957, and which contract is on file as The Carter Oil Company FPC Gas Rate Schedule No. 56, as supplemented; and,

(3) In Docket No. G-16497, for permission and approval, pursuant to section 7(b), to abandon service to Lone Star from the C-49 Harley Lease (below 2,500 feet) in Stephens County, Oklahoma, and from the S. F. Kimbrell Lease in Carter County, Oklahoma, dedicated under the aforesaid basic gas sales contract dated January 1, 1953, as amended.

The foregoing applications are on file with the Commission and open to public inspection.

Carter's share of gas, excluding casing-head gas, from the Moss-Wilson C-233 Lease, except from below the base of the First Deese Sand down to and including the base of the Third Deese Sand, which is the subject of the application in Docket No. G-14200, is to be sold to Lone Star under an agreement dated July 18, 1957, amending the basic contract of January 1, 1953, and accepted for filing under the designation Supplement No. 7 to The Carter Oil Company FPC Gas Rate Schedule No. 19.

Carter's application in Docket No. G-14280 was filed as an application to amend the certificate issued on September 21, 1956, in Docket No. G-4986 (Docket Nos. G-2864, et al.) and proposes to continue the sale of gas from the Fourth Deese Sand to Lone Star under the basic contract of September 16, 1953, as aforesaid.

The services to be abandoned in Docket No. G-16497 are from Carter's interest in production below 2,500 feet beneath the C-49 Harley Lease, and from Carter's interest in production from the S. F. Kimbrell Lease, which services were authorized, among others, on September 21, 1956, in Docket No. G-4986. Notices of cancellation of these services have been filed in the instant Docket No. G-16497 and designated as Supplement Nos. 8 and

9 to Carter's FPC Gas Rate Schedule No. 19.

Abandonment is sought because pressure of gas produced from these leases is stated to have declined to the extent that Lone Star can no longer take delivery into its high pressure line.

Notice of the application of Skelly Oil Company (Skelly) in Docket No. G-16571 was published in the FEDERAL REGISTER on May 21, 1959 (24 F.R. 4116), and hearing thereon was set for June 24, 1959. This application requested permission to abandon natural gas service to Lone Star from Skelly's interest in the aforesaid Harley "C" Unit, Velma Pool, Stephens County, Oklahoma.

By telegram filed June 1, 1959, Carter requested consolidation of Docket Nos. G-16497 and G-16571.

Notice is hereby given that the aforesaid hearing set for June 24, 1959, in Docket No. G-16571, is now continued to the date appearing hereinafter.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on July 21, 1959, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such applications: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before July 10, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,  
 Secretary.

[F.R. Doc. 59-5150; Filed, June 19, 1959;  
 8:50 a.m.]

## HOUSING AND HOME FINANCE AGENCY

Office of the Administrator  
 FEDERAL FLOOD INDEMNITY  
 COMMISSIONER

### Revocation of Delegation of Authority With Respect to Federal Flood In- demnity Program

The delegation of authority to the Federal Flood Indemnity Commissioner



with respect to the Federal Flood Indemnity Program, effective January 4, 1957 (22 F.R. 324, January 16, 1957), is hereby revoked.

Effective as of the 20th day of June, 1959.

[SEAL] NORMAN P. MASON,  
Housing and Home Finance  
Administrator.

[F.R. Doc. 59-5146; Filed, June 19, 1959;  
8:49 a.m.]

## INTERSTATE COMMERCE COMMISSION

[Notice 141]

### MOTOR CARRIER TRANSFER PROCEEDINGS

JUNE 17, 1959.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 61918. By order of July 15, 1959, the Transfer Board approved the transfer to Zurey's Express, Inc., 175 Belmont Avenue, Garfield, N.J., of certificate in No. MC 1376, issued April 26, 1949, to Frank Zurey and William Zurey, a partnership, doing business as Zurey's Express, 175 Belmont Avenue, Garfield, N.J., authorizing the transportation of: General commodities, excepting household goods, commodities in bulk, and the other usual exceptions, between New York, N.Y., on the one hand, and, on the other, points in Hudson, Union, Bergen, Essex, and Passaic Counties, N.J.

No. MC-FC 61931. By order of June 12, 1959, the Transfer Board approved the transfer to J. J. Schilling, doing business as Superior Express, Waterloo, Iowa, of the remaining portion of the operating rights in certificate in No. MC 20135, issued May 2, 1951, to Morrison Transfer Co., Inc., 111 East Main, Sparta, Ill., authorizing the transportation of: Household goods between points in a specified territory in Illinois, on the one hand, and, on the other, points in Illinois, Missouri, and Indiana.

No. MC-FC 62017. By order of June 11, 1959, the Transfer Board approved the transfer to Meves Transfer and Storage Co., Inc., Sheboygan, Wis., of Certificate No. MC 2654, issued December 30, 1948, to Wallace J. Meves, doing business as Meves Transfer and Storage Co., Sheboygan, Wis., authorizing the transportation of: General commodities, excluding household goods, commodities in bulk, and other specified commodities,

between points within ten miles of Sheboygan, Wis., including Sheboygan. Alfred B. Gerber, 716 North Eighth Street, Sheboygan, Wis., for applicants.

No. MC-FC 62077. By order of June 11, 1959, the Transfer Board approved the transfer to Marvin Hayes Lines, Inc., East College Street, Clarksville, Tenn., of Certificates Nos. MC 10173 and MC 10173 Sub 2, issued August 18, 1941 and November 10, 1942, respectively, to J. Marvin Hayes, Mrs. Anne D. Hayes, Administratrix, doing business as Hayes Lines, changed May 12, 1947, to Marvin Hayes Lines, East College Street, Clarksville, Tenn., authorizing the transportation of: General commodities, excluding household goods, commodities in bulk, and other specified commodities, between Ashland City, Tenn., and Hopkinsville, Ky., with service to and from the intermediate points of Nashville, Tenn., and those between Nashville, Tenn., and Hopkinsville, Ky.; and the off-route point of Providence, Ky.; printing machinery, malt beverages, and empty malt beverage containers, between Clarksville, Tenn., and Cincinnati, Ohio, serving the intermediate points of Russellville, Bowling Green, and Louisville, Ky.; Machinery, machine parts, tobacco, seed, fruit, and farm products, between Clarksville, Tenn., and Evansville, Ind., serving the intermediate points of Madisonville and Henderson, Ky.; and the off-route point of Providence, Ky.; household goods, between Clarksville, Tenn., on the one hand, and, on the other, points in Tennessee, Arkansas, Kentucky, Indiana, Illinois, Missouri, Mississippi, Louisiana, and Alabama; and household goods and general commodities, with certain exceptions, between points in Tennessee as specified.

No. MC-FC 62197. By order of June 11, 1959, the Transfer Board approved the transfer to James Carbone Trucking Service, Inc., Streator, Ill., of the operating rights in Certificate No. MC 113334, issued by the Commission June 7, 1956 to James Carbone, doing business as James Carbone Trucking Service, Streator, Ill., authorizing the transportation, over irregular routes, of fertilizer and fertilizing materials, in bulk, from Streator, Ill., and points within 2½ miles thereof, to points in Iowa, Michigan, Minnesota, Indiana, Missouri, and Wisconsin, in packages, from Streator, Ill., and points within 2½ miles thereof, to points in Iowa, Michigan, and Minnesota, and with specified exceptions points in Indiana, Missouri, and Wisconsin, and glass containers, caps, covers, tops, rings, and stoppers for glass containers, and fibreboard boxes, from Streator, Ill., to points in a specified portion of Indiana, and those in Kentucky and Tennessee. M. G. Gulo, 115 South Monroe Street, Streator, Ill., for applicants.

No. MC-FC 62232. By order of June 12, 1959, the Transfer Board approved the transfer to Melvin Stewart, doing business as Stewart Trucking, Morris-town, South Dakota, of a portion of the operating rights in Certificate No. MC 1150 Sub 1, and the entire operating rights in Certificates Nos. MC 1150 Sub 18 and MC 1150 Sub 20, issued December 22, 1954, September 25, 1957, and Sep-

tember 11, 1958, respectively, to J. B. Heeren, doing business as Heeren Trucking Company, Lemmon, South Dakota, authorizing the transportation, over regular and irregular routes, of specified commodities, from, to and between specified points in Iowa, South Dakota, North Dakota, Kansas, Wyoming, and Nebraska. Van Osdel & Foss, First National Bank Building, Fargo, North Dakota.

No. MC-FC 62241. By order of June 15, 1959, the Transfer Board approved the transfer to Rosehill Trucking Co., Inc., Cliffwood, New Jersey, of the operating rights in Certificate No. MC 61137, issued November 4, 1957, to Camillo Gentile, doing business as Rosehill Trucking Co., Matawan, New Jersey, authorizing the transportation, over irregular routes, of agricultural commodities, building tile, meat products, fertilizer, sand and clay, and sand and clay mixtures, in bulk, in dump trucks, and in containers, from and to specified points in New Jersey, New York, and Pennsylvania. Harold G. Smith, 111 Main Street, Matawan, N.J., for applicants.

No. MC-FC 62260. By order of June 11, 1959, the Transfer Board approved the transfer to Ralph Ernest Riemensnider, doing business as Iberia Transfer Co., of Iberia, Mo., of Certificate No. MC 4027 issued April 26, 1955 in the name of Ralph E. Riemensnider and W. H. Dake, a partnership, doing business as Iberia Transfer Co., of Iberia, Mo., authorizing the transportation, over regular routes of general commodities, excluding household goods and commodities in bulk, and other specified commodities, between Iberia, Mo., and East St. Louis, Ill., and the intermediate and off-route points of Crocker, Mo., and National Stock Yards, Ill., those within 12 miles of Iberia, and those within 12 miles of Crocker; petroleum products in containers, from Roxana and Wood River, Ill., to East St. Louis, Ill.; and empty containers for petroleum products, from East St. Louis, Ill., to Wood River and Roxana, Ill. Ralph Ernest Riemensnider, Iberia, Mo., for applicants.

No. MC-FC 62300. By order of June 12, 1959, the Transfer Board approved the transfer to Crown Terminal Corp., Vernon, California, of a Certificate in No. MC 31689, issued January 5, 1942, to Walter G. Monroe, doing business as Monroe Transportation Company, Los Angeles, California, authorizing the transportation of general commodities, excluding household goods, as defined by the Commission, and commodities in bulk, and specified commodities, over irregular routes, between Los Angeles, Calif., on the one hand, and, on the other, Los Angeles Harbor and Long Beach, Calif., and chemicals, chemical by-products, anti-freeze liquids, and alcohol, over irregular routes, between Anaheim, Calif., on the one hand, and, on the other, Long Beach and Los Angeles Harbor, Calif.

[SEAL]

HAROLD D. MCCOY,  
Secretary.

[F.R. Doc. 59-5129; Filed, June 19, 1959;  
8:47 a.m.]



# SECURITIES AND EXCHANGE COMMISSION

[File No. 24NY-4791]

## BROOKRIDGE DEVELOPMENT CORP.

### Notice of and Order for Hearing

JUNE 15, 1959.

I. Brookridge Development Corporation (issuer), a Delaware corporation, 901 Seneca Avenue, Ridgewood, Queens, New York, filed with the Commission on December 19, 1958 a notification on Form 1-A, and subsequently filed an amendment thereto, relating to a proposed offering of \$200,000 principal amount of fifteen-year 6 percent convertible debentures due January 1, 1974, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) thereof and Regulation A promulgated thereunder.

II. The Commission on May 22, 1959 issued an order pursuant to Rule 261 of the general rules and regulations under the Securities Act of 1933, as amended, temporarily suspending the conditional exemption under Regulation A, and affording to any person having an interest therein an opportunity to request a hearing pursuant to Rule 261. A written request for hearing was received by the Commission.

The Commission, deeming it necessary and appropriate to determine whether to vacate the temporary suspension order or to enter an order permanently suspending the exemption,

*It is hereby ordered*, That a hearing under the applicable provisions of the Securities Act of 1933, as amended, and the rules of the Commission be held at the offices of the New York Regional Office of the Commission, 225 Broadway, New York 7, New York, at 10:00 a.m., July 28, 1959, with respect to the following matters and questions without prejudice, however, to the specification of additional issues which may be presented in these proceedings:

A. Whether the conditional exemption provided by Regulation A is not available for the securities purported to be offered in that:

1. The terms and conditions of Regulation A have not been complied with, in that:

a. The notification on Form 1-A fails to set forth the name and address of each predecessor and affiliate of the issuer, as required by Item 2;

b. The offering circular fails to include a reasonably itemized statement of the purposes for which the proceeds of the offering are to be used and the order of priority in which the proceeds will be used for such purposes, as required by Item 6(a) of Schedule I;

c. The offering circular fails to disclose the arrangements for the return of funds to subscribers if all of the securities to be offered are not sold, or if there are no such arrangements, the failure to so state, as required by Item 6(b) of Schedule I;

d. The offering circular fails to disclose the options to which the officers of the issuer are presently entitled, as required by Item 10 of Schedule I;

e. The offering circular fails to disclose the percentage of outstanding securities of the issuer which will be held by officers, directors, and promoters as a group, and the percentage of such securities which will be held by the public, if all the securities to be offered are sold and the respective amounts of cash paid therefore by such group and the public, as required by Item 9(d) of Schedule I;

f. The offering circular fails to disclose any material relationship between the issuer and the underwriter, as required by Item 5 of Schedule I;

g. The offering circular fails to disclose all direct and indirect interests of all directors, officers, and controlling persons in the issuer or its affiliates and in any material transactions to which the issuer or its predecessors or affiliates was or is to be a party, as required by Item 9(c) of Schedule I;

h. The offering circular fails to include a profit and loss statement and analysis of surplus for the year ended December 31, 1957, as required by Item 11 of Schedule I;

i. The amount of securities proposed to be offered and the amount sold in violation of section 5(a) of the Securities Act of 1933, as amended, exceeds the \$300,000 ceiling limitation set forth in Rule 254 of Regulation A;

j. The notification on Form 1-A fails to disclose all sales of unregistered securities by the issuer, and any director, officer, promoter, or principal security holder of the issuer or underwriter within one year prior to the filing of the notification, as required by Item 9.

2. The notification on Form 1-A and the offering circular contain untrue statements of material facts and omit to state material facts necessary in order to make the statements made in the light of the circumstances under which they are made not misleading, particularly with respect to:

a. The failure to disclose in the notification and the offering circular the security holdings of the officers and directors of the issuer;

b. The failure to disclose in the offering circular the market position of the underwriter in the issuer's securities and the effect of the underwriter's participation in the market on the market price of the issuer's securities;

c. The failure to disclose in the notification on Form 1-A the sale of securities by officers, directors, promoters, principal security holders or underwriters in violation of Section 5 of the Act;

d. The inclusion in "Organization Expense" in the balance sheet under the caption "Other Assets" of the amount of \$60,000 representing underwriting discount in connection with the sale of 300,000 shares of common stock under an earlier Regulation A filing;

e. The inclusion in the consolidated income statement of dividends received from subsidiaries;

f. The inclusion in the December 31, 1958 consolidated balance sheet of \$176,-

478.86 described as "Investment in Subsidiaries";

g. The failure to state properly current liabilities by not including therein the portion of long-term debt payable within one year;

h. The inclusion in the consolidated income statement of the full year's operations of a subsidiary acquired late in the year with a consequent overstatement of consolidated net income for the year;

i. The presentation of the issuer's financial statements on stationery of certified public accountants and the possible misleading inference that the statements were certified when in fact they were not.

3. The offering would be made in violation of Section 17 of the Securities Act of 1933, as amended.

B. Whether the order dated May 22, 1959 temporarily suspending the exemption under Regulation A should be vacated or made permanent.

III. *It is further ordered*, That Robert N. Hislop or any officer or officers of the Commission designated by it for that purpose shall preside at the hearing, and any officer or officers so designated to preside at any such hearing are hereby authorized to exercise all of the powers granted to the Commission under sections 19(b), 21, and 22(c) of the Securities Act of 1933, as amended, and to hearing officers under the Commission's rules of practice.

*It is further ordered*, That the Secretary of the Commission shall serve a copy of this order by registered mail on Brookridge Development Corporation, that notice of the entering of this order shall be given to all other persons by general release of the Commission and by publication in the FEDERAL REGISTER. Any person who desires to be heard or otherwise wishes to participate in such hearing shall file with the Secretary of the Commission or before July 24, 1959, a request relative thereto as provided in Rule XVII of the Commission's rules of practice.

By the Commission.

[SEAL]

NELLYE A. THORSEN,  
Assistant Secretary.

[F.R. Doc. 59-5130; Filed, June 19, 1959; 8:47 a.m.]

[Files 812-1226 and 812-1227]

## UNITED FUND ACCUMULATIVE SERIES TA AND UNITED FUND INCOME SERIES TI

### Notice of Filing of Applications for Exemptions

JUNE 15, 1959.

United Fund Accumulative Series TA and United Fund Income Series TI ("Applicants"), registered open-end investment companies, have filed applications pursuant to section 6(c) of the Investment Company Act of 1940 (the Act) for orders of the Commission temporarily exempting Applicants from certain provisions of section 15(a) of the Act to the extent that such provisions may require stockholder approval of an Investment Advisory Contract.



United Fund Certificates, Accumulative Series TA and Income Series TI, were issued pursuant to a Trust Indenture, dated as of June 1, 1935, entered into between United Securities Company of Missouri (the name of which was later changed to United Funds Management Corporation), Commerce Trust Company, Trustee, and the holders of United Fund Certificates, Accumulative Series TA and Income Series TI who became parties thereto by taking and holding their respective United Fund Certificates, and Beneficiaries, who became parties thereto when named by certificate holders. There are outstanding approximately 5850 TA certificates and 259 TI certificates. On December 31, 1958, the Commerce Trust Company, as Trustee under the Indenture, held assets applicable to the Series TA certificates having an aggregate market value of approximately \$1,291,278 and held assets applicable to the TI certificates having an aggregate market value of approximately \$260,617.

Security Management, Incorporated, a Missouri corporation (the Investment Adviser), has acted as investment adviser to Applicants since November 1, 1951, pursuant to an Agreement, dated August 17, 1951 ("Agreement"), between Commerce Trust Company, Trustee, and the Investment Adviser. The continuance of the Agreement for periods of one year has been approved from time to time by the holders of a majority in amount of outstanding certificates. Continuance of the Agreement for a period of one year was last declared effective by Commerce Trust Company, Trustee, on November 1, 1958, after approval by certificate holders, and the Agreement would normally have expired on October 31, 1959 if not renewed thereafter. The Agreement contains the required statutory provision that it will terminate automatically in the event of its assignment.

Voting control of the Investment Adviser (Security Management, Incorporated) is owned by A. E. Weltner & Co., Inc., a Missouri corporation, all of the authorized and outstanding 200 shares of Common Stock, par value \$10 per share, of the Investment Adviser being beneficially owned by A. E. Weltner & Co., Inc. The authorized capitalization of A. E. Weltner & Co., Inc. consists of 1,000 shares of 5 percent Cumulative Preferred Stock, par value \$100 per share, of which 872 shares are issued and outstanding and owned by one person, and 1,000 shares of Common Stock, par value \$10 per share, of which 600 shares are issued and outstanding. Of the 600 issued and outstanding shares of Common Stock, which is the only voting security, 448 shares were owned by A. E. Weltner.

On February 23, 1959 A. E. Weltner died. Under the terms of his will, all of the Common Stock of A. E. Weltner & Co., Inc. owned by him passed to his wife, Mrs. Edna Weltner. Mrs. Weltner has never been active in the business of A. E. Weltner & Co., Inc. or of the Investment Adviser.

Section 15(a) of the Act provides in part that it shall be unlawful for any person to serve or act as Investment Adviser of a registered investment company except pursuant to a written contract which has been approved by a vote of a majority of the outstanding voting securities of such registered company. Section 15(e) provides that in the case of a Common Law Trust, such as the Applicant, either written approval by holders of a majority of the outstanding shares of beneficial interest or the vote of a majority of such outstanding shares cast in person or by proxy at a meeting called for the purpose, shall for the purposes of section 15 be deemed the equivalent of the vote of a majority of the outstanding voting securities.

Section 15(a) also requires that any Investment Advisory Contract must provide for its automatic termination in the event of its assignment by the Investment Adviser.

"Assignment" is defined by section 2 (a) (4) of the Act to include any direct or indirect transfer of a controlling block of the assignor's outstanding voting securities by a security holder of the assignor.

Applicants have requested that the Commission grant Applicants a temporary exemption from the provisions of 15(a) of the Act so as to permit Applicants and the Investment Adviser to continue operation of the aforesaid Agreement from February 23, 1959 to October 31, 1959. Prior to November 1, 1959, the Trustee proposes to solicit the approval of certificate holders and owners of certificates of Applicants with respect to the continuance of the Agreement and all of the terms and provisions thereof or to approve a new Investment Advisory Contract, such continuance or new contract, as the case may be, to be effective November 1, 1959. The Trustee normally makes such a solicitation in the month of September.

Section 6(c) of the Act provides, among other things, that the Commission, by order upon application, may conditionally or unconditionally exempt any person from any provision or provisions of the Act or of any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given, That any interested person may, not later than June 26, 1959 at 5:30 p.m., submit to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. At any time after

said date, the application may be granted as provided in Rule 0-5 of the rules and regulations promulgated under the Act.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 59-5131; Filed, June 19, 1959; 8:47 a.m.]

[File No. 812-1230]

## ONE WILLIAM STREET FUND, INC.

### Notice of Filing of Application for Exempting Order in Sale by Open-End Company of Shares at Price Other Than Public Offering Price in Connection With Acquisition of Assets From Non-Affiliated Company

JUNE 15, 1959.

Notice is hereby given that One William Street Fund, Inc. ("William Street"), a registered open-end investment company has filed an application pursuant to section 6(c) of the Investment Company Act of 1940 ("Act") for an order of the Commission exempting from the provisions of section 22(d) of the Act the proposed issuance of its shares at net asset value for substantially all of the cash and securities of The Virginia and Delaware Corporation ("Virginia").

William Street, a Maryland corporation, is an open-end investment company, whose shares are offered to the public on a continuous basis at net asset value plus varying sales charges dependent on the amount purchased. As of April 16, 1959 the net assets of William Street amounted to \$290,493,864 and there were outstanding 21,343,390 shares of stock.

Virginia, a Delaware corporation, is a personal holding company with 3 stockholders and since 1923 has been engaged in the business of investing and reinvesting its funds. Virginia is exempt from registration under the Act by reason of the provisions of section 3(c) (1) thereof. Pursuant to an Agreement and Plan of Reorganization ("Agreement") between William Street, Virginia and the latter's stockholders, substantially all of the cash and securities owned by Virginia, with a total value of about \$632,805 as of April 16, 1959, which it is anticipated will be increased by approximately \$307,000 from the collection by Virginia of certain demand notes prior to the closing date set forth in the Agreement, will be transferred to William Street in exchange for shares of stock of William Street. It is contemplated that William Street will sell certain of the Virginia securities at the closing date which it does not wish to acquire, and retain the balance for investment. The number of shares of William Street to be delivered to Virginia will be determined by dividing the net asset value per share of William Street in effect at the close of business on the day preceding the closing date into the value



of the Virginia assets to be exchanged. The shares acquired by Virginia are to be distributed immediately to its shareholders who have agreed to take such shares for investment and not for distribution to the public.

The value of the Virginia assets will be determined in substantially the same manner as used for calculating net asset value for the purpose of issuance of William Street's shares, except that if the percentage of the value of Virginia's portfolio securities representing unrealized appreciation is greater than the percentage of the value of William Street's portfolio securities representing unrealized appreciation, there will be deducted from the value of Virginia's assets 12½ percent of the amount of such excess unrealized appreciation. This adjustment is intended to safeguard the present stockholders of William Street from bearing a greater capital gains tax on the sale by William Street of the Virginia securities than they would bear on the sale of the securities presently in its portfolio. Since the average capital gains tax rate that would have to be paid by William Street's shareholders cannot be exactly calculated, 12½ percent was arrived at as a fair compromise between 0 and the maximum long-term capital gains tax of 25 percent. As of April 16, 1959, net unrealized appreciation on the Virginia securities amounted to \$272,638 or 117 percent of the value of all securities held, as compared with net unrealized appreciation of \$39,887,141, or 15.9 percent for William Street's portfolio. If the transaction had been consummated on April 16, 1959, and the \$307,000 described above had been added to the Virginia assets in the form of cash, Virginia would have received approximately 66,900 shares of stock of William Street representing about 0.3 percent of the total shares outstanding.

The application recites that the terms of the entire transaction including the adjustment of 12½ percent were arrived at through arm's-length bargaining between the officers of William Street and Virginia. The application further states that there is no affiliation or relationship of any kind between the officers and directors of William Street and the officers, directors, and stockholders of Virginia, and that Lehman Brothers, the investment adviser of William Street, has never acted as investment adviser to Virginia.

Section 22(d) of the Act provides, in pertinent part, that no registered investment company shall sell any redeemable security issued by it to any person except at a current offering price described in the prospectus, with certain exceptions not applicable here. Under the terms of the Agreement, however, the shares of William Street are to be issued to Virginia at a price other than the public offering price stated in the prospectus, which lists a sales charge of 1 percent for sales of \$500,000 or over.

Section 6(c) of the Act authorizes the Commission by order upon application to exempt, conditionally or unconditionally, any transaction from any provision of

the Act or of any rule or regulation thereunder, if and to the extent that the Commission finds that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than June 26, 1959 at 5:30 p.m., submit to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D.C. At any time after said date, the application may be granted as provided in Rule 0-5 of the rules and regulations promulgated under the Act.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 59-5132; Filed, June 19, 1959;  
8:48 a.m.]

[File No. 1-891]

## GREEN BAY & WESTERN RAILROAD CO.

### Notice of Application To Strike From Listing and Registration, and of Opportunity for Hearing

JUNE 16, 1959.

In the matter of Green Bay & Western Railroad Co., capital stock, Class A Debentures, Class B Debentures; File No. 1-891.

The New York Stock Exchange has made application, pursuant to section 12(d) of the Securities Exchange Act of 1934 and Rule 12d2-1(b) promulgated thereunder, to strike the specified security from listing and registration thereon.

The reasons alleged in the application for striking this security from listing and registration include the following:

The stock is no longer suitable for dealing and listing on the exchange because of its limited distribution. The appropriateness of the continued listing of the bonds was considered in connection with the proposed delisting of the stock and decided in the negative.

Upon receipt of a request, on or before July 1, 1959, from any interested person for a hearing in regard to terms to be imposed upon the delisting of this security, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person requesting the hearing and the position he proposes to take at the hearing with

respect to imposition of terms. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D.C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official file of the Commission pertaining to the matter.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 59-5133; Filed, June 19, 1959;  
8:48 a.m.]

[File No. 1-3084]

## A. G. SPALDING & BROS., INC.

### Notice of Application To Strike From Listing and Registration, and of Opportunity for Hearing

JUNE 16, 1959.

In the matter of A. G. Spalding & Bros., Inc., common stock; File No. 1-3084.

Pacific Coast Stock Exchange has made application, pursuant to section 12(d) of the Securities Exchange Act of 1934 and Rule 12d2-1(b) promulgated thereunder, to strike the specified security from listing and registration thereon.

The reasons alleged in the application for striking this security from listing and registration include the following:

This application is based on negligible trading volume on the applicant Exchange. It is made at the request and with the consent of the issuer. The stock remains on the New York Stock Exchange.

Upon receipt of a request, on or before July 1, 1959, from any interested person for a hearing in regard to terms to be imposed upon the delisting of this security, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person requesting the hearing and the position he proposes to take at the hearing with respect to imposition of terms. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D.C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official file of the Commission pertaining to the matter.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 59-5134; Filed, June 19, 1959;  
8:48 a.m.]



## TARIFF COMMISSION

METALS AND METAL PRODUCTS  
ET AL.Hearings on Proposed Revised and  
Consolidated Tariff Schedules

Under section 101(b), Title I, Customs Simplification Act of 1954, as amended, and section 332 of the Tariff Act of 1930.

The United States Tariff Commission hereby gives notice that all of Schedule 6, entitled Metals and Metal Products, and parts of Schedule 7 of the proposed revised and consolidated tariff schedules are being released today and that public hearings thereon will begin at 10 a.m., e.d.s.t., on Tuesday, the 14th day of July 1959, in the hearing room of the Tariff Commission, 8th and E Streets NW., Washington 25, D.C. The parts of Schedule 7 being released today are:

Part 2, Subpart A. Optical elements, spectacles, microscopes, and telescopes; optical goods not elsewhere provided for.

B. Medical and surgical instruments and apparatus; X-ray apparatus.

C. Surveying, navigational, meteorological, drawing, and mathematical calculating instruments.

D. Measuring, testing, and controlling instruments.

E. Watches, clocks, and timing apparatus.

On November 13, 1958, the Commission released Schedule 7, Part 2, Subpart D, entitled "Photographic Equipment and Supplies", and Subpart E entitled "Motion Pictures; Tape Recordings, Phonograph Records, and Other Recordings; Recording Media; Scrap and Waste Photographic Film". Subparts D and E as released on November 13, 1958 are now subparts F and G respectively of Part 2 of Schedule 7. These subparts are not included in the parts on which hearings will be held beginning July 14, 1959.

Requests to appear at the hearings beginning on July 14, 1959 must be filed in writing with the Secretary of the Commission not later than July 6, 1959. Parties who have properly entered an appearance by this date will be individually notified of the date on which they are scheduled to appear. Such notice will be sent as soon as possible after July 6, 1959. Any person who fails to receive such notification by July 10, 1959 should immediately communicate with the office of the Secretary of the Commission.

In its public notice issued January 17, 1958, regarding hearings on Schedule 1

(Animal and Vegetable Products) of the proposed revised and consolidated tariff schedules (23 F.R. 449 et seq.; Weekly Treasury Decisions, Vol. 93, No. 4, January 23, 1958) interested parties were notified regarding the rules governing the conduct of the hearings, and the submission of written statements. The Commission's notice of January 17 applies to the hearings on Schedule 6 and the parts of Schedule 7 being released today to the extent that they are applicable.

As each of the schedules is completed and released, copies thereof are made available for public inspection at the offices of the Commission in Washington, D.C. and New York, N.Y.; at all field offices of the Department of Commerce, and at the offices of collectors of customs and appraisers of merchandise at all headquarters ports of entry in the United States.

Issued June 17, 1959.

By order of the Commission:

[SEAL]

DONN N. BENT,  
Secretary.

[F.R. Doc. 59-5152; Filed, June 19, 1959;  
8:50 a.m.]

## CUMULATIVE CODIFICATION GUIDE—JUNE

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# FEDERAL REGISTER

THE NATIONAL ARCHIVES  
OF THE UNITED STATES  
1934

VOLUME 24      NUMBER 121

## PART II

Washington, Saturday, June 20, 1959

### Title 36—PARKS, FORESTS, AND MEMORIALS

#### Chapter I—National Park Service Department of the Interior

##### REPUBLICATION OF CHAPTER

Chapter I of Title 36, Code of Federal Regulations, is hereby republished in its entirety. This republication contains all amendments to this chapter through May 30, 1959.

- Part
- 1 General rules and regulations.
  - 2 General rules and regulations; National Recreation Areas.
  - 3 National Capital Parks regulations.
  - 5 National cemetery regulations.
  - 6 Recreational Demonstration Area regulations.
  - 12 Private lands subject to exclusive jurisdiction of the United States.
  - 13 Admission, guide, elevator, and automobile fees.
  - 20 Special regulations.
  - 21 Hot Springs National Park; bathhouse regulations.
  - 22 Glacier National Park; timber disposal regulations.
  - 25 National Military Parks; licensed guide service regulations.
  - 26 Olympic National Park; timber disposal regulations.
  - 27 Mount Rainier National Park; timber disposal regulations.
  - 28 Labor standards applicable to employees of National Park Service concessioners.
  - 31 Procedure and business of the National Park Trust Fund Board.
  - 32 Disposal of certain wild animals.
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#### PART I—GENERAL RULES AND REGULATIONS

- Sec.
- 1.0 General provisions.
  - 1.1 Definitions.
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  - 1.3 Camping.
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  - 1.65 Tampering with a parked motor vehicle.
  - 1.91 Penalties.

AUTHORITY: §§ 1.0 to 1.91 issued under sec. 10, 32 Stat. 390, as amended, sec. 3, 39 Stat. 535, as amended; 43 U. S. C. 373, 16 U. S. C. 3. Interpret or apply sec. 1, 45 Stat. 1057, sec. 1, 47 Stat. 1420, 49 Stat. 2041, as amended, sec. 2, 49 Stat. 666, sec. 5, 52 Stat. 29, sec. 2, 52 Stat. 408, sec. 2, 54 Stat. 250, 55 Stat. 745; 43 U. S. C. 617, 16 U. S. C. 9a, 460a-2, 462, 4031, 460a, 460a-3, 4502.

#### § 1.0 General provisions.

Except as otherwise provided in special regulations found in Part 20 of this chapter, the following regulations are hereby made and prescribed for the proper use, management, government, and protection of, and maintenance of good order in, all the national parks, national monuments, national military parks, national battlefield parks, national historical parks, national historic sites, national parkways and connected recreational areas, battlefield sites, and miscellaneous memorials which are, or hereafter may be, under the administrative jurisdiction of the National Park Service of the Department of the Interior: *Provided, however,* That the rules and regulations in this part shall not apply to national cemeteries, national Capital Parks, or recreational demonstration areas.

#### § 1.1 Definitions.

As used in the rules and regulations in this part, unless otherwise indicated:

(a) The term "Secretary" means the Secretary of the Interior.

(b) The term "Director" means the Director of the National Park Service.

(c) The term "Regional Director" means the administrative officer in charge of a region of the National Park Service.

(d) The term "superintendent" includes a custodian, caretaker, or other person in charge of a park or monument as hereinafter defined.

(e) The term "park" includes National Parks, National Military Parks, National Battlefield Parks, National Historical Parks, and National Parkways and connected recreational areas.

(f) The term "monument" includes National Monuments, National Historic Sites, Battlefield Sites, and miscellaneous memorials.

#### § 1.2 Preservation of public property, natural features and curiosities.

(a) The destruction, injury, defacement, removal or disturbance in any manner of any public building, sign, equipment, monument, statue, marker, or other structure, or of any tree, flower, fruit, vegetation, rock, mineral formation, stalactite, stalagmite, phenomenon of crystallization, incrustation in any lava tube, cave, steam vent, or cone, or of any animal, bird, or other wildlife, or of



any ruins, relic, or of any other public property of any kind, is prohibited.

(b) No canes, umbrellas, or sticks of any kind may be taken into caves or caverns. The tossing or throwing of rocks or other material inside the caves or caverns is prohibited.

(c) Bona fide claimants or entrymen claiming or owning land reasonably adjacent to Grand Teton National Park must procure written permits from the superintendent before cutting any dead or down timber within the park.

(d) Visitors may pick and eat, but not carry out of the parks and monuments, such native fruits and berries as the superintendent may designate. Fruits and berries shall be picked by hand. The use of rakes or mechanical pickers is prohibited.

(e) The unauthorized possession of any flower or other vegetation in any park or monument is prohibited.

### § 1.3 Camping.

(a) No camping is permitted outside the specially designated campsites, except when necessary in connection with trips to isolated sections of the parks or monuments.

(b) The superintendent may establish limitations on the time allowed for camping in any public camping areas, and upon the posting of such limitations no person, party, or organization shall be permitted to camp longer than the period limited for the particular area during any calendar year.

(c) Campers shall occupy the sites designated by the superintendent or his representative.

(d) In an emergency, the superintendent may require any camping area to be completely vacated.

(e) Campers shall keep their campsites clean. Combustible rubbish shall be burned on campfires and all other garbage and refuse of all kinds shall be placed in receptacles provided for the purpose. At new or unfrequented camps, garbage shall be burned or buried.

(f) The gathering of dead or fallen wood for fuel by campers is prohibited in those areas designated by the Superintendent by the placing of signs conspicuously at appropriate intervals in such manner as to afford the public full notice of the restriction and of the limits of the restricted area. Sequoia wood or bark shall not be disturbed for any purpose.

(g) The installation of permanent camping facilities by visitors is prohibited.

(h) The digging or leveling of the ground in any campsite without a ranger's permission is prohibited.

(i) Camps must be completely razed and the sites cleaned before the departure of campers. In dismantling camps, all material, such as poles, bark, planks, platforms, etc., used in the construction of temporary camps must be removed, and, if combustible, must be piled on the public camp woodpiles.

(j) Campers shall not leave their camps unattended for more than 48 hours without special permission of the superintendent, obtained in advance. Camping equipment left unattended in any public camping area for 48 hours or more is subject to removal by order of

the superintendent, the expense of such removal to be paid by the person leaving such equipment.

(k) No camp may be established in a park or monument and used as a base for hunting outside such park or monument.

(l) No camp shall be placed within 25 feet of any water hydrant, main road, or well-defined water course.

(m) Any article likely to frighten horses shall not be hung near a road or trail used by horses.

(n) The superintendent may establish hours during which quiet must be maintained at any camp, and prohibit the running of motors at or near a camp during such hours.

(o) No camping is permitted in any part of the Muir Woods National Monument, and no hikers or visitors shall enter or remain therein between one-half hour after sunset and one-half hour before sunrise.

### § 1.4 Fishing.

(a) Any person fishing in the waters of the Yosemite, Sequoia-Kings Canyon, Lassen Volcanic, Grand Canyon, Rocky Mountain, Grand Teton, Acadia, Wind Cave, Great Smoky Mountains, Shenandoah, Everglades, and Zion National Parks, and the monuments under the jurisdiction of the National Park Service, must secure a sporting fishing license, as required by the laws of the State in which such park or monument, or portion thereof, is situated. Fishing in all parks and monuments shall be done in conformity with the laws of the State in which such park or monument, or portion thereof, is situated, regarding open seasons, size of fish, and the limit of catch, except as otherwise provided in the following paragraphs of this section.

(b) Fishing with nets, seines, traps, or by the use of drugs or explosives, or for merchandise or profit, or in any other way than with hook and line, the rod or line being held in the hand, is prohibited: *Provided*, That fishing with trot and throw lines in the Green and Nolin Rivers in Mammoth Cave National Park is permitted: *Provided further*, That commercial fishing in the waters of Everglades National Park and Fort Jefferson, Glacier Bay, and Channel Islands National Monuments, and the use of seines for procuring bait in Mammoth Cave National Park, are permitted under special regulations.

(c) The possession of live or dead minnows, chubs, or other bait fish, or the use thereof as bait, or the placing or depositing of fish eggs, fish roe, food, or other substance in any waters for the purpose of attracting, collecting, or feeding fish, is prohibited except in Acadia National Park, Everglades National Park, Hawaii National Park, Fort Jefferson and Channel Islands National Monuments, the Green and Nolin Rivers in Mammoth Cave National Park, and the waters of Glacier Bay National Monument in which commercial fishing is permitted in accordance with regulations approved by the Secretary of the Interior.

(d) The digging of worms for bait is prohibited in all parks and monuments.

(e) The canning or curing of fish for the purpose of transporting them out of a park or monument is prohibited.

(f) The possession of fishing tackle or fish upon or along any waters closed to fishing shall be prima facie evidence that the person or persons having such fishing tackle or fish are guilty of unlawful fishing in such closed waters.

(g) State fishing licenses and all fish taken must be exhibited upon demand to any person authorized to enforce the provisions of the regulations in this chapter.

### § 1.5 Picnicking.

(a) The superintendent may establish reasonable limitations on the time during which any person or group of persons may use any picnicking facility when, in his judgment, such limitations are necessary for the accommodation of the visiting public.

(b) Picnicking or the eating of lunches is prohibited in restricted areas designated by the superintendent.

### § 1.6 Bathing.

(a) Bathing in any of the streams or lakes near the regularly traveled thoroughfares, without proper bathing clothes, is prohibited.

(b) Bathing in particular waters may be prohibited by the superintendent when, in his judgment, such action is necessary for the protection of bathers or of water supplies.

### § 1.7 Sanitation.

(a) Campers and others shall not wash clothing or cooking or eating utensils in, or pollute in any other manner, the waters of the parks or monuments.

(b) The cleaning of fish or the washing of clothing at campground hydrants is prohibited.

(c) Garbage, papers, or refuse of any kind shall not be thrown or left on or along roads, in camping or picnic areas, or on any other park or monument lands.

(d) Contamination of watersheds, of water supplies, or of any water used for drinking purposes, is prohibited.

(e) All comfort stations shall be used in a clean and sanitary manner.

(f) The drainage or dumping of refuse from any trailer, except in places or receptacles provided for such purpose, is prohibited.

(g) Saddle, pack, or draft animals shall not be kept in or near any camping area. No such animals shall be kept on the floor of the Yosemite Valley except in the operator's corral. All privately owned horses traveling through Glacier National Park must be stabled at the operator's corral when they are kept in the vicinity of developed areas.

### § 1.8 Fires.

(a) Fires shall not be kindled near or on the roots of trees, dead wood, moss, dry leaves, forest mold, or other vegetable refuse, but in some open space on rocks or earth. On public camp grounds the regular fireplaces constructed for the convenience of visitors must be used. Should camp be made in a locality where no such open space exists or is provided, the dead wood, moss, dry leaves, etc., shall be scraped away to the rock or



earth over an area considerably larger than that required for the fire.

(b) Fires shall be lighted only when necessary and, when no longer needed, shall be completely extinguished, and all embers and beds smothered with earth or water, so that there remains no possibility of reignition.

(c) Permission to burn on any cleanup operation within the parks or monuments must first be obtained in writing from the office of the superintendent, and in such cases as it is deemed advisable such burning will be under Government supervision. All costs of suppression and all damage caused by reason of loss of control of such burning operations shall be paid by the person or persons to whom such permit has been granted.

(d) No lighted cigarette, cigar, pipe, heel, match, or other burning material shall be thrown from any vehicle or saddle animal or dropped into any grass, leaves, twigs, tree mold, or other combustible or inflammable material.

(e) The superintendent may, during such periods of time as he may prescribe, prohibit smoking on any lands, including roads, which he may designate.

(f) The building of fires on any lands within the parks or monuments may be prohibited or limited by the superintendent when, in his judgment, the hazard makes such action necessary.

(g) All persons making trips away from established camps are required to obtain written fire permits from the nearest ranger before building camp fires.

(h) The use of fireworks or firecrackers in the parks and monuments is prohibited, except with the written permission of the superintendent.

#### § 1.9 Protection of wildlife.

(a) The parks and monuments are sanctuaries for wildlife of every sort, and all hunting, or the killing, wounding, frightening, capturing or attempting to kill, wound, frighten, or capture at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited.

(b) Unauthorized possession within a park or monument of the dead body or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this section.

(c) The carcasses of animals or birds or parts thereof, unlawfully taken or possessed within a park or monument, shall be seized and shall be disposed of as the superintendent may prescribe.

(d) During the hunting season, arrangements must be made at entrance stations to identify and transport through the parks and monuments, where necessary, the carcasses of birds or animals legally killed outside the parks and monuments. Failure to make such arrangements shall be deemed a violation of this section.

#### § 1.10 Feeding of animals.

The feeding, touching, teasing, or molesting of any bear, deer, moose, buffalo (bison), bighorn (mountain sheep), elk, or antelope, is prohibited.

#### § 1.11 Firearms, etc.

(a) Explosives, traps, seines, nets (except landing nets following the capture of fish by the authorized rod and hook-and-line), and loaded or assembled firearms, including air pistols and rifles and blow guns using CO<sub>2</sub> gas cartridges, bows and arrows or cross bows, and other implements designed to discharge missiles capable of destroying animal life, are prohibited within the parks and monuments, except upon the written permission of the superintendent, or his authorized representative, unless they are adequately sealed, cased, broken down, or otherwise packed in such a way as to prevent their use while in the areas: *Provided, however,* That visitors entering the parks and monuments, or traveling through them to places beyond, shall, at entrance, report all such objects in their possession and, if required to do so in the interest of special park protective measures, surrender them to the first park or monument officer whom they encounter. Such objects as may be surrendered will be returned to the owners upon their departure from the area. The park or monument officers are not authorized to accept the responsibility or custody of any other property for the convenience of visitors.

(b) The superintendent may, in his discretion, permit the carrying of firearms by employees under his administrative jurisdiction when such possession is deemed necessary in the performance of their official duties.

(c) At the discretion of the superintendent, approved guides in charge of pack trains or saddle horse parties may be permitted to carry unsealed firearms.

(d) Authorized law enforcement officers may carry unsealed firearms within the parks and monuments while engaged in the enforcement of Federal or State laws and regulations, or when otherwise necessary in the performance of their duties.

(e) The members of the armed forces of the United States shall be permitted to carry unsealed firearms; and, in the discretion of the superintendent, members of the armed forces of the several states or friendly foreign nations may be permitted to carry unsealed firearms. The provisions of this paragraph shall be applicable only during time of war in which the United States is engaged.

#### § 1.12 Radios, loud speakers, etc.

(a) The use of radios in public camps, hotels, or other buildings, or in automobiles, is prohibited when audible beyond the immediate vicinity of the radio set. Radios shall not be operated to the annoyance of other persons, nor so as to disturb the quiet of camps or other public places. The erection of aerials or other radio installation is prohibited.

(b) The use of loud speakers or public address systems, whether fixed or portable, on lands or highways in the parks and monuments is prohibited without first securing written permission from the superintendent.

#### § 1.13 Dogs and cats.

(a) Dogs and cats are prohibited on the Government lands in the parks and monuments unless such animals are on

leash, crated, or otherwise under physical restrictive control at all times: *Provided, however,* That the superintendent may designate areas to which dogs and cats shall not be admitted: *Provided further,* That in special cases, the Director may authorize the keeping of dogs and cats by residents in a park or monument under such conditions as he may prescribe.

(b) Stray dogs or cats running at large in the parks and monuments, and dogs found in the act of pursuing wildlife, may be killed to prevent molestation of the wildlife therein.

(c) In Mount McKinley National Park, dogs may be used for hauling, with the permission of the superintendent, and subject to the following rights and restrictions:

(1) In winter, prospectors and miners may use such dogs as may be necessary for a reasonable time for heavy hauling of supplies, fuel, timber, and other objects; thereafter each person is limited to seven dogs. In summer, no dogs are allowed except in special cases. In no case nor at any time shall litters or pups be raised in the park except by special permission of the superintendent. Persons entering the park with dogs must register at McKinley Park entrance, Katishna entrance, or the nearest ranger station, giving such information as may be required by the superintendent.

(d) Bona fide clubs and associations holding permits from the Virginia Commission of Game and Inland Fisheries may, with the permission of the superintendent, hold field trials with dogs in Petersburg National Military Park: *Provided, however,* That shooting over or in front of such dogs is prohibited.

#### § 1.14 Mountain climbing.

(a) In Mount McKinley, Mount Rainier, and Grand Teton National Parks, mountain climbing shall be undertaken only with the permission of the Superintendent.

(b) In Devils Tower National Monument, the climbing of Devils Tower beyond the talus slope or above the shelf or bench at the base of the definite columns, where such shelf or bench is present, shall be undertaken only with the permission of the Superintendent.

(c) In Mount Rushmore National Memorial, climbing beyond the toe of the talus slope shall be undertaken only with the permission of the Superintendent.

(d) In Rocky Mountain National Park, climbing in that area on the east face of Longs Peak, known as the Diamond, shall be undertaken only with the permission of the Superintendent.

(e) The Superintendent shall not grant permission under paragraph (a) or (b) or (c) or (d) of this section until he is satisfied that all members of the party are properly clothed, equipped, and shod, are qualified physically and through previous experience to make the climb, and that the necessary supplies are carried.

(f) No individual will be permitted to start a solo climb or continue to climb alone on Mount McKinley, Mount Rainier, or any major peak in Grand Teton National Park, or Devils Tower, or beyond the toe of the talus slope in Mount Rushmore National Memorial, or on the



Diamond area on Longs Peak in Rocky Mountain National Park.

(g) While the Government assumes no responsibility in connection with any kind of accident to mountain-climbing parties, all persons starting to climb Mount McKinley, Mount Rainier, or any major peak in Grand Teton National Park or Devils Tower, or beyond the toe of the talus slope in Mount Rushmore National Memorial, or on the Diamond area on Longs Peak in Rocky Mountain National Park, shall fill out an information blank furnished by the Superintendent and shall report to him upon return.

(h) When the Superintendent deems such action necessary, he may prohibit all mountain climbing in the areas referred to in paragraphs (a), (b), (c), or (d) of this section.

#### § 1.15 Collection of scientific specimens.

Collection of natural objects for scientific or educational purposes shall be permitted only in accordance with written permits first had and obtained from the superintendent. No permits will be issued to individuals or associations to collect specimens for personal use, but only to persons officially representing reputable scientific or educational institutions in procuring specimens for research, group study, or museum display. Permits will be issued only on condition that the specimens taken will become part of a permanent public museum or herbarium collection, or will in some suitable way be made permanently available to the public. No permits may be granted for the collection of specimens the removal of which would disturb the remaining natural features or mar their appearance. Permits to secure rare natural objects will be granted by the Director only upon proof of special need for scientific use and of the fact that such objects cannot be secured elsewhere.

#### § 1.16 Archaeologic ruins and objects.

(a) Permits for the examination of ruins, the excavation of archaeological sites, and the gathering of objects of antiquity will be granted only to reputable museums, universities, colleges, or other recognized scientific or educational institutions, or to their duly authorized agents, upon application to the Secretary.

(b) Visitors shall not remove any artifacts or other objects of archaeological or historical significance from the place where they may be found, nor purchase any such objects from Indians or others. Any such objects purchased or removed in violation of this section shall be delivered to the superintendent or his representative on demand.

(c) Visitors shall not be permitted to visit the ruins in Mesa Verde National Park unless accompanied by National Park Service employees. The superintendent may waive this requirement by issuing a special written permit to persons engaged in scientific studies.

(d) Visitors shall not be permitted to enter the canyons in Canyon de Chelly National Monument unless accompanied by National Park Service employees or authorized guides. The superintendent of Southwestern Monuments may, in his

discretion, issue permits to properly qualified persons to act as guides for the purpose of accompanying visitors within the canyons.

(e) The superintendent may prohibit the public from entering or exploring any ancient ruins or other archaeological features of the park or monument under his supervision when in his judgment such entrance or exploration will tend to destroy or endanger such ruins or features: *Provided*, That the superintendent may issue special written permits to qualified persons to visit such places for the purpose of making scientific observations upon condition that no artifacts or other objects or features shall be removed or in any way disturbed.

#### § 1.17 Pack trains and saddle horse parties.

(a) No pack train or saddle horse party shall be allowed in Crater Lake, Glacier, Grand Canyon, Hawaii, Mesa Verde, Mount McKinley, Mount Rainier, Olympic, Rocky Mountain, Yellowstone, Yosemite, Zion and Bryce Canyon National Parks, unless in charge of an approved guide. Guides may be required to pass an examination prescribed by the superintendent. Prospectors and miners in Mount McKinley and Olympic National Parks, and Death Valley National Monument, are excepted from the provisions of this paragraph.

(b) No person may pass through or camp in any of the parks, except Olympic, Yellowstone, Sequoia-Kings Canyon, Glacier, Rocky Mountain, and Grand Teton National Parks, using animals or camp equipment not hired from the authorized operators of saddle horse service, where such service is established at the park under contract with the Secretary, unless the animals and equipment belong to a member or members of the party, and unless the other members are not renting, or in any way paying for the use of the animals or equipment, and unless the owners are not making the trip under any lease arrangement, and shall satisfy the superintendent that such are the facts.

(c) To conduct or operate, or to cause to be conducted or operated, a saddle horse party into, or to act as guide for any purpose within any of the parks mentioned in paragraph (a) of this section, without the written permission of the Director or the superintendent, is prohibited; and the person or persons so conducting, operating, or causing to be conducted or operated, or acting as guide shall be subject to the penalties prescribed by law for violation of the regulations in this part.

(d) No saddle horses shall be permitted in the Muir Woods National Monument.

#### § 1.18 Closing of areas.

The superintendent may, during any period of emergency, close to public use all or any part of the park, or monument.

#### § 1.19 Report of accidents.

All accidents of whatever nature shall be reported as soon as possible by the person or persons involved, to the superintendent or at the nearest ranger station.

#### § 1.20 Grazing and agricultural use.

(a) The running at large, herding, driving across, or grazing of livestock of any kind on the Government lands in the parks and monuments, or the use of such lands for agricultural purposes, is prohibited, except where authority therefor has been granted pursuant to a revocable permit issued by an authorized officer or employee of the National Park Service. Applications for such authorization may be addressed to the superintendent of the area involved.

(b) Paragraph (a) of this section is subject to the exception contained in the act of Congress approved February 26, 1929 (45 Stat. 1314), relating to grazing in Grand Teton National Park, and to the exception contained in the act of Congress approved February 14, 1931 (46 Stat. 1161), reserving to the Navajo Tribe of Indians the right to the surface use of lands in the Canyon de Chelly National Monument for agriculture, grazing, or other purposes.

(c) No authority may be granted for grazing in Yellowstone National Park.

#### § 1.21 Dead animals.

All domestic or grazed animals that may die on any Government lands in the parks or monuments shall be removed immediately, or buried immediately by the owner or person having charge of such animals, at least two feet beneath the ground, and in no case less than one-fourth mile from any camp, thoroughfare, or source of water supply.

#### § 1.22 Begging, soliciting, etc.

(a) Begging is prohibited within the parks and monuments.

(b) Hitch-hiking is prohibited within the parks and monuments.

(c) Drumming and soliciting within the Hot Springs National Park for any physician, surgeon, or any person publicly professing to relieve, cure, or heal, or for any bathhouse receiving water from the Hot Springs National Park are prohibited.

#### § 1.23 Disorderly conduct.

Persons who render themselves obnoxious by disorderly conduct or bad behavior shall be subject to the penalties hereinafter prescribed for violation of the regulations in this part, and in addition thereto, or in lieu thereof, may be summarily removed from the park or monument by the superintendent.

#### § 1.24 Abandonment of property.

The abandonment of any personal property in the parks and monuments is prohibited.

#### § 1.25 Lost articles.

Persons finding lost articles, other than relics, should deposit them at the office of the superintendent, or at the nearest ranger station, leaving their own names and addresses, so that if the articles are not claimed by the owners within 60 days, they may be turned over to those who found them.

#### § 1.26 Fraudulently obtaining accommodations.

The obtaining of food, lodging, or other accommodations in the parks and monu-



ments, with intent to defraud, is forbidden, and such fraudulent intent will be presumed from refusal or neglect to pay therefor on demand, or payment therefor, with negotiable paper on which payment is refused, or absconding without paying or offering to pay therefor, or false or fictitious showing or pretense of baggage or other property, or surreptitious removal or attempted removal of baggage.

#### § 1.27 Prospecting and mining.

Prospecting and the location of mining claims on Government owned lands within the parks and monuments are prohibited, except that in Mount McKinley National Park, Organ Pipe Cactus, Death Valley and Glacier Bay National Monument, prospecting and mining may be prosecuted under special regulations prescribed by the Secretary. The act of February 14, 1931 (46 Stat. 1162; 16 U.S.C. sec. 445a), reserves to the Navajo Tribe of Indians the mineral rights in the Canyon de Chelly National Monument.

#### § 1.28 Gambling.

Gambling in any form, or the operation of gambling devices, whether for merchandise or otherwise, is prohibited.

#### § 1.29 Motion or sound pictures.

Before any motion or sound picture may be filmed in any park or monument, except by amateurs and bona fide news reel photographers, authority must first be obtained, in writing, from the superintendent, which authority will be granted, in the discretion of the superintendent, under special regulations prescribed by the Secretary.

#### § 1.30 Advertisements.

Private notices or advertisements shall not be posted, distributed, or displayed in the parks or monuments, excepting such as the superintendent may deem necessary for the convenience and guidance of the public.

#### § 1.31 Private operations.

(a) *Permits.* (1) No person, except National Park Service employees or other persons authorized to do so by law, shall reside permanently on federally owned lands within any park or monument except where authority therefor has been granted pursuant to a revocable permit issued by an authorized officer or employee of the National Park Service.

(2) No person, firm, or corporation shall engage in or solicit any business or erect or maintain buildings or other structures on federally owned lands within any park or monument except when authority therefor has been granted pursuant to a revocable permit issued by an authorized officer or employee of the National Park Service.

(3) No person, firm, or corporation shall construct, or attempt to construct, a telephone line, telegraph line, power line, or other private or public utility over, through, or under any federally owned land within any park or monument except where authority therefor has been granted pursuant to a revocable permit issued by an authorized officer or employee of the National Park Service.

(4) No person, firm, or corporation shall construct, or attempt to construct, a road, trail, path, or other way, over, across, or upon any federally owned land within any park or monument except where authority therefor has been granted pursuant to a revocable permit issued by an authorized officer or employee of the National Park Service.

(b) *Application for permit.* Applications for such authorization may be addressed to the superintendent of the area involved.

#### § 1.32 Private lands.

(a) Owners of private lands, including Indian lands owned either individually or tribally, within the limits of any park or monument are entitled to the full use and enjoyment thereof, subject to any regulations by the Secretary specifically relating to such private lands; the boundaries of such lands, however, shall be determined, marked, and defined, so they may be readily distinguished from the park or monument lands.

(b) Private owners shall provide against trespass by their livestock upon lands of the parks or monuments, and owners and persons in charge of trespassing livestock shall be subject to the penalties provided by law for violation of the regulations in this part.

(c) Stock may be taken over the lands of parks and monuments with the written permission and under the supervision of the superintendent, but such permission and supervision are not required when access to such private lands is had wholly over roads or lands not owned or controlled by the United States.

(d) No person shall maintain a nuisance upon private lands within a park or monument.

(e) The provisions of §§ 1.7 (a), (d), and 1.8 (a), (b), (c), (d), (f), (h), are applicable to private lands within all parks and monuments.

#### § 1.33 Travel on trails.

(a) Pedestrians on trails shall remain quiet when saddle or pack animals are passing.

(b) Persons traveling on the trails, either on foot or on saddle animals, shall not make short cuts, but shall confine themselves to the established trails.

(c) Any or all roads and trails may be closed to public use by order of the superintendent when, in his judgment, conditions make travel thereon hazardous or dangerous, or when such action is necessary to protect the parks or monuments.

(d) The loose herding of pack and saddle animals on park trails is prohibited: *Provided*, That the superintendent may permit such loose herding on hazardous trails, or portions thereof, designated by him.

(e) Motorcycles, or other motor vehicles or bicycles, shall not be operated upon trails.

#### § 1.34 Travel on roads.

(a) Saddle horses, pack trains, and horse-drawn vehicles have right-of-way over motor-propelled vehicles at all times.

(b) Horseback travel over automobile roads is prohibited except where such

travel is necessary for ingress to and egress from privately owned property in the parks or monuments, or incidental to authorized trail trips.

(c) Pack trains and saddle horse parties are prohibited from using oil-surfaced roads. Where, in emergencies, it becomes necessary for such pack trains or saddle horse parties to travel along oil-surfaced roads, such travel shall be confined to the unrolled shoulders of the roads.

(d) Any person or persons riding saddle animals, or leading animals of any kind through any tunnel, shall display a light upon the approach of any vehicle.

(e) No vehicle shall be operated outside the roadways or designated parking areas.

(f) Load and weight limitations shall be those prescribed from time to time by the superintendents, and shall be complied with by the operators of all vehicles using the roads of the parks and monuments. Schedules showing weight limitations for the different roads may be seen at the offices of the superintendents and at ranger stations at entrances.

(g) There shall not be operated or moved upon any road any vehicle of any kind the face of wheels or tracks of which are fitted with flanges, ribs, clamps, cleats, lugs, spikes, or any device which may tend to injure the roadway. This section applies to all rings or flanges upon guiding or steering wheels on any such vehicles, but it shall not be construed as preventing the use of ordinary detachable tire or skid chains.

(h) The superintendent may establish the hours during which any of the roads shall be open to the public, and the direction of travel thereon. During any period of emergency the superintendent may prescribe such other conditions regarding travel as may, in his judgment, appear necessary. Information regarding such hours, direction, and conditions of travel may be obtained upon application at the office of the superintendent, or at the ranger stations.

(i) In Acadia National Park, no motor vehicles are permitted on any road specially marked, designated or constructed for horse-drawn vehicular traffic except for general road and roadside maintenance, repair and construction purposes, fire fighting, or in case of accident.

#### § 1.35 Automobiles operated for pleasure.

The parks and monuments where common carrier service is established under authorization and supervision of the Government are open to automobiles operated for pleasure but not to those carrying passengers who are paying, either directly or indirectly, for the use of machines (excepting, however, automobiles used by transportation lines operating under Government franchise). Any person operating an automobile in contravention of the provisions of this section shall be deemed guilty of its violation.

#### § 1.36 Commercial automobiles and busses.

(a) In Yellowstone, Yosemite, Sequoia-Kings Canyon, Mount Rainier, Crater



Lake, Mesa Verde, Glacier, Rocky Mountain, Grand Canyon (except the service road branch of the south entrance road serving Park headquarters and Grand Canyon Village, including the portion of the south entrance road which lies between the Park boundary and said service road), Zion, Lassen Volcanic (except those portions of Highway No. 89 and Highway No. 44 crossing the northwest corner of the Park outside the Manzanita Lake checking station), Hawaii (except the Mamalahoa Highway for purposes of through traffic), Bryce Canyon National Park, Cedar Breaks National Monument, the commercial use of the Government roads by all operators of public transportation facilities, except by those holding a contract from the Secretary for a particular park or monument, is prohibited: *Provided*, That motor vehicles operated under the following conditions are not deemed "commercial" within the meaning of this section, and may be admitted to the foregoing parks and monuments upon a satisfactory showing to the superintendent or his representative that the conditions of operation are within the following exceptions, and upon the following conditions:

(1) Motor vehicles carrying only members of educational, welfare, and scientific organizations, such as boy scouts, accredited schools and universities, or bona fide mountaineering organizations, when the trip to a park or parks is initiated, organized and directed by such organization. Motor vehicles on such trips will be admitted to the parks without charge other than the usual automobile permit fee charged at the particular park only when credentials from the head of such institution or organization are shown to the effect that the visit is initiated, organized and directed by the particular institution or organization. Motor vehicles on trips for which passengers are solicited for the profit of the organization or the transportation operator will not be admitted under this classification.

(2) Pleasure cars rented by the week, month, etc., for general transportation purposes in and outside the park to be visited, and not rented expressly for a single trip through the park unless in connection with a tour on which the trip to the park is merely incidental. Admission will be accorded such cars upon satisfactory showing at entrance of above status upon payment of the usual automobile permit fee for the particular park.

(3) Motor vehicles rented or chartered by an organization or a group of individuals associating themselves for a general tour on which the visit to a park or parks is an incident to such tour, provided that the tour is not organized, advertised, or sold to passengers by an organization or an individual for personal profit. Admission to each park will be accorded for such tours upon payment of a special tour permit fee of \$10.00 per car per trip in addition to the usual automobile permit fee charged at the parks visited. The special permit fee of \$10.00 is for one entrance to a park only.

(b) Bus companies, tour agencies, individuals, and all others proposing to operate automobiles or bus tours for profit

to any or all of the foregoing parks will not be permitted to operate therein.

(c) Motor vehicles that are so large as to require motorcycle escort in order to proceed safely over park roads, or which in the judgment of the superintendent are beyond the carrying capacity or safety factor of the roads, will not be permitted in the parks, except that where they may satisfactorily enter park headquarters they may be parked there during the period of stay.

(d) All special permits issuable under paragraph (a) of this section shall be secured and fees paid at the park entrance upon arrival.

**NOTE:** For exceptions to the prohibition against the admission of commercial automobiles and busses to National Parks, see the following sections of this chapter:

Sequoia-Kings Canyon National Park, § 20.8 (f);  
Lassen Volcanic National Park, § 20.11 (f);  
Crater Lake National Park, § 20.2 (d);  
Mount Rainier National Park, § 20.5(e);  
Rocky Mountain National Park, § 20.7 (g);

### § 1.37 Commercial trucks.

(a) The use of the Government roads of any park or monument by commercial trucks, when such trucking is in no way connected with the operation of the park or monument, is prohibited, except that in emergencies special trucking permits may be issued by the superintendent, for which a fee will be charged.

(b) The superintendent may, in his discretion, issue permits without charge for trucks used on Government roads in connection with private lands situated within the boundaries of the park or monument.

(c) Trucking over roads which are officially posted indicating no trucking is allowed shall be deemed a violation of this section.

### § 1.38 Motorcycles.

Motorcycles are admitted to the parks and monuments under the same conditions as automobiles, and are subject to the same regulations so far as they are applicable.

### § 1.39 House trailers.

(a) House trailers are admitted to the parks and monuments under the same conditions as automobiles, except that, in the discretion of the superintendent, they may be required to occupy separate camping areas.

(b) The superintendent may, in his discretion, exclude trailers during the winter season when camp grounds are closed.

### § 1.40 Permits.

(a) (1) No motor vehicle or house trailer may be operated without a permit in any park or monument where a permit is required. The permit must be carried in the motor vehicle or trailer for which issued and exhibited upon request to any officer authorized to enforce the regulations in this chapter. Permits are issued upon payment of the required fee for individual motor vehicles or trailers, and may not be transferred to another motor vehicle or trailer under any circumstances and are good only in the park or parks or monuments for which the permits are issued.

(2) A house trailer within the meaning of the regulation in this part is defined as a noncollapsible trailer specifically designed and built to provide sleeping accommodations for one or more persons.

(b) In Shenandoah National Park and Blue Ridge Parkway trip permits good only on the day issued may be obtained.

(c) The issuance of a yearly permit for a house trailer confers no right to occupy any camping area for a period longer than that prescribed by the superintendent.

(d) Nothing in the regulations in this part shall be construed so as to interfere with the free public use of Lee Highway or Spotswood Trail in Shenandoah National Park or U. S. Highways Nos. 66 and 260 in Petrified Forest National Monument. The provisions of §§ 1.35 to 1.40 of this part, inclusive, are not applicable to traffic on the Mineral Kings Road in Sequoia National Park, U. S. Highway No. 410 in Mount Rainier National Park, or the Painted Desert Rim Road in Petrified Forest National Monument.

### § 1.41 Entrances and exits.

(a) Automobiles, trucks, and other vehicles shall enter or leave the parks and monuments only at regular designated entrances and exits, and between such hours as shall be determined by the superintendent and indicated by official signs posted for that purpose.

(b) All vehicles shall come to a full stop at entrance and exit stations.

### § 1.42 Limitations on speed.

(a) Limitations on speed of vehicles except in emergencies as provided in paragraph (b) of this section are as follows:

#### (1) Basic speed rule:

(i) No person shall drive a vehicle upon a highway at a speed greater than is reasonable and prudent, having due regard to the traffic, surface and width of the highway, the hazard at intersections, and any other condition then existing.

(ii) No person shall drive at a speed which is greater than will permit the driver to exercise full control of the vehicle and to decrease speed or to stop as may be necessary to avoid colliding with any person, vehicle, or other conveyance on or entering the highway in compliance with legal requirements and with the duty of drivers and other persons using the highways to exercise due care.

#### (2) 15 miles per hour:

(i) In all campgrounds, parking areas, and places of public assemblage.

(ii) Upon that portion of the highway which passes through or borders upon a scene of emergency such as forest fires, highway repairs or construction, automobile accidents, or similar emergency.

#### (iii) In any business or residence area.

(iv) Upon approaching within 50 feet and in traversing an intersection of highways where the driver's view in either direction along any intersecting highway within a distance of 200 feet is obstructed, except that when traveling upon a through highway or at a traffic controlled intersection, the district speed applies.



(3) 45 miles per hour upon all other paved, public roads in the parks, unless a different limit is prescribed for a particular road or roads by special regulation.

(4) Any speed in violation of the speeds designated in subparagraphs (2) and (3) of this paragraph shall be prima facie evidence of violation of subparagraph (1) of this paragraph.

(b) The provisions of this section shall not apply to any vehicle when driven or operated in an emergency for the protection or preservation of life, health, or for public safety: *Provided*, That this subparagraph shall not be so construed as to authorize any such vehicle to be driven or operated at a rate of speed in excess of that which is reasonable under conditions prevailing at such time.

(c) As used in this section, the term "vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon a roadway.

#### § 1.43 Teams.

When teams, saddle horses, or pack trains approach, motor vehicles shall be so manipulated as to allow safe passage for the other party. In no case shall motor vehicles pass such animals on the road at a greater speed than 10 miles per hour, or in such a manner or with such noise as to frighten them.

#### § 1.44 Right-of-way.

(a) Any vehicle traveling slowly on any of the roads, when overtaken by a faster moving motor vehicle, and upon suitable signal from such overtaking vehicle, shall move to the right to allow a safe passage.

(b) When automobiles going in opposite directions meet on a grade, the ascending machine has the right-of-way, and the descending machine shall be backed or otherwise handled as may be necessary to enable the ascending machine to pass in safety.

#### § 1.45 Following vehicles.

Except in slow moving traffic, a vehicle shall not follow another vehicle closer than 50 feet, nor closer than 15 feet at any time.

#### § 1.46 Brakes.

Every motor vehicle, or combination of motor vehicle and trailer, shall be equipped with brakes adequate to control the movement of and to stop and hold such vehicle or combination of vehicles.

#### § 1.47 Clutches and gears.

No motor vehicle shall be operated on any highway with clutch disengaged or gear out of mesh except for the purpose of changing or shifting gears or stopping or while being towed, or when such vehicle is equipped with commercial free-wheeling devices.

#### § 1.48 Lights.

(a) Every motor vehicle other than a motorcycle shall be equipped with two headlights and one or more red taillights. Trailers and semi-trailers shall be similarly equipped with red taillights.

(b) Every motorcycle shall be equipped with at least one headlight and one red taillight.

(c) Every bicycle upon a highway during the times when lights are required shall exhibit a white light on the front and a red light on the rear, except that a red reflector may be used in lieu of a rear light.

(d) Every horse-drawn vehicle upon a highway during the times when lights are required shall exhibit at least one white light on the left side in such manner as to be readily and distinctly seen from both front and rear.

(e) All lights shall be of sufficient brilliance to insure safety in driving at night. All lights shall be lighted during the period from one-half hour after sunset to one-half hour before sunrise when the vehicle is on a road, at all times when passing through unlighted tunnels, and at any other time when there is not sufficient natural light to render clearly discernible a person or object at least 200 feet ahead. Headlights shall be dimmed, depressed or tilted when meeting other vehicles, riding or driving animals, bicyclists, or pedestrians.

(f) The use of red lighting devices of any character on the front of any vehicles, except highway patrol cars, highway maintenance vehicles, ambulances, fire trucks, and snow plows, is prohibited.

#### § 1.49 Sounding horn.

The horn shall be sounded on approaching sharp curves or other places where the view ahead is obstructed, or before passing other vehicles or pedestrians, or, if necessary, before passing riding or driving animals.

#### § 1.50 Muffler cut-outs.

Every motor vehicle operated in the parks or monuments shall be equipped with an adequate muffler in constant operation and properly maintained to prevent any excessive or unusual noise.

#### § 1.51 Accidents; stop-overs.

If vehicles stop because of accident or other emergency, they shall be immediately parked in such a way as not to interfere with travel on the road.

#### § 1.52 Traffic signs.

Drivers of all vehicles shall comply with the directions of all official traffic signs posted in the parks and monuments.

#### § 1.53 Persons prohibited from driving.

(a) No person shall drive a motor vehicle in a park or monument unless such person has a valid operator's license: *Provided*, That any person who is a resident of a State, district, territory, or foreign country which does not require the licensing of operators may drive a motor vehicle if such person is at least 15 years of age. The provisions of this paragraph shall not apply to employees of other Federal agencies or of States or territories or their political subdivisions operating motor vehicles on official business. Employees of the Department of the Interior shall be governed by the "Regulations and Safe Driving Practices of the De-

partment of the Interior for the Operation of Motor Vehicles by Employees on Official Business, July, 1946."

(b) No person who is under the influence of intoxicating liquor or narcotic drugs shall drive a motor vehicle of any kind in a park or monument.

#### § 1.54 Prevention of smoke, etc.

The engine and power mechanism of every motor vehicle shall be so equipped and adjusted as to prevent the escape of excessive fumes or smoke.

#### § 1.55 Excessive acceleration of engine.

The excessive acceleration of the engine of a motor vehicle while such vehicle is not moving, or is approaching a stopping place, is prohibited.

#### § 1.56 Obstructing traffic.

No person shall cause or permit a motor vehicle under his control to obstruct traffic by making right or left turns from the wrong traffic lane or by weaving in and out of traffic, or in any other manner.

#### § 1.57 Signals by hand and arm or signal device.

No person driving a motor vehicle shall fail to give proper hand signals or confuse other motorists by false signals or unnecessary extension of the hand or arm outside the vehicle. The following signals shall be given by extending the hand and arm from the left side in the following manner:

(a) Left turn. Hand and arm extended horizontally.

(b) Right turn. Hand and arm extended upward.

(c) Stop or decrease speed. Hand and arm extended downward:

*Provided, however*, That in lieu of such hand signals, signals may be given by a signal lamp or signal device which conveys an intelligible signal or warning to another driver approaching from the front or rear.

#### § 1.58 Reckless driving.

The driving of any vehicle upon a Government road in a park or monument carelessly and heedlessly in willful or wanton disregard of the rights or safety of others, or without due caution and at a speed or in a manner so as to endanger or be likely to endanger any person or property is prohibited.

#### § 1.59 Boats.

(a) No privately owned boat, canoe, raft, or other floating craft shall be placed or operated upon the waters of any park or monument without a permit from the superintendent, who shall have authority to revoke the permit and require the immediate removal of such craft upon the failure of the permittee to comply with the terms and conditions of the permit.

#### § 1.60 Discrimination in furnishing public accommodations.

The proprietor, owner, or operator and the employees of any hotel, inn, lodge, or other public accommodation within areas administered by the National Park Service are prohibited from (a) publicizing such facilities in any manner that



would directly or inferentially reflect upon or question the acceptability of the patronage of any person or persons because of race, creed, color, or national origin; and (b) discriminating against any person or persons because of race, creed, color, or national origin by refusing to furnish such person or persons any accommodations, facilities, or privileges offered to or enjoyed by the general public.

#### § 1.61 Aircraft.

(a) No person shall land aircraft on land or water on any Federally-owned area within any national park or monument, other than at one of the following designated landing areas:

(1) *Mount McKinley National Park, Alaska.* (i) McKinley Park Station airport, located in Sections 3 and 4, Township 14 South, Range 7 West, and Sections 33 and 34, Township 13 South, Range 7 West, Fairbanks Meridian.

(ii) The surface of Wonder Lake, located in unsurveyed lands at approximate latitude 63 degrees 28 minutes North, approximate longitude 150 degrees 53 minutes West.

(2) *Death Valley National Monument, California.* Death Valley airport, located in SW $\frac{1}{4}$  Section 15, and NW $\frac{1}{4}$  Section 22, Township 27 North, Range 1 East, San Bernardino Base and Meridian.

(3) *Glacier Bay National Monument, Alaska.* (i) The waters of Bartlett Cove, Sandy Cove, and Icy Strait in the vicinity of Gustavus Point airport.

(4) *Grand Teton National Park, Wyoming.* Jackson airport, located in SE $\frac{1}{4}$  Section 10, SE $\frac{1}{4}$  and S $\frac{1}{2}$ SW $\frac{1}{4}$  Section 11, S $\frac{1}{2}$  and NW $\frac{1}{4}$  Section 14, NW $\frac{1}{4}$ NE $\frac{1}{4}$  and E $\frac{1}{2}$ NE $\frac{1}{4}$  Section 15, Township 42 North, Range 116 West, 6th Principal Meridian.

(5) *Katmai National Monument, Alaska.* The entire land and water area of the Monument during the period from May 15 to September 15. Planes on official business for the Territory of Alaska may land within the Monument at any time.

(6) *Fort Jefferson National Monument, Florida.* The waters within a radius of one nautical mile of the fort situated on Garden Key, but approaches, landings and take-offs shall not be made within 300 yards of the nesting grounds of summer tern colonies. Seaplanes may be moored or brought up on land only on the northwest beach and the beach between the coaling docks, both at Garden Key.

(b) The provisions of this section shall not be applicable to aircraft (1) engaged on official business of the Federal Government, (2) used in emergency rescue in accordance with the directions of the officer in charge of the park or monument, or (3) forced to land due to unforeseeable circumstances beyond the control of the operator.

#### § 1.62 Impounding of animals.

(a) Livestock and dogs trespassing on any lands of the United States in a National Park Service area may be impounded by the superintendent in charge and shall be disposed of in accordance with State statutes insofar as the same may be applicable. In the absence of

applicable State statutes the animals shall be disposed of in accordance with this section.

(b) If the owner is known, prompt written notice of the impounding will be served upon him, and in the event of his failure to remove the impounded animal within five (5) days from delivery of such notice, it will be sold or otherwise disposed of as prescribed in this chapter.

(c) If the owner is unknown, no sale or other disposition of the animal shall be made until at least fifteen (15) days have elapsed from the date that a notice of the impounding is first published in a newspaper of general circulation in the county in which the trespass occurs and posted at the county courthouse.

(d) Regional directors and superintendents are hereby authorized to order the publication of such notices in newspapers by direct transmittal to the publisher of the standard form of advertising order approved by the Comptroller General.

(e) The notice shall state when and where the animal was impounded; shall describe it by brand or earmark, or both, or, in the absence of such distinguishing marks, by such other means as are necessary reasonably to identify such animal; shall specify the time and place it will be offered at public sale to the highest bidder in default of redemption by the owner on or before that date; and shall reserve the right of the official conducting the sale to reject any and all bids so received.

(f) Prior to such sale, the owner may redeem the animal by submitting proof of ownership and paying all expenses of the United States for capturing, advertising, pasturing, feeding, and impounding, and the amount of damage to any National Park Service property injured or destroyed by or through such trespass. Upon the sale of any animal in accordance with this section, the regional director or superintendent shall issue a certificate of sale.

(g) If an animal impounded under this section is offered at public sale and no bid is received or if the highest bid received is in an amount less than the amount of the claim of the United States or of the officer's appraised value of the animal, whichever is the lesser amount, such animal may, in the discretion of the superintendent be sold at private sale for the highest amount obtainable, or be condemned and destroyed or converted to the use of the United States if of value for that purpose.

(h) In determining the claim of the Government in all livestock trespasses on National Park Service areas, the value of forage consumed shall be computed at the daily, weekly, monthly, or yearly commercial rates prevailing in the locality for the class of livestock found in trespass. In addition, the claim shall include damages to National Park Service property injured or destroyed by trespassing livestock and dogs, the expenses incurred in impounding, sale, or other disposition of such animals, and the pro rata salary of Service employees for the time spent and the expenses incurred in and about the investigations, reports, and settlement or prosecution of the case.

(i) When the amount received in the sale of the animal either at auction or private sale, or when the appraised value of the animal in case it is converted to the use of the Government, is insufficient to meet the amount of the Government's claim, or when it is necessary to destroy the impounded animal without benefit to the Government, the facts shall be fully reported to the Director for appropriate action to obtain full satisfaction of the Government's claim.

#### § 1.63 Public meetings and speeches.

(a) Public meetings and assemblies, the making of speeches, and the expression of views, publicly, will be permitted within a park or monument only if an official permit therefor be first obtained from the Superintendent. The Superintendent shall issue a permit designating the site to be used, except in the following circumstances: (1) When a prior application for the same time and place has been made which has been or will be granted; (2) when, in his judgment, such a meeting, assembly, or speech would be contrary to the purposes for which the park or monument is administered; or (3) when, in his judgment, the use of the park or monument at the time and in the manner requested would interfere or conflict with the comfort, convenience, and interest of the general public.

#### § 1.64 Suspension of fees.

Park superintendents may prescribe seasonal periods during which the collection of permit, guide, or admission fees prescribed for such area shall be suspended.

#### § 1.65 Tampering with a parked motor vehicle.

No person shall tamper with, or attempt to enter or start, or move or cause to be moved, a parked motor vehicle not lawfully under his control. This section shall not apply to employees of the National Park Service or other employees of the Federal Government or duly authorized officials, in connection with their official duties.

#### § 1.91 Penalties.

(a) Any person who violates any provision of the rules and regulations in this chapter, or as the same may be amended or supplemented, in regard to any national park or monument not specified in paragraph (b) or (c) of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than \$500 or imprisonment for not exceeding 6 months, or both, and be adjudged to pay all costs of the proceedings.

(b) Any person who knowingly and willfully violates any provision of the rules and regulations in this chapter, or as the same may be amended or supplemented, in regard to any of the national military parks, battlefield sites, national monuments, or miscellaneous memorials transferred to the jurisdiction of the Secretary of the Interior from that of the Secretary of War by Executive Order No. 6166, June 10, 1933, and enumerated in Executive Order No. 6228, July 28, 1933, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be



punished by a fine of not more than \$100 or by imprisonment for not more than 3 months, or by both such fine and imprisonment.

(c) Any person violating any provision of the rules and regulations in this chapter, or as the same may be amended or supplemented, in regard to any national historic site shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than \$500 and be adjudged to pay all costs of the proceedings.

## PART 2—GENERAL RULES AND REGULATIONS; NATIONAL RECREATION AREAS

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  - 2.31 Lost articles.
  - 2.32 Relics.
  - 2.33 Tampering with a parked motor vehicle.

AUTHORITY: §§ 2.1 to 2.33 issued under sec. 3, 39 Stat. 535, as amended; 16 U. S. C. 3.

### § 2.1 General provisions.

(a) The regulations in this part shall be applicable to the following National Recreation Areas:

(1) Lake Mead National Recreation Area, Arizona and Nevada, administered by the National Park Service, Department of the Interior, in cooperation with the Bureau of Reclamation and the Bureau of Indian Affairs, Department of the Interior, pursuant to a memorandum of agreement between the National Park Service and the Bureau of Reclamation, approved October 13, 1936, as amended by supplemental agreement between said two agencies, approved July 18, 1947, and as further detailed in a cooperative agreement between the National Park Service and the Bureau of Indian Affairs approved November 11, 1937.

(2) Millerton Lake National Recreation Area, California, administered by the National Park Service, Department of the Interior, in cooperation with the Bureau of Reclamation, Department of the Interior, as detailed in a memorandum of agreement between the two agencies, approved May 22, 1945.

(3) Coulee Dam National Recreation Area, Washington, administered by the National Park Service, Department of the Interior, in cooperation with the Bureau of Reclamation and the Bureau of Indian Affairs, Department of the Interior, as detailed in a memorandum of agreement among the three agencies, approved December 18, 1946.

(4) Shadow Mountain National Recreation Area, Colorado, administered by the National Park Service, Department of the Interior, in cooperation with the Bureau of Reclamation and the Bureau of Land Management, Department of the Interior, as detailed in a memorandum of agreement between the three agencies approved August 3, 1955.

(b) This part, however, shall not be applicable to any of the activities of the Bureau of Reclamation, its officers, employees, agents, or contractors in connection with the construction or operation and maintenance of the works of the respective reclamation projects directly associated with any of the areas mentioned in this section.

(c) This part shall not apply to or on any of the trust or restricted Indian Lands, either tribally or individually owned, within any of the above-described areas.

(d) Wherever in this part the Superintendent is authorized to prohibit or restrict certain actions by the public in an area designated by him, he shall inform the public of the prohibited or restricted action by posting official signs and shall indicate the limits of the restricted area on a map which shall be available for public inspection in the office of the Superintendent. The posting of official signs shall be accomplished by placing them conspicuously at appropriate intervals in such manner as to afford the public full notice of all restrictions and of the limits of restricted areas.

### § 2.2 Definitions.

As used in the regulations in this part, unless otherwise indicated:

(a) The term "Secretary" means the Secretary of the Interior.

(b) The term "Director" means the Director of the National Park Service.

(c) The term "Regional Director" means the administrative officer in charge of a region of the National Park Service.

(d) The term "Superintendent" means the administrative officer in charge of a national recreation area to which the regulations in this part are applicable, or his authorized representative.

(e) The term "areas" means the national recreation areas to which the regulations in this part are applicable.

(f) (1) The term "Lake Mead National Recreation Area" means the property owned by the United States, including the water surface of Lake Mead and Lake Mohave, within that portion of the Boulder Canyon Project which is administered by the National Park Service, shown outlined in green on a map thereof (Drawing by Thomas 8-3-49, Division of Landscape Architecture, Region Three, National Park Service, Department of the Interior), a copy<sup>1</sup> of which shall be filed with the regulations in this part with the Division of the Federal Register, and a copy of which

shall be kept in the office of the Superintendent for public inspection.

(2) The term "Millerton Lake National Recreation Area" means the property owned by the United States, including the water surface of Millerton Lake, within that portion of the Friant Division of the Central Valley Project which is administered by the National Park Service, shown outlined in green on a map thereof (Drawing No. F 1062B, dated April 3, 1942, Rev. 10-7-43 of Friant Division), a copy<sup>1</sup> of which shall be filed with the regulations in this part with the Division of the Federal Register, and a copy of which shall be kept in the office of the Superintendent for public inspection.

(3) The term "Coulee Dam National Recreation Area" means the property owned by the United States, including the water surface of Roosevelt Lake, within that portion of the Columbia Basin Project which is administered by the National Park Service, shown outlined in green on the set of maps comprising 4 sheets numbered RA-CD-7001, 2, 3, and 4, dated April 15, 1946, a copy<sup>1</sup> of which shall be filed with the regulations in this part with the Division of the Federal Register, and a copy of which shall be kept in the office of the Superintendent for public inspection. Nothing contained in this part, however, shall be construed as, in any way, conflicting with the paramount rights of the Indians of the Spokane and Colville Reservations to use for hunting, fishing, and boating purposes, the areas set aside by the Secretary of the Interior pursuant to the act of June 29, 1940 (54 Stat. 703), which areas are designated on the above-mentioned maps as the Spokane Indian Zone and the Colville Indian Zone, respectively.

(4) The term "Shadow Mountain National Recreation Area" means the property owned by the United States, including the water surface of Granby Reservoir and Shadow Mountain Lake, within that portion of the Colorado-Big Thompson Project which is administered by the National Park Service pursuant to a memorandum of understanding between the National Park Service, Bureau of Land Management and the Bureau of Reclamation, as shown by Drawing No. RS/SMGR-7100C, dated September 27, 1954, attached to the memorandum of understanding as "Exhibit A," a copy of which shall be filed with the regulations in this part with the Division of the Federal Register, and a copy of which shall be kept in the office of the Superintendent for public inspection.

(g) The term "commercial boat" shall include any barge, raft, canoe, rowboat, motorboat, motor vessel, or other craft kept or used for rental or for carrying passengers for hire or used in transporting movable property for a fee or profit, either as a direct charge to a second party, or as an incident to other services provided to the second party, or in connection with any business.

(h) The term "private boat" shall include any raft, canoe, rowboat, motorboat, motor vessel, or other craft which may be placed on or operated upon the waters of the areas for the private rec-

<sup>1</sup> Filed with the Federal Register Division. See 17 F.R. 6044, July 4, 1952.



reational use of the owner or operator, and for which no fee or other charge is made by any person, firm, or corporation in connection with the use thereof on the waters of the areas.

(i) The term "water-borne craft" shall include private and commercial boats as defined in this section.

### § 2.3 Camping.

(a) Camping is permitted in the areas except in parts where the Superintendent has posted conspicuous signs stating that they are closed to camping.

(b) The Superintendent may establish limitations on the time allowed for camping in any public camping ground, and upon the posting of such limitation no person shall camp for a period longer than that specified for the particular campground. Notice of such limitation shall be posted in a conspicuous place at the campground.

(c) Overnight camping is prohibited in picnic grounds.

### § 2.4 Picnicking.

Picnicking is permitted in the areas. The Superintendent may, however, prohibit picnicking within designated portions of the areas and may establish reasonable limitations on the length of time any person or group of persons may use any picnicking facility when, in his judgment, such limitations are necessary for the accommodation of the visiting public.

### § 2.5 Hunting and trapping.

(a) Hunting and trapping will be permitted in accordance with all applicable Federal, State, and local laws for the protection of wildlife, except in developed and/or concentrated public use areas designated by the Superintendent. Portions of the areas in which hunting and trapping are not permitted will be marked on the ground and designated on a map of the area which will be available for inspection in the office of the Superintendent.

(b) Millerton Lake National Recreation Area, in the interest of public safety, is closed to hunting.

### § 2.6 Fishing.

Fishing is permitted within the areas in accordance with all applicable Federal, State, and local laws for the protection of fish and other aquatic life, except that in Lake Mead National Recreation Area fishing is prohibited in Black Canyon within limits posted by appropriate official signs or markers adjacent to Hoover Dam and within limits similarly posted adjacent to Davis Dam.

### § 2.7 Swimming and bathing.

Swimming and bathing are permitted, except in waters designated by the Superintendent as waters in which such activities are prohibited in the interest of public health and safety.

### § 2.8 Firearms and explosives.

The carrying of loaded firearms or explosives in developed and/or concentrated public use areas designated by the Superintendent is prohibited. In all other areas firearms or explosives shall

not be used in a manner so as to endanger persons or property.

### § 2.9 Fires.

(a) Due diligence shall be exercised in building and putting out fires to prevent damage to trees and vegetation and to prevent forest and grass fires. In areas provided with such facilities, the fireplaces constructed for the convenience of visitors must be used. The building of fires on any lands within the areas may be prohibited or limited by the Superintendent by the posting of adequate official signs when the hazard makes such action necessary.

(b) Permission to burn on any cleanup operation within the area must first be obtained, in writing, from the Superintendent, and in such cases as it is deemed advisable, such burning will be under Government supervision. All costs of suppression and all damages caused by reason of loss of control of such burning operations shall be paid by the person or persons to whom such permit has been granted.

### § 2.10 Public property; miscellaneous provisions.

(a) The willful destruction, injury, defacement, or removal of public property is prohibited.

(b) The Superintendent may permit the collection or removal of natural objects.

(c) The Superintendent or other officer having authority to grant such authorization may, upon such terms and conditions as are deemed by him to be adequate to protect the interests of the United States, grant permits for the removal of sand, gravel, or building materials, and make reasonable charges therefor.

### § 2.11 Sanitation.

(a) No garbage, papers, cans, bottles, or rubbish of any kind shall be thrown or dumped in the waters of the areas or along the roads, in picnicking or camping sites, or beaches, or on any other lands of the areas, but shall be burned or buried, or disposed of at points or places designated for the disposal thereof.

(b) Contamination of watersheds or of any water used for drinking purposes is prohibited.

(c) All comfort stations shall be used in a clean, sanitary and orderly manner.

(d) Saddle, pack, or draft animals shall not be kept in, or within 300 feet of any campgrounds.

(e) Toilets on water-borne craft must not be emptied in the waters of the areas when such craft are at dock or when within one mile of public ports or public beach areas.

(f) The drainage or dumping of refuse from any trailer, except in places or receptacles provided for such purposes, is prohibited.

(g) The cleaning of fish on public docks and walkways, or at campground hydrants, or at any other place in the areas where such activities would create an unsanitary condition, is prohibited.

### § 2.12 Disorderly conduct.

(a) Persons who render themselves obnoxious by disorderly conduct, bad be-

havior, or indecent exposure shall be subject to the penalties prescribed by law for violation of this part and in addition thereto, or in lieu thereof, may be summarily removed from the area by the Superintendent.

(b) No person who is under the influence of intoxicating liquors or narcotic drugs shall operate a water-borne craft, aircraft, or motor vehicle of any kind within the areas.

### § 2.13 Pets.

Dogs, cats, and other pets must be under physical restrictive control at all times when in developed and/or concentrated public use areas designated by the Superintendent. Such pets shall not be permitted in public eating places or on swimming beaches at any time.

### § 2.14 Aircraft.

(a) No person shall land aircraft on any water or land surface within the areas, other than at one of the following designated landing sites:

(1) *Lake Mead National Recreation Area, Arizona and Nevada.* (i) Boulder City Municipal Field located in Sections 8, 9, 16, and 17, Township 23 South, Range 64 East, Mount Diablo Meridian, Nevada.

(ii) The entire surface of Lake Mead, except that no aircraft shall be permitted to land or take off within 500 feet of public bathing beaches, boat docks, floats, piers, ramps, or water control structures.

(iii) Temple Bar landing strip located at approximate latitude 36 degrees north, approximate longitude 114 degrees 19 minutes west.

(iv) Pierce's Ferry landing strip located at approximate latitude 36 degrees 63 minutes north, approximate longitude 114 degrees 05 minutes west.

(v) Davis Dam landing strip located in Sections 30 and 31, Township 21 North, Range 21 West, Gila and Salt River Meridian, Arizona.

(vi) Entire surface of Lake Mohave, except that no aircraft shall be permitted to land or take off within 500 feet of public bathing beaches, boat docks, floats, piers, ramps, or water control structures or within 10 miles of Hoover Dam.

(vii) Searchlight Ferry landing strip, located at approximate latitude 35 degrees 27 minutes north, approximate longitude 114 degrees 30 minutes west.

(2) *Coulee Dam National Recreation Area, Washington.* The entire surface of Roosevelt Lake, except that no aircraft shall be permitted to land or take off within 500 feet of public bathing beaches, boat docks, floats, piers, ramps, or water control structures.

(b) The provisions of this section shall not be applicable to aircraft (1) engaged on official business of the Federal Government, (2) used in emergency rescue in accordance with the directions of the officer in charge of the area, or (3) forced to land due to unforeseeable circumstances beyond the control of the operator.

### § 2.15 Accidents.

Accidents required to be reported by the applicable State statutes and regulations shall be reported to the Superintendent, or his field representative, by



the person or persons involved in the accident.

#### § 2.16 Grazing and agricultural use.

The running at large, herding, driving across, or grazing of livestock of any kind on the Government lands in the areas, or the use of such lands for agricultural purposes, is prohibited, except where written authority therefor has been granted by the Superintendent or under a valid lease from the United States.

#### § 2.17 Private and commercial uses.

(a) No person, other than employees of the National Park Service, shall reside permanently in the areas, except in accordance with the provisions of a permit or other written agreement with the United States authorizing such use.

(b) No person, firm, or corporation, or their representatives, shall engage in or solicit any business in the areas, except in accordance with the provisions of a permit, contract, or other written agreement with the United States.

(c) No person, firm, or corporation shall erect, construct, or attempt to erect or construct a building, boat dock, road, trail, path, or other way, telephone line, telegraph line, power line, or other private or public utility, upon, across, over, through, or under any federally owned lands within the areas, except in accordance with the provisions of a valid permit, contract, or other written agreement with the United States.

#### § 2.18 Advertisements.

Private notices or advertisements shall not be posted, distributed, or displayed in the areas, except such as the Superintendent may deem necessary for the convenience and guidance of the public.

#### § 2.19 Closing of area.

The Superintendent, in his discretion, may close to public use any part of the areas during any period of emergency endangering life or property.

#### § 2.20 Vehicles.

(a) Subject to the limiting provisions of this section and such special regulations as may be issued to govern a particular area, motor vehicles, trailers, and other vehicles entering the areas shall be operated in accordance with the applicable State laws and regulations then current within the particular section of the area in which the vehicle is being operated.

(b) Drivers of all vehicles operated within the areas shall comply with the directions of all official traffic signs posted in an area.

(c) Load and weight limitations shall be those prescribed and posted from time to time by the Superintendent, and such limitations shall be complied with by the operators of all vehicles using the roads of the areas. Schedules showing load and weight limitations for the different roads within the areas may be seen at the office of the Superintendent and at ranger stations at entrances to the areas.

#### § 2.21 Houseboats.

No waterborne craft may be used for permanent living accommodations ex-

cept under permit from the Superintendent.

#### § 2.22 Boats, private.

Operators of private boats on the waters of the areas may register such boats with the Superintendent and secure a registration number and certificate which will aid in the recovery of lost or stolen boats.

#### § 2.23 Boats, commercial.

No commercial boat shall be launched or docked at any point on the federally owned shorelands surrounding the waters of the areas or make use of any launching or docking facility within the areas, except as authorized by permit, contract, or other written agreement with the United States.

#### § 2.24 Restricted waters.

(a) Except to effect rescue or unless otherwise specifically authorized, no water-borne craft shall be operated within any waters zoned and marked as migratory bird rest waters or for related wildlife uses, including waters zoned and marked for fish culture purposes.

(b) No motorboat, motor vessel, or other motor-operated craft shall be permitted to approach within 200 feet of any designated beaches, except to effect rescue.

(c) No water-borne craft shall approach within 200 feet of any dam or other restricted engineering works within the areas, except to effect rescue: *Provided*, That in Lake Mead National Recreation Area no motorboat craft shall approach Hoover or Davis Dams closer than the limits posted by appropriate official signs or markers.

(d) The Superintendent, in his discretion, may exclude the operation of water-borne craft within any designated waters when such action is necessary to protect life and property. Such restricted areas shall be defined by booms or markers and shall be designated on a map of the restricted portions, copies of which shall be posted at all public docks for convenient inspection.

(e) The provisions of this section shall not apply to any boats operated for official use by any agency of the United States, or of the States in which the waters within a particular area are situated.

#### § 2.25 Speed of water-borne craft.

The speed of water-borne craft shall be restricted to speeds reasonable for the time, place, and surrounding conditions, i. e., no such craft shall be operated in a reckless or negligent manner so as to endanger the life, limb, or property of any person.

#### § 2.26 Obstructions.

Unless otherwise specifically authorized, no log boom, pier, fence, pile, anchorage, or other obstruction shall be installed in the waters of the areas without a permit therefor issued by the Superintendent designating the place and manner of its installation.

#### § 2.27 Compliance with Federal laws and regulations.

Nothing contained in the regulations in this part shall relieve any water-borne

craft, the owner, or the operator thereof, from the obligation to comply with the applicable laws of the United States and the rules and regulations of the United States Coast Guard or other Federal agencies operative within the areas.

#### § 2.28 Discrimination in furnishing public accommodations.

The proprietor, owner, or operator and the employees of any hotel, inn, lodge, or other public accommodations within the areas are prohibited from (a) publicizing such facilities in any manner that would directly or inferentially reflect upon or question the acceptability of the patronage of any person or persons because of race, creed, color, or national origin; and (b) discriminating against any person or persons because of race, creed, color, or national origin by refusing to furnish such person or persons any accommodations, facilities, or privileges, offered to or enjoyed by the general public.

#### § 2.29 Reckless driving.

The driving of any vehicle upon a Government road or public use area in a national recreation area carelessly and heedlessly in willful or wanton disregard of the rights or safety of others, or without due caution and at a speed or in a manner so as to endanger or be likely to endanger any person or property is prohibited.

#### § 2.30 Abandonment of property.

The abandonment of personal property in national recreation areas is prohibited.

#### § 2.31 Lost articles.

Persons finding lost articles should deposit them at the Office of the Superintendent, or at the nearest ranger station, leaving their names and addresses, so that if the articles are not claimed by the owners within 60 days, they may be returned to those who found them.

#### § 2.32 Relics.

Relics, artifacts, and other articles of historic or archeologic interest found on the Government land are Government property and must, if removed from the place where they are found, be deposited with the Superintendent or at the nearest ranger station.

#### § 2.33 Tampering with a parked motor vehicle.

No person shall tamper with, or attempt to enter or start, or move or cause to be moved, a parked motor vehicle not lawfully under his control. This section shall not apply to employees of the National Park Service or other employees of the Federal Government or duly authorized officials, in connection with their official duties.

### PART 3—NATIONAL CAPITAL PARKS REGULATIONS

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3.2	Applicability of Federal laws.
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  - 3.101 Schedule of minimum collateral (General Order No. 68).

**AUTHORITY:** §§ 3.1 to 3.101 issued under sec. 6, 30 Stat. 571, sec. 3, 39 Stat. 535, as amended, sec. 16, 43 Stat. 1126, as amended; 8 D. C. Code 143, 16 U. S. C. 3, 40 D. C. Code 613.

### § 3.1 Applicability of regulations.

This part applies to all park areas administered by National Capital Parks, National Park Service, in the District of Columbia, Maryland and Virginia, and to other Federal reservations in the environs of the District of Columbia, policed with the approval or concurrence of the head of the agency having jurisdiction or control over such reservations, pursuant to the provisions of the act of March 17, 1948 (62 Stat. 81).

### § 3.2 Applicability of Federal laws.

In all areas to which this part is applicable all acts shall be enforced insofar as applicable.

### § 3.3 Applicability of District of Columbia and State laws.

(a) The laws and regulations promulgated for the District of Columbia shall be enforced, insofar as applicable, in all park areas within the District of Columbia.

(b) In areas to which this part is applicable, located outside the geographical limits of the District of Columbia, the laws of the State within which the area is located shall be invoked and enforced in accordance with the act of June 25, 1948 (62 Stat. 686; 18 U. S. C. Supp. II, sec. 13).

### § 3.4 Definitions.

As used in this part, unless otherwise indicated:

(a) Under the regulations, the term "park area" means any and all developed and undeveloped grounds, playgrounds, plazas, squares, circles, triangles, islands, ways, streets, sidewalks, roads, boulevards, parkways, canals, waters, buildings, monuments, structures and other properties administered by National Capital Parks, National Park Service, including such park areas as herein defined as are used by the District of Columbia Recreation Board pursuant to agreement with the National Capital Parks, National Park Service.

(b) The term "other Federal reservations" means Federal areas, which are not under the administrative jurisdiction of the Department of the Interior, located in Arlington and Fairfax Counties and the City of Alexandria in Virginia, and Prince Georges, Anne Arundel, and Montgomery Counties in Maryland, exclusive of military reservations, unless the policing of such areas by the United States Park Police is specifically requested by the Secretary of Defense or his designee.

(c) The term "environs of the District of Columbia" embraces Arlington and Fairfax Counties and the City of Alexandria, in Virginia, and Prince Georges, Anne Arundel, and Montgomery Counties, in Maryland.

(d) The term "Secretary" means the Secretary of the Interior.

(e) The term "Director" means the Director of the National Park Service and any subordinate authorized by the Secretary to act for the Director.

(f) The term "Superintendent" means the Superintendent of National Capital Parks and any subordinate authorized by the Director to act for the Superintendent.

(g) The term "official permit" means permits issued by authorized officials of the agency having control or jurisdiction of the Federal area involved.

(h) The term "official sign" means any sign or signs posted by order of authorized officials of the agency having control or jurisdiction of the Federal area involved.

(i) The term "person" includes individuals, partnerships, firms, corporations, and voluntary associations.

(j) The term "driver" means the rider, driver, or leader of any horse or other riding or draft animal, a person who pushes, draws or propels a vehicle,

and the operator of a motor-propelled vehicle.

(k) The term "horse" means any riding or draft animal or beast of burden.

(l) The term "public highway" means any street, road, highway or public thoroughfare in any Federal area covered by this part.

(m) The term "vehicle" means any conveyance or animal customarily used for the purpose of riding or driving.

(n) The term "commercial vehicle" means any vehicle designed and regularly used for carrying freight or merchandise for or without hire.

(o) The term "parking" means any vehicle left standing, whether or not attended, except when standing in obedience to traffic regulations, signs or signals, or to a police officer.

### § 3.5 Penalties.

(a) *Regulations in this part.* Any person violating any of the provisions of this part, except violations of traffic and motor vehicle regulations in park areas in the District of Columbia, shall, upon conviction thereof, be punished by a fine of not more than \$500 or imprisonment for not exceeding six months or both.

(b) *Traffic violations in District of Columbia.* Any person violating any of the provisions of the traffic and motor vehicle regulations contained in this part in park areas in the District of Columbia, except where a penalty is otherwise provided, shall, upon conviction thereof, be punished by a fine of not more than \$300 or imprisonment of not more than 10 days or both.

(c) *Statutes; other applicable regulations.* Any person violating any act of Congress or State law adopted pursuant to an act of Congress or rule or regulation promulgated by other Federal officials, the Commissioners of the District of Columbia, or other municipal officials, which is in force and applicable to any area covered by this part shall, upon conviction, be punished in accordance with the penalty provisions of such act, rule or regulation.

### § 3.6 Place of trial.

Any person violating any of the regulations contained in this part in park areas within the District of Columbia is subject to prosecution and trial in the Municipal Court for the District of Columbia. Any person violating any of the regulations contained in this part in areas covered by this part within the States of Maryland or Virginia may be tried by a United States Commissioner authorized to try petty offenses in the judicial district in which the offense was committed or, if the person charged with the offense so elects, he shall be tried in the district court of the United States which has jurisdiction over the offense.

### § 3.7 Federal property; miscellaneous provisions.

(a) *Statutes and other structures.* No person shall climb upon or in any way injure any statue, fountain, wall, banister, ledge, fence, balustrade, railing or other structure.

(b) *Water system.* No person shall tamper with drinking fountains, hy-



drants, or other water system facilities.

(c) *Life buoys.* No person shall tamper with or remove life buoys from their fastenings except for the purpose of aiding a person who is in danger of drowning.

(d) *Injury to lawns.* No person shall make any use of lawn areas which tends to injure the lawns in any manner. This section shall not be construed to prohibit casual strolling over lawn areas.

(e) *Short cuts.* No person shall make short cuts across lawn areas which tend to make paths.

(f) *Signs.* No person shall tamper with, mar, remove or destroy any official or public sign.

(g) *Dumping.* No person shall dump any material or refuse of any description in any area covered by this part, except pursuant to the provisions of an official permit.

(h) *Storage.* No person shall store material of any description, or displace, leave, house, or permit to be placed or left in any area covered by this part any vehicle or parts of vehicles, or rubbish of any description, except pursuant to the provisions of an official permit.

(i) *Fences and other structures.* No person shall enclose any area covered by this part or erect any fence, wall, or build any trail, road, bridge or other structure in any area covered by this part, except pursuant to the provisions of an official permit.

(j) *Spilling of deleterious substance.* No person shall pour or cause to spill or permit to escape in any area covered by this part any oil, gas, salt, acid or other deleterious substance whether liquid, solid or gaseous, except pursuant to the provisions of an official permit.

(k) *Other injury or removal.* Any other injury to or removal of any Federal property, except under authority of law, is prohibited.

### § 3.8 Lamps and lamp posts in park areas.

(a) No person shall break, damage, or carry away any lantern, glass, frame, street designation, fixture, or other part or appurtenance of any public lamp; or hitch, tie or fasten any animal to any lamp post or appurtenance thereof.

(b) No person shall take up or carry away any public lamp post, or extinguish or obstruct the light in any public lamp, or cap or plug the service pipe of any public lamp.

(c) No person shall climb, damage or destroy any public lamp post, or attach any guy line or sign thereto, or deface any public lamp post or appurtenance thereof by means of lime, mortar, paint, or other material; or pile material of any kind against any public lamp post.

### § 3.9 Comfort stations and other structures.

(a) No person shall enter, remain, or loiter in any comfort station or other public structure in a park area except to use such facility for the purpose for which it is intended.

(b) No person shall deposit any bodily waste in or on any portion of any comfort station or other public structure in a park area excepting directly into such particular fixtures as may be provided

for that purpose, nor place any bottle, can, cloth, rag, or metal, wood, or stone substance in any of the plumbing fixtures in such station or structure.

(c) In a comfort station or other public structure in a park area, no person shall interfere with any attendant in the performance of his or her duty.

(d) No person shall cut, deface, mar, destroy, or break, or write on or scratch any wall, floor, ceiling, partition, fixture, or furniture, or use towels in any improper manner, or waste soap, toilet paper, or any of the facilities provided in any comfort station or other public structure in a park area.

### § 3.10 Trees, shrubs, plants, grass and other vegetation.

(a) *General injury.* No person shall prune, cut, carry away, pull up, dig, fell, bore, chop, saw, chip, pick, move, sever, climb, molest, take, break, deface, destroy, set fire to, burn, scorch, carve, paint, mark, or in any manner interfere with, tamper, mutilate, misuse, disturb or damage any tree, shrub, plant, grass, flower, or part thereof, nor shall any person permit any chemical, whether solid, fluid, or gaseous, to seep, drip, drain or be emptied, sprayed, dusted or injected upon, about or into any tree, shrub, plant, grass, flower, or part thereof, except when specifically authorized by competent authority; nor shall any person build fires, or station, or use any tar kettle, heater, road roller or other engine within an area covered by this part in such a manner that the vapor, fumes or heat therefrom may injure any tree or other vegetation.

CROSS REFERENCE: For parking which may impair vegetation and trees, see § 3.32 (a) (1) and (8).

(b) *Animals.* No person shall hitch, tie or fasten any horse or other animal to, or within reach of, any tree, shrub, plant, tree box or tree guard.

CROSS REFERENCE: For regulations with respect to domestic animals, see also §§ 3.11 and 3.13.

(c) *Attachments.* No person shall hitch, tie, fasten, nail, anchor, screw or otherwise attach any wire, cable, chain, rope, card, sign, poster advertisement, notice, announcement, handbill, board or other article or device to any tree, shrub or plant, without first obtaining an official permit.

(d) *Excavations.* No person shall excavate any ditches, tunnels, holes or trenches, or lay any sewer or pipe line, drain, conduit or cable, walk, path, drive or highway within or affecting any park area, without first obtaining an official permit. In making permitted excavations proper care shall be taken to prevent injury to the roots of trees, shrubs, or plants. Upon completion of the work, the ground surface shall be restored by the permittee and the correction of any future settling of the back fill shall likewise be the responsibility of the permittee.

(e) *Guards.* All trees, shrubs, or other plants growing within any park area near any excavation or construction of any kind, shall be protected with a substantial and adequate guard constructed by the permittee.

(f) *Gas.* Any person owning or operating beneath the ground, in or adjacent to park areas, any pipes or other conduits for the transmission or delivery of illuminating gas, oil, steam, or other substance in liquid or gaseous form, shall locate and maintain such pipes or conduits free from leaks and in such condition as to prevent injury to any tree, shrub, plant, lawn, or other vegetation growing within park areas.

(g) *Wires.* No person shall string any wire or wires through or above any park areas; nor prune or remove branches or trees which may now or hereafter interfere, rub or grow near existing wires; nor attach any wire, insulator or device to trees or within any area covered by the root system of trees, without first obtaining an official permit. Any person having jurisdiction or control over any wire or conduit for the transmission of an electric current shall guard all trees through which such wires or conduits pass, against any injury from the wires or the electric current carried thereby. The device or means used shall, in each case, be of a type approved by the Superintendent.

(h) *Planting.* No person shall plant or cause to be planted any tree, shrub or plant within a park area without first obtaining an official permit.

(i) *Adjacent trees.* Any tree, shrub or plant growing upon private property and which overhangs any park area in such a way as to present a hazard or impede, obstruct or interfere with traffic, travel or park use shall be trimmed, removed, braced, or otherwise treated by the owner of the premises on which such tree, shrub or plant is located, in a manner prescribed by the Superintendent. In an emergency, the Superintendent is empowered to enter such premises and to trim, remove, brace or otherwise treat any tree which is deemed hazardous to park travel or use, in such a manner that the hazard shall be eliminated.

### § 3.11 Dogs and cats.

(a) The laws and regulations of the District of Columbia, Maryland and Virginia, relating to licenses and muzzles shall apply to dogs in the park areas located within the geographical limits of the respective jurisdiction.

(b) No dog or cat, unless caged or on a leash not more than six feet long and entirely under control, shall be taken into or exercised in park areas.

(c) No dog or cat shall be permitted by the person exercising or walking the animal to commit any nuisance on playgrounds, trees, shrubs, plants, lawns, sidewalks, footpaths, or in flower beds, buildings, or in any other park area, except in park roadways.

### § 3.12 Horses.

(a) A horse shall not be left unbridled or unattended in any park area without being securely fastened, unless harnessed to a vehicle with wheels so secured as to prevent its being dragged faster than a walk.

(b) A driver shall continuously hold the reins in his hand while riding, driving or leading a horse within a park area.



(c) No more than two horses abreast shall be permitted on the bridge paths in any park area.

(d) Horses shall not be allowed to move over any park area other than those specifically designated for horse exercise.

(e) Fast or reckless riding or driving of horses in any park area is prohibited. Equestrians shall be careful to come down to a walk or slow trot before passing pedestrians.

CROSS REFERENCE: For regulations prohibiting the tying of horses or other animals to lamp posts or trees, see §§ 3.8 (a) and 3.10 (b), respectively.

### § 3.13 Grazing; permitting animals to run loose.

Using park areas for grazing, allowing to graze, or permitting to run loose thereon any animal, is prohibited, unless authorized by an official permit. Any owner or custodian of an animal or animals shall prevent such animal or animals from doing any of the acts enumerated in this section.

### § 3.14 Picnics in park areas.

(a) *Permits.* Persons holding official permits for the use of established picnic groves in park areas shall be entitled to the exclusive use of such groves on the dates and between the hours specified in the permits. All persons not holding permits shall be required to vacate the groves upon the arrival of permit holders.

(b) *Fires.* Fires shall be burned only in established fireplaces in park areas, except when otherwise authorized by official permit.

(c) *Garbage.* Picnic groves in park areas shall be left in a clean condition by persons using the groves. Garbage and refuse of all kinds shall be placed in receptacles provided for the purpose.

### § 3.15 Athletics.

(a) *Permits for set games.* Playing baseball, football, croquet, tennis, and other set games or sports in park areas except under official permit and upon the grounds provided for such purpose, is prohibited.

(b) *Wet grounds.* Persons holding official permits to engage in games and sports at certain times and at places authorized for this use in park areas are prohibited from exercising the privilege of play accorded by the permit if the grounds are wet or otherwise unsuitable for play without damage to the turf.

(c) *Golf and tennis; fees.* No person shall use golf and tennis facilities in park areas except by payment of the prescribed fee, if one is required, and in compliance with regulations approved by the Director. Use of public golf and tennis facilities is restricted to authorized players and persons accompanying them; trespassing, intimidating, harassing or otherwise interfering with authorized golf players, or interfering with the play of tennis players is prohibited.

(d) *Archery.* No bows and arrows shall be permitted in park areas, with the exception stated in § 3.24 (i), except in places designated by order of the Superintendent.

(e) *Ice skating.* When ice is forming on the Tidal Basin, the Reflecting Pool, and other bodies of water within park

areas, all persons shall abide by the directions of the Park Police as to when and where the ice shall be available for skating. When skating is allowed, all persons shall be under obligation to refrain from fast and reckless skating when such skating might endanger the life or limb of other persons.

### § 3.16 Model planes.

No model powered plane shall be flown from any park area unless authorized by an official permit.

### § 3.17 Gambling.

Gambling in any form, or the operation of gambling devices whether for merchandise or otherwise in park areas, is prohibited.

### § 3.18 Hunting and fishing.

(a) *Hunting in park areas prohibited.* No person shall at any time or at any place within a park area, trap, catch, kill, injure, pursue or needlessly disturb, or attempt to trap, catch, kill, injure, or pursue birds, waterfowl, or wild animals, except upon proper authorization by the Superintendent.

(b) *Fishing in ornamental pools prohibited.* Fishing in fountain basins and ornamental pools is prohibited.

(c) *Fishing in park areas in Maryland and Virginia.* Persons fishing from boats or from the shore of areas under the jurisdiction of the National Park Service, lying within the geographical limits of Maryland or Virginia, must be licensed by and comply with the applicable State laws.

(d) *Fishing in Tidal Basin.* Fishing in the Tidal Basin may be permitted at the discretion of the Superintendent except from March 31 to May 30 each year when fishing is prohibited. All bass under 10 inches, all crappie under 6 inches, all bream under 4 inches in length shall be returned to the Basin. No person may in any one day catch and retain more than 5 bass, 5 crappie, 5 bream, and 12 winter shad.

(e) *Fishing from unposted banks of streams in park areas permitted.* Fishing will be permitted from the banks of the Potomac River, Anacostia River, Rock Creek, Georgetown Channel, Washington Channel, Chesapeake and Ohio Canal or other waters within park areas, except where such banks have been posted with official signs prohibiting fishing in the vicinity.

### § 3.19 Parades and other functions without permits prohibited; exceptions.

Parades, ceremonies, entertainments, and functions of all kinds, are prohibited in park areas unless authorized by an official permit, except that public meetings and assemblies may be held and speeches and the expression of views publicly may be made without any permit in the following places, which shall be open and available for such purpose at all times to any person, group of persons, or organization:

(a) *Circus grounds.* Located at Oklahoma Avenue and Benning Road. When the circus grounds are in use by circuses or carnivals under official permits, the use of this area for public meetings and assemblies shall be prescribed by the

Superintendent in such manner as to minimize, as far as possible, any interference or disturbance of circus or carnival operations.

(b) *Judiciary park.* On the north-south axis of the park between E Street and the statue of José de San Martín.

(c) *Smithsonian grounds.* In the northeast corner of the park and adjacent to Constitution Avenue and Ninth Street NW.

(d) *United States Reservation 46.* North side of Pennsylvania Avenue, west of Eighth Street and south of D Street SE.

### § 3.20 Areas available at all times subject to permit for public meetings; permit applications.

(a) *Available areas.* Public meetings and assemblies may be held and speeches and the expression of views publicly may be made in the following places, which shall be open and available for such purposes at all times to any person, group of persons, or organization, subject to the condition that an official permit therefor be first obtained.

(1) Anacostia Park west of Eleventh Street.

(2) Polo Field.

(3) Banneker Recreation Center, north side.

(4) Monument Grounds, Sylvan Theater.

(5) Water Gate.

(6) Bunker Hill Amphitheater.

(b) *Application for permits.* Any application for a permit authorizing the holding of a meeting or other function within the areas covered by this section shall set forth the names of proposed speakers and the nature of all proposed speeches. This information shall be submitted sufficiently in advance of the date of the proposed meeting or function to allow persons desiring to reply to such speeches sufficient opportunity to apply for equal facilities. All such applications shall be available to public inspection. Persons or organizations wishing to present views in opposition to those scheduled for presentation under pending application shall be entitled to preference in applying for permission to use the same facilities immediately following or immediately preceding the meeting or function for which the original application was made.

(c) *Permit may be refused if there is a prior application.* The Superintendent may refuse to grant a permit for the above-named places only if a prior application for use of the same place at the same time has been made and such prior application has been or will be granted. In applying for such permit the applicant shall comply with the provisions of paragraph (b) of this section and shall specify the time and place desired.

### § 3.21 Public meetings may be held subject to permit in any park area; exceptions.

Public meetings and assemblies may be held and speeches and the expressions of views publicly may be made in any park area other than the areas described in §§ 3.19, 3.20 and 3.22 subject to the condition that an official permit therefor



be first obtained. The Superintendent shall forthwith issue a permit for such a place unless a prior application for the same time and place has been made which has been or will be granted, or unless, in his judgment, the permit should be refused because of traffic conditions, or because the particular use to which the area is primarily devoted makes its use for public gatherings contrary to the comfort, convenience and interest of the general public. In applying for such permit, the applicant shall comply with the provisions of § 3.20 (b) and shall specify the time and place desired.

### § 3.22 Areas in which parades and public gatherings are prohibited.

Parades, public gatherings of any kind, and the making of speeches are prohibited in the following places because of traffic conditions, or because the particular purpose to which the area is primarily devoted makes its use for public gatherings contrary to the comfort, convenience and interest of the general public:

- (a) Lafayette Park.
- (b) Sherman Square.
- (c) United States Reservation 617, Fifteenth Street and Pennsylvania Avenue NW.
- (d) Farragut Park.
- (e) Rawlings Park.
- (f) Mount Vernon Park.
- (g) Stanton Park.
- (h) The paved area in the Mall near Second Street.
- (i) State Place.
- (j) West and South Executive Avenues.
- (k) Franklin Park.

### § 3.22a Policy governing the issuance of permits for public meetings.

(a) In passing upon requests for permits to speak or meet in such park areas, it is expected that the Superintendent will adhere to established departmental policy to exclude absolutely from his consideration any agreement or disagreement with the political or economic views of the proposed speaker. Permits should not be granted, however, in the case of any assemblage which will bring clear and present danger of strife, riot or disorder or which will violate the criminal laws relating to sedition, lewdness or other matters prohibited by law.

(b) For political meetings, the National Capital Parks will furnish no services or facilities beyond those existing on the site, except that the sponsors of the meeting may provide additional services and facilities at their own expense, subject to approval by the Superintendent. The same policy will apply with respect to entertainment programs and to patriotic and civic meetings for which an admission fee is charged or at which funds will be solicited or collected.

(c) In the case of civic and patriotic assemblages, and athletic and entertainment programs which are presented as a public service, where no admission is charged and no funds will be solicited or collected, the National Capital Parks office may, within the limits of appropriations, furnish necessary platforms,

chairs, music stands, lighting and other equipment as are available and the services of operational employees. At such ceremonial gatherings or events of community interest as the annual Independence Day Celebration at the Monument Grounds, the President's Cup Regatta, and the Cherry Blossom Festival, the National Capital Parks may, despite the fact that charges are made by participating organizations for seats or admission, furnish services and such available equipment as will not in turn be rented to those who attend the affair.

### § 3.23 Soliciting, advertising, sales.

(a) *Soliciting.* (1) Soliciting of alms and contributions for private gain and of patronage by guides or other persons in park areas is prohibited.

(2) Commercial soliciting of any kind in park areas without an official permit is prohibited.

(b) *Advertising and taking of photographs.* (1) The display or distribution of any form of commercial advertising is prohibited in park areas, except when authorized by official permit in connection with park activities.

(2) No photograph which may include a public monument or memorial shall be taken of any commercial vehicle or bus in a park area without an official permit.

(3) The photographing in park areas of models demonstrating wearing apparel or other commercial articles, for reproduction in commercial advertising, without an official permit, is prohibited.

(4) No photographs shall be taken within any military reservation except by holders of official permits and those persons having special permission of the officer in charge.

(c) *Sales.* No sales shall be made nor admission fee charged, and no article shall be exposed for sale in a park area without an official permit.

### § 3.24 Nuisances; disorderly conduct.

Committing a nuisance of any kind or engaging in disorderly conduct within an area covered by this part is prohibited. The following shall include, but shall not be construed to limit acts committed in areas covered by this part which constitute disorderly and unlawful conduct:

(a) *Wrestling.* Scuffling and wrestling in the vicinity of other persons.

(b) *Throwing of breakable articles.* Intentional throwing, dropping or causing to be thrown or dropped, any breakable article such as glass, pottery, or any sharp article which may cause injury to the person or property of others, upon any road, path, walk, parking lot or lawn area in any area covered by this part.

(c) *Throwing of stones.* Throwing stones or other missiles.

(d) *Throwing or dropping objects from Washington Monument.* Throwing or dropping any object from the windows at the top of the Washington Monument, or from the staircase or landings of the Monument, unless authorized by the Superintendent.

(e) *Rubbish.* Throwing or leaving paper, fruit skins or other rubbish anywhere in areas covered by this part except in receptacles officially provided for the purpose, or placing refuse therein

brought from private property in the vicinity.

(f) *Spitting.* Spitting upon walks or paths.

(g) *Fireworks.* Discharging or setting off fireworks, firearms or other explosives in areas covered by this part: *Provided,* That upon holidays or on special occasions the Superintendent may permit at his discretion, use of such grounds in park areas as he may deem best suited for the purpose of fireworks display and the firing of salutes.

(h) *Unauthorized bathing.* Bathing, swimming or wading in any fountain or pool except where officially authorized. Bathing, swimming, or wading in the Tidal Basin, the Chesapeake and Ohio Canal, or Rock Creek, or entering from areas covered by this part the Potomac River, Anacostia River, Washington Channel or Georgetown Channel, except for the purpose of saving a drowning person.

(i) *Dangerous weapons.* Carrying or possessing, while in any area covered by this part, a gun, air-gun, sling, dart, projectile thrower, knife with blade exceeding three (3") inches in length, or other dangerous instrument or weapon; except that the prohibition with regard to the possession and carrying of bows, arrows, and firearms shall not apply to the Chesapeake and Ohio Canal lands above Swain's Lock in the State of Maryland, when such bows are unstrung, the arrows in quivers, and such firearms are unloaded or broken or uncased and the party or parties in possession thereof are crossing canal property to gain access to legal shooting areas on private properties by the most direct and shortest route: *Provided,* That nothing in this paragraph shall be construed as to prevent the drill or activities of any organized military or semi-military body under an official permit.

### § 3.25 Indecency, immorality, profanity.

(a) *Indecent exposure.* Obscene or indecent exposure by any male or female of his or her person or their persons, in a street, road, park, or other space or enclosure, or automobile, dwelling or other building within any area covered by this part wherefrom the same may be seen in any street, avenue, alley, road, or highway, open space, public square, or private building or enclosure is prohibited.

(b) *Urinating or defecating.* Urinating or defecating in any area covered by this part other than the places officially provided therefor is prohibited.

(c) *Adultery and fornication.* Adultery and sexual intercourse with or between unmarried persons in any area covered by this part is prohibited.

(d) *Nuisances; soliciting for immoral purposes.* Addressing, soliciting or attempting to make the acquaintance of another person for immoral or indecent purposes is prohibited in any area covered by this part.

(e) *Profanity.* The use of profane and indecent language within hearing of another person or persons in any area covered by this part is prohibited.

(f) *Other obscene and indecent acts.* The committing of any other obscene or



indecent act in any area covered by this part is prohibited.

### § 3.26 Loitering, camping, vagrancy.

(a) *Park benches.* Lying on park benches is prohibited.

(b) *Loitering with intent to remain more than four hours.* Sleeping, loitering or camping, with intent to remain for a period of more than four hours in any park area, is prohibited, except upon proper authorization of the Superintendent.

(c) *Vagrancy.* Habitually using any park area as a place of abode, sleeping therein, loafing therein by day and night by persons having no lawful employment and no lawful means of support realized from a lawful occupation or source and unable to establish the fact of residence elsewhere, is prohibited.

### § 3.27 Use of liquors; intoxication.

(a) *Drinking in areas covered by this part.* The drinking of beer, wine, or spirituous liquors within areas covered by this part in the District of Columbia, Maryland, and Virginia is prohibited, except with the written permission of the Superintendent.

(b) *Intoxication.* Entering or remaining in an area covered by this part in a visibly intoxicated condition is prohibited.

(c) *Driving motor vehicle while intoxicated.* No person who is under the influence of intoxicating liquor or narcotic drugs shall operate or drive a motor vehicle of any kind in any area covered by this part.

### § 3.28 Laws and regulations applicable to traffic control; enforcement.

(a) *District of Columbia, Maryland and Virginia laws and regulations.* The laws and regulations relating to traffic control promulgated for the District of Columbia and the laws of Maryland and Virginia, respectively, as adopted by the act of June 25, 1948 (62 Stat. 686; Title 18 U. S. C. Supp. II, sec. 13), shall constitute the traffic and motor vehicle regulations enforceable under the act of March 17, 1943 (62 Stat. 81), in all areas covered by this part within their respective geographical limits unless otherwise provided for by act of Congress or the regulations contained in this part: *Provided,* That the traffic regulations adopted by the local governing bodies pursuant to the provisions of the laws of Maryland and Virginia delegating authority to the local governing bodies to adopt such traffic regulations shall not apply; *And provided, further,* That the head of the agency having jurisdiction over the area may fix the speed limits which shall be indicated by signs, markers, and other devices to be erected and maintained by said agency and may fix the weight limits and control the parking of vehicles in such area.

(b) *Enforcement of traffic regulations.* All traffic regulations applicable in areas covered by this part shall be observed by the operators of vehicles, equestrians, and by pedestrians who shall also comply with official traffic signs and signals, and traffic direction by voice, hand or whistle, from any member of the United States Park Police, Metropolitan Police

or special policemen, properly equipped with police badge on duty in an area covered by this part. These directions may include signals for slowing down, stopping, backing, approaching or departing from any place, the manner of taking up or setting down passengers, and the loading and unloading of any material.

(c) *Special regulations governing parades and other ceremonies in park areas.* On the days of parades, ceremonies, celebrations and entertainments in park areas, special regulations as to parking vehicles and the positions and movements of spectators shall be promulgated by the Superintendent. All persons within the area of such special regulations shall obey or comply with the lawful orders of the park police or other authorized persons engaged in maintaining order.

(d) *Checking on speed by use of electronic device.* The speed of any motor vehicle may be checked on any public highway in a park area in the States of Maryland and Virginia by the use of radiomicrowaves or other electrical device when such highway on which such device is used is clearly marked within four miles of such device and at State lines and at primary streets and highways by the posting of signs indicating radar control, when marked "Speed checked by radar."

### § 3.29 Obstructing entrances, exits, sidewalks.

(a) Assembling, loitering and congregating singly or in groups, in or about the entrances and exits to the various areas covered by this part, or within areas covered by this part, in such a way as to hinder or obstruct the sidewalks, roads, bridges, or bridlepaths, is prohibited.

(b) Congregating or loitering in or about any comfort station or other public structure in any area covered by this part in such a manner as to obstruct the proper use thereof, or to the annoyance of the people using or visiting such structures, is prohibited.

(c) Occupying, parking, stopping or leaving a bicycle, coaster wagon, perambulator, or other similar vehicle in any area covered by this part, on any sidewalk, bridge, road, footpath, or bridle path, in such position as to hinder or obstruct the proper use of the same is prohibited.

### § 3.30 Speed restrictions.

(a) *District of Columbia.* No specific speed limits shall apply to the highways in park areas in the District of Columbia, unless a speed limit is prescribed for a particular road, or section of roadway, by the posting of official signs.

(b) *Maryland and Virginia.* The speed limits prescribed by the States of Maryland and Virginia shall constitute the speed restrictions on highways in areas covered by this part within their respective geographical limits, unless a lesser speed limit is prescribed for a particular road, or section of road, by the posting of official signs.

### § 3.31 Reckless driving; prohibited operations.

Persons operating motor vehicles within areas covered by this part shall drive

in a safe manner. The following are prohibited:

(a) Driving carelessly and heedlessly in willful or wanton disregard of the rights or safety of others, or without due caution and circumspection and at a speed or in a manner so as to endanger or be likely to endanger any person or property.

(b) Failing to keep any vehicle under proper control.

(c) Operating any vehicle in such a manner as to cause same to collide with another vehicle, person, fixed or moving object.

(d) Driving on wrong side of street or road.

(e) Following another vehicle too closely to permit clear vision of road ahead or sufficient distance in which to stop within the assured clear distance ahead.

(f) Operating a motor vehicle in grossly unsafe mechanical condition.

(g) Operating a closed passenger-carrying vehicle with side shades or curtains drawn more than half way, except when going to or returning from a funeral or when necessary as protection from the elements.

(h) Operating a motor vehicle when the rear windows are cracked, scarred, clouded or otherwise obscured or defective so as substantially to obstruct vision.

(i) Operating a motor vehicle when either or both identification tags thereon are obscured by snow, mud or other matter.

(j) Changing from one lane of traffic to another without proper and timely signal and due regard to the traffic on the roadway. Every person operating a motor vehicle shall stay within one lane of traffic as much as possible, that lane to be the one nearest the right edge of the road; and he shall determine in advance, before changing from the lane in which he is driving, that the condition of traffic is such as to make it safe to change. He shall furthermore have the duty of giving a timely signal before changing from one lane to the other.

(k) Making or executing a left turn with any motor vehicle from any one-way road in an area covered by this part from any lane other than that nearest the left curb or edge of the roadway.

(l) Operating or driving or stopping a motor vehicle on any footpath, bridlepath, towpath, walk, sidewalk, footbridge, horsebridge, or lawn area within an area covered by this part.

CROSS REFERENCE: For driving vehicle while intoxicated, see § 3.27 (c).

### § 3.32 Parking restrictions; impounding of vehicles.

(a) *General provisions—(1) Undesignated spaces.* Driving over or parking on an area covered by this part other than a road, street or a designated parking space, whether such is grassed or not, is prohibited.

(2) *Official signs.* Stopping, standing or parking in any area covered by this part contrary to the direction of official signs, is prohibited.

(3) *Night parking.* Parking of vehicles between dark and daylight in an area covered by this part where no lighting equipment is installed, is prohibited.



(4) *Screened windows.* Stopping or parking motor vehicles upon any road in any area covered by this part, by day or by night, with windows screened or curtains drawn so as to obscure or conceal the interior of the vehicle, is prohibited.

(5) *Constitution Avenue and Nineteenth Street.* Between the hours of 4 p. m. and 6 p. m. on any day, except Sundays and legal holidays, no driver of a vehicle shall stop, stand, or park to take on or discharge a passenger or passengers, on the south side of Constitution Avenue Northwest, between the east curb line of Nineteenth Street and a point 100 feet in an easterly direction.

(6) *Parades.* Parking on roads in a park area through which a parade will pass two hours prior to the moving of such parade is prohibited. The placing of an official sign by the park police on a park road or in a parking zone by 7 a. m. on the day a parade is to take place, informing the public of the time to vacate the park road or parking zone shall be sufficient notice; and if the owner or person in charge of any vehicle shall fail and neglect to remove such vehicle before or by the time specified on the sign, he shall be subject to prosecution.

(7) *Gutters.* Driving or parking in gutters in areas covered by this part where no curb exists, is prohibited.

(8) *Trees and shrubs.* Parking in any area covered by this part which involves contact with any tree, shrub or plant, or with its exposed roots, is prohibited.

(b) *Parking on public ground within District of Columbia; penalty.* No vehicle of any kind shall be parked, stored, or left, whether attended or not, on any park area in the District of Columbia, other than public highways and designated public parking spaces, except when authorized by official permit. Any person violating the provisions of this paragraph, shall, upon conviction thereof, be punished by a fine of not more than \$25.

(c) *Impounding of illegally parked vehicles.* Any unattended vehicle parked in any area covered by this part in violation of any traffic law or regulation, except overtime parking, may, in the discretion of the park police, be removed and impounded until the owner thereof, or other duly authorized person, shall deposit collateral for his appearance in court.

CROSS REFERENCE: For place of trial, see § 3.6.

### § 3.33 Traffic signs.

Drivers of all vehicles shall comply with the directions of all official traffic signs posted in areas covered by this part.

### § 3.34 Washing of cars prohibited.

Washing, cleaning, lubricating, repairing or performing any mechanical work upon vehicles within park areas is prohibited, except in case of emergency.

### § 3.35 Commercial vehicles and common carriers.

(a) *Operation in park areas prohibited; exceptions.* Commercial vehicles and common carriers, loaded or unloaded, are prohibited on park roads and bridges except on roads designated by

order of the Superintendent, or when authorized by official permit in an emergency, or when operated in compliance with paragraphs (b), (c) or (d) of this section.

(b) *George Washington Memorial Parkway; passenger-carrying vehicles; permits; fees.* (1) Excepting taxicabs licensed in the District of Columbia, Maryland or Virginia, all persons operating passenger-carrying vehicles for hire or compensation upon any portion of the George Washington Memorial Parkway between the south end of Key Bridge and Mount Vernon must procure a permit, issued on an annual basis, effective from April 1 until the following March 31, at the rate of \$3 for each passenger-carrying seat in every vehicle so operated.

(2) A quarterly permit may be procured for a fee of 75 cents for each passenger-carrying seat in such vehicle. A quarterly permit may be effective for quarterly increments.

(3) Permits for operation of any such vehicle on the parkway for a single day may be procured at the rate of \$1 per vehicle per day.

(c) *Commercial trucks.* The use of any park road by commercial trucks when such trucking is in no way connected with the operation of the park system is prohibited, except that in special cases trucking permits may be issued at the discretion of the Superintendent for which a special fee of from \$1 to \$10 based on the size of the truck and the distance traveled on park roads, will be charged.

(d) *Taxicabs—(1) Operations around memorials.* Parking, except in officially designated taxicab stands, or cruising on the access roads to the Washington Monument, the Lincoln Memorial, the Jefferson Memorial, and the circular roads around the same, of any taxicab or hack without passengers is prohibited. However, this section shall not be construed to prohibit the operation of empty cabs responding to definite calls for hack service by passengers waiting at such Memorials, or of empty cabs which have just discharged passengers at the entrances of the Memorials, when such operation is incidental to the empty cabs leaving the area by the shortest route.

(2) *Stands.* Taxicab stands to serve the public convenience may be established by order of the Superintendent in suitable and convenient places.

(e) The provisions of this section prohibiting commercial trucks shall not apply within "other Federal reservations", in the environs of the District of Columbia, as defined in § 3.4 (b), and shall not apply on that portion of Suitland Parkway between the intersection with Maryland Route 337 and the end of the Parkway at Maryland Route 4, a length of 0.6 mile.

### § 3.36 Vehicles; weight and tread restrictions.

(a) *Maximum weight.* No vehicle, the weight of which including load, exceeds the officially posted weight limit appearing at or on the bridge, shall cross any bridge in any area covered by this part unless authorized by an official permit.

(b) *Permissible solid tires.* (1) No vehicle equipped with solid rubber tires shall be driven or moved over any road in any area covered by this part unless the entire traction surface of the tire is at least 1 inch thick above the edge of the flange for the entire periphery of the tire.

(2) No vehicle equipped with steel tires, loaded or unloaded, shall be driven or moved over any road in any area covered by this part if the total gross weight is in excess of 6,000 pounds.

(c) *Prohibited treads.* There shall not be operated or moved upon any road in any area covered by this part, except by hauling on an approved type of conveyance, any vehicle of any kind the face of the wheels, or tracks of which are fitted with flanges, ribs, clamps, cleats, lugs, spikes or any device which may tend to injure the roadway. This prohibition applies to all rings or flanges upon guiding or steering wheels on any such vehicle but it shall not be construed as preventing the use of ordinary detached tire or skid chains.

### § 3.37 Tampering with vehicles prohibited.

Tampering with or attempting to enter or start any motor vehicle parked in any area covered by this part, without authority from the owner of such vehicle, is prohibited.

### § 3.38 Prevention of smoke.

The engine and power mechanism of every motor vehicle shall be so equipped and adjusted as to prevent the escape of excessive fumes or smoke.

### § 3.39 Bicycling, roller skating and coasting restrictions.

(a) *Bicycling.* Bicycle riding, except upon the roads or other areas designated by order of the Superintendent to be used for that purpose, is prohibited. Walking, driving, or riding bicycles or motorcycles on bridgepaths, is prohibited.

(b) *Roller skating.* Roller skating, except upon areas designated by order of the Superintendent to be used for that purpose, is prohibited.

(c) *Coasting.* The operation of sleds, sleighs, scooters, coaster wagons, or similar vehicles by children or adults on any road, walk, bridge, path, or lawn area, other than those places designated by order of the Superintendent to be used for such purposes, is prohibited.

(d) The provisions of this section shall not apply within "other Federal reservations", as defined in § 3.4 (b).

CROSS REFERENCE: For regulations with respect to parking, stopping, or leaving of any vehicle, such as a bicycle or coaster wagon, on any sidewalk or other public thoroughfare, see § 3.29 (c).

### § 3.40 Boating.

No privately owned boat, canoe, raft, or other floating craft shall be placed or operated upon the waters of any area covered by this part without an official permit. Such permit will be revoked upon the failure of the permittee to comply with the terms and conditions of the permit and the permittee will be required to immediately remove his craft from the area. The provisions of this section



shall not apply to the operation of canoes and other hand-propelled boats in the waters of the Chesapeake and Ohio Canal.

#### § 3.41 Collection of scientific specimens.

Collection of natural objects for scientific or educational purposes shall be permitted only in accordance with an official permit. No permits will be issued to individuals or associations to collect specimens for personal use, but only to persons officially representing reputable scientific or educational institutions in procuring specimens for research, group study, or museum display. Permits will be issued only on condition that the specimens taken will become part of a permanent public museum or herbarium collection, or will in some suitable way be made permanently available to the public. No permits may be granted for the collection of specimens the removal of which would disturb the remaining natural features or mar their appearance. Permits to secure rare natural objects will be granted by the Director only upon proof of special need for scientific use and of the fact that such objects cannot be secured elsewhere; *Provided, however*, That the provisions of this section shall not apply within "other Federal reservations", as defined in § 3.4 (b).

#### § 3.42 Lost and found articles.

Lost articles which are found in areas covered by this part shall be returned immediately to the official in charge of the area where the article is discovered. Proper records shall be kept at Park Police Headquarters of the receipt and disposition of articles turned over to the official in charge of other than park areas as well as the disposition of articles found on park areas. If the article or money found on park areas and turned in to Park Police Headquarters is not claimed by the owner within a period of 90 days, it shall be returned to the finder and appropriate receipt obtained.

#### § 3.43 Photographing; restrictions.

(a) *Frivolous and undignified posing.* Photographing of persons posing in a frivolous or undignified manner within, upon, or by, any National Memorial, is prohibited.

(b) *Use of tripod or other devices.* The use of a tripod or other device for the support of the camera or other instrument on the floors or steps of any memorial, or other park structure, is prohibited, unless the tripod or device is equipped in such a manner as will prevent scratching or other damage.

(c) *Motion or sound pictures.* Before any motion or sound pictures may be filmed in any park area except by amateurs and bona fide newsreel photographers, authority must first be obtained in writing from the Superintendent, which authority will be granted in the discretion of the Superintendent in accordance with the provisions of 43 CFR Part 5.

CROSS REFERENCE: For use of pictures taken in park areas for commercial advertising, see § 3.23 (b) (2) and (3).

#### § 3.44 Fees; admission, elevator service.

(a) *Admission fees.* An admission fee shall be charged each person entering

the following places, except children 18 years of age or under:

Lee Mansion in Arlington National Cemetery.....	\$0.25
Lincoln Museum.....	.10
House Where Lincoln Died.....	.10

(b) *Elevator service fee.* A fee of 10 cents shall be charged each person using the elevator in the Washington Monument, except children 18 years of age or under.

#### § 3.45 Discrimination in furnishing public accommodations and in using park areas.

The operator of any public facility or accommodation in a park area and its employees, including the District of Columbia Recreation Board and its personnel, while using park areas are prohibited from (a) publicizing the facilities, accommodations or any activity conducted therein in any manner that would directly or inferentially reflect upon or question the acceptability of any person or persons because of race, creed, color, or national origin; and (b) discriminating by segregation or otherwise against any person or persons because of race, creed, color, or national origin by refusing to furnish such person or persons any accommodation, facility, service, or privilege offered to or enjoyed by the general public.

#### § 3.46 Installation permits.

(a) *Permit required.* No facility, utility, works, building, or other installation may be installed or maintained in a park area without an official permit designated as an "installation permit".

(b) *Application and permit.* (1) Application for "installation permit" shall be made in the form prescribed by the Superintendent of National Capital Parks.

(2) "Installation permits" may be issued by the Superintendent of National Capital Parks and shall be subject to the payment of such fees and such conditions of location, relocation, removal, maintenance, restoration, design, materials, method of construction, time, expiration, termination, and other requirements as may be prescribed in the permit or by regulations of the Secretary of the Interior and instructions issued thereunder. The Superintendent may require a cash or surety bond acceptable to him in such amount as he deems adequate to insure full compliance with the conditions of the installation permit.

(3) All permittees must comply with all Federal and applicable local laws and all regulations of the Secretary of the Interior relating to park areas.

(4) An "installation permit" may be revoked and the removal of the installation required by the Superintendent of National Capital Parks, with the approval of the Director of the National Park Service or the Secretary of the Interior, by mailing to the permittee written notice to that effect at least 30 days prior to the effective date of the revocation of the permit.

(c) *Appeals from administrative action.* Appeals from action relating to "installation permits" issued pursuant to paragraph (b) of this section may be taken from any administrative action by

filing with the Superintendent a written request for reconsideration thereof or notice of appeal. Administrative action of the Superintendent shall be final unless an appeal is taken therefrom within 30 days by filing with the Superintendent a written notice of appeal and a statement setting forth in detail the reasons why the administrative action taken by the Superintendent is contrary to or in conflict with the facts, the law, or the regulations of the Secretary. Upon receipt of such a statement the Superintendent shall submit a statement reviewing the case and presenting the facts and considerations upon which his action is based. The two statements together with all papers comprising the record in the case shall then be transmitted to the Director who shall review the case and will thereupon refer the case with his recommendations to the Secretary for a final decision. The Secretary will thereupon consider the case and recommendations from the Director and advise both the appellant and the Superintendent of his decision.

#### § 3.47 Making false reports to the United States Park Police.

Any person who shall make or cause to be made to the United States Park Police or to any officer or member thereof, a false or fictitious report of the commission of any criminal offense within any area administered by the Office of National Capital Parks, or a false or fictitious report of any other matter or occurrence of which said United States Park Police is required to receive reports or in connection with which said United States Park Police is required to conduct an investigation, knowing such report to be false or fictitious, or shall communicate or cause to be communicated to the said United States Park Police or any officer or member thereof any false information concerning the commission of any criminal offense within any area administered by the Office of National Capital Parks, or concerning any other matter or occurrence of which said United States Park Police is required to receive reports, or in connection with which said United States Park Police is required to conduct an investigation, knowing such information to be false, shall be punished as provided in § 3.5.

#### § 3.101 Schedule of minimum collateral (General Order No. 68).

(a) Hereafter persons arrested and taken to the Metropolitan Police Precincts for violation of certain regulations promulgated for the protection of the Park System of the District of Columbia, as set forth on the Schedule of Minimum Collateral attached hereto, will be handled as follows:

(1) The determination of whether the individual arrested should be permitted to deposit collateral or whether the collateral to be deposited should be required in an amount greater than the minimum provided in the Schedule of Minimum Collateral, will rest with the determination of the arresting officer. In no event may the arresting officer recommend a lesser amount of collateral than the minimum as set forth on the attached schedule.



(2) Experience since 1938 has clearly demonstrated that permitting the forfeiture of collateral for minor offenses has eliminated the necessity for the police force to appear in court, if the person arrested elects to forfeit. As in the past, forfeiture of collateral for violation of National Capital Parks Regulations will be handled in a manner similar to forfeiture of collateral for violation of certain Metropolitan Police regulations.

(3) Whenever a U. S. Park Policeman makes an arrest for an offense covered by the attached schedule, he will follow up the case and notify this office of the disposition of the case as promptly as possible.

SCHEDULE OF MINIMUM COLLATERAL

A schedule of minimum collateral to be accepted for violations of certain regulations promulgated for the protection of the park system of the District of Columbia, in accordance with the provisions of the act of Congress, approved July 1, 1898 (30 Stat. 570), as amended:

Violations	N. C. P. regulations	Collateral
Animals, domestic or wild:		
Unleashed dogs or wild:	3.11 (a)	\$5.00
Unleashed dogs or cats:	3.11 (b)	2.00
Permitting dogs or cats to commit a nuisance on playgrounds, trees, shrubs, plants, lawns, sidewalks, footpaths, or in flower beds, buildings, or in any other park area, except in park roadways.	3.11 (c)	2.00
Horses: Leaving unbridled and unattended.	3.12 (a)	2.00
Horses: Riding, driving, or leading without reins in hand.	3.12 (b)	2.00
Horses: Riding of more than two abreast.	3.12 (c)	2.00
Horses: Allowing to move over lawn areas.	3.12 (d)	2.00
Horses: Fast or reckless riding or driving and failure to bring to a walk or slow trot before passing pedestrians.	3.12 (e)	2.00
Hitch, tie, or fasten any horse or animal to any public lamp post or appurtenance thereof.	3.8 (a)	2.00
Hitch, tie, or fasten any horse or animal to, or within reach of, any tree, shrub, plant, tree-box or tree guard.	3.12 (b)	2.00
Grazing or permitting the running loose of animals except with official permission.	3.13	5.00
Hunting, trapping, catching, killing, pursuing, or needlessly disturbing any birds, water-fowl or wild animal except upon proper authorization.	3.18 (a)	5.00
Athletics:		
Playing of baseball, football, tennis, golf, or other set games, except upon grounds provided under official permit.	3.15 (a)	2.00
Playing on grounds wet or otherwise unsuitable for play without damage to turf.	3.15 (b)	2.00
Unauthorized use of golf or tennis facilities where fee has been prescribed.	3.15 (c)	2.00
Archery: Use of bows and arrows except in park areas designated by order of the Superintendent.	3.15 (d)	2.00
Ice Skating: Fast and reckless skating, failing to abide by directions of the Park Police.	3.15 (e)	2.00
Bicycles: Riding except upon the roads or designated areas.	3.15 (f)	2.00
Boating: Permitting privately owned boat, canoe, raft, or floating craft to be operated upon waters in park area without official permission.	3.39 (a)	2.00
Camping: Camping, loitering, or sleeping with intent to remain more than 4 hours except upon proper authorization of the Superintendent.	3.40	2.00
Lying upon park benches.	3.26 (b)	5.00
Comfort stations (revised Aug. 19, 1945):		
Loiter in.....	3.26 (a)	5.00
Improper use of.....	3.26 (b)	5.00
Interfere with attendant.....	3.26 (c)	5.00
Destruction of property therein.....	3.26 (d)	10.00
Commercial activities:		
Soliciting of fares and contributions for private gain.....	3.23 (a)	5.00
Soliciting of fares by guides or other persons.....	3.23 (b)	5.00
Display or distribution of any form of commercial advertising without permission.....	3.23 (c-1)	2.00
Photographing a public monument or memorial that includes any commercial vehicle or bus, without permission.....	3.23 (b-2)	2.00
Photographing models demonstrating wearing apparel or other commercial articles, without permission.....	3.23 (b-3)	2.00
Selling, exposing article for sale, or charging admission fee, without permission.....	3.23 (b-3)	2.00

Violations	N. C. P. regulations	Collateral
Fishing:		
Fishing in fountain basins and ornamental pools.....	3.18 (b)	\$2.00
Fishing from the banks of the Potomac River, Anacostia River, Rock Creek, Washington Channel, Chesapeake and Ohio Canal or other waters within park areas where such banks have been posted with official signs prohibiting fishing.....	3.18 (c)	2.00
Unlicensed fishing where license is required by State laws.....	3.18 (d)	2.00
Fishing the Tidal Basin between Mar. 31 and May 30.....	3.17	5.00
Gambling: Participating in games for money or property, or the operating of gambling devices for merchandise or otherwise.....		
Indecency, immorality, profanity:		
Committing obscene or indecent acts.....	3.25	*25.00
Urinating or defecating in any place other than the places officially provided therefor.....	3.25 (a)	5.00
Committing adultery or fornication in park areas.....	3.25 (b)	5.00
Addressing, soliciting or attempting to make the acquaintance of another person for immoral or indecent purposes.....	3.25 (c)	*25.00
Using profane or indecent language.....	3.25 (d)	5.00
Lamps and lampposts:		
Breaking any lantern, glass, frame, street designation or fixture on public land.....	3.8 (a)	5.00
Remove, extinguish or obstruct the light in any public lamp.....	3.8 (b)	5.00
Climbing upon, damaging, attaching guy line or sign, defacing or pulling material against a public lamppost.....	3.8 (c)	5.00
Liquors, use of: Drinking beer, wine or spirituous liquors except at places licensed for the sale thereof.....	3.27 (a)	5.00
Meetings and demonstrations:		
Holding of parades or public gatherings without permission except in designated park areas.....	3.19 (a)	10.00
Holding public meetings and assemblies in available park areas, without permission.....	3.20 (a)	10.00
Holding parades, public gatherings of any kind and the making of speeches in restricted park areas.....	3.22	15.00
Nuisances:		
Committing a nuisance of any kind or engaging in disorderly conduct in park areas prohibited.....	3.24	5.00
Scuffling and wrestling in the vicinity of other persons.....	3.24 (a)	5.00
Intentional throwing or dropping of breakable articles.....	3.24 (b)	5.00
Throwing stones or other missiles.....	3.24 (c)	5.00
Throwing or dropping any object from windows at the top of Washington Monument or from staircase landings.....	3.24 (d)	5.00
Throwing or leaving paper, fruit skins, or other rubbish except in receptacles officially provided for same.....	3.24 (e)	2.00
Placing refuse from private property in officially provided receptacles for park refuse.....	3.24 (f)	5.00
Spitting upon sidewalks or paths.....	3.24 (g)	2.00
Discharging fireworks, firearms or other explosives without official permission.....	3.24 (h)	5.00
Bathing, swimming or wading in any fountain or pool except where officially authorized.....	3.24 (i)	2.00
Carrying or possessing, while in any park area, a gun, air gun, sling, dart, projectile thrower, knife with blade exceeding 3 inches, or other dangerous weapon.....	3.24 (j)	5.00
Obstructing entrances, exits, sidewalks: Occupying roads, highways, bridges, walks, footpaths, or bridge paths in such a manner as to hinder or obstruct their proper use.....	3.29 (a-e)	5.00
Photographing other than commercial: Restrictions:		
Photographing of persons posing in a frivolous or undignified manner within, upon, or by, any National Memorial.....	3.43 (a)	5.00
Using tripod or other device for the support of camera or other instrument on the floors or steps of any memorial unless equipped to prevent scratching or other damage.....	3.43 (b)	5.00
Making motion or sound pictures without permission, excepting amateurs and bona fide newsreel photographers.....	3.43 (c)	5.00
Picnics:		
Preventing holders of official permits from occupying groves on dates and between hours specified.....	3.14 (a)	2.00
Building fires in areas other than established fireplaces, without permission.....	3.14 (b)	2.00
Leaving garbage and refuse in park areas other than receptacles provided for same.....	3.14 (c)	2.00
Public property:		
Climbing upon or injuring any monument or structure.....	3.7 (a)	*5.00
Interfering with water system.....	3.7 (b)	*5.00
Removing of lifebuoys except for the purpose of aiding persons in the water.....	3.7 (c)	*2.00
Injuring trees, shrubs, plants, or flowers.....	3.7 (d-e)	2.00
Repeating, tampering with or damaging any official or public sign.....	3.7 (f)	*2.00
Drumming without authority.....	3.7 (g)	*2.00
Storing material without authority.....	3.7 (h)	10.00
Enclose any park area or erect any fence, wall, or build any road, trail, bridge or other structure, without authority.....	3.7 (i)	10.00
Pour or cause to spill on park area, any gas, salt, acid or other deleterious substance, without authority.....	3.7 (j)	*10.00
Remove or damaging Government property.....	3.7 (k)	*5.00
Roller skating and coasting.....	3.39 (b)	2.00
Roller skating except in designated areas.....	3.39 (c)	2.00
Operating sleds, sleighs, scooters, coaster wagons or similar vehicles except in designated areas.....	3.39 (c)	3.00
Scientific specimens, collection of: Collecting of natural objects without permission.....	3.41	



Violations	N. O. P. regulations	Collateral
<b>Traffic and motor vehicles:</b>		
Cleaning or repairing except in cases of emergency.	3.34	\$2.00
Driving or parking in gutters where no curb exists.	3.32 (a-7)	2.00
Driving or parking on any footpath, bridge, towpath, walk, sidewalk, footbridge, horsebridge or lawn area.	3.31 (l)	2.00
Driving over or parking on park area other than road, street, or designated parking space, whether such is grassed or not.	3.32 (a-1)	2.00
Left turn from one-way road, from any lane other than lane nearest left curb or edge of roadway.	3.31 (k)	5.00
Operation of passenger-carrying vehicles with curtains drawn more than halfway down, except for funerals or protection from the elements.	3.30 (g)	2.00
Operating a motor vehicle when either or both identification tags thereon are obscured by snow, mud or other matter.	3.31 (l)	5.00
Operating commercial vehicles in park area without official permit.	3.35 (a-c)	5.00
Operating vehicle without adjustment to prevent excessive fumes or smoke.	3.38	5.00
Cruising taxicabs in restricted areas.	3.35 (d)	5.00
Parking at night in unlighted park areas.	3.32 (a-3)	2.00
Parking with windows screened or curtains drawn, in park areas.	3.32 (a-4)	2.00
Parking which involves contact with any tree, shrub, plant, or with its exposed roots.	3.32 (a-8)	2.00
Unauthorized parking in park area.	3.32 (b)	2.00
Tampering with or attempting to enter or start any motor vehicle without authority from the owner.	3.37	*25.00
Operating vehicles without permission across bridges when the weight, which includes load, is in excess of officially posted weight limit sign.	3.36 (a)	10.00
NOTE: Traffic violators charged with violations of the traffic regulations promulgated for the District of Columbia, and applicable to all park areas within the confines of the District of Columbia, will be required to post collateral in accordance with the official list of minimum collateral requirements for such violations.		
<b>Trees, shrubs, plants:</b>		
Removing or injuring trees, shrubs, plants, grass and other vegetation.	3.10 (a)	*5.00
Hitch, tie, fasten, nail, anchor, screw, or otherwise attach any wire, cable, chain, rope, cord, sign, poster advertisement, notice, handbill, board or other article to any tree, shrub, or plant, without permission.	3.10 (c)	2.00
Vagrancy: Sleeping, loafing, in park areas by day and night by persons having no lawful employment and no lawful means of support realized from a lawful occupation and unable to establish residence.	3.26 (e)	10.00

NOTE 1: Where the specified cash collateral is \$25 or more, the amount of bond in lieu of said cash collateral shall be \$1.00.

NOTE 2: Attention is directed to the fact that the foregoing amounts represent only "minimum" collateral. This amount may be increased depending on the seriousness of the violation, this is particularly true in cases of violations preceded by the (\*) asterisk.

## PART 5—NATIONAL CEMETERY REGULATIONS

- Sec.
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**AUTHORITY:** §§ 5.1 to 5.20 issued under sec. 3, 39 Stat. 535, as amended; 16 U. S. C. 8. Interpret or apply sec. 1, 19 Stat. 99, as amended; 24 U. S. C. 278. Other statutory provisions interpreted or applied are cited to text in parentheses.

### § 5.1 Hours during which cemeteries are open.

The entrance gates of cemeteries will be kept open between the following hours:

	Open	Close
	a. m.	p. m.
January	7:00	5:00
February	7:00	5:00
March	7:00	6:00
April	7:00	7:00
May	6:00	7:30
June	6:00	7:30
July	6:00	7:30
August	6:00	7:00
September	6:00	6:00
October	7:00	5:30
November	7:00	5:00
December	7:00	5:00

### § 5.2 Visitors.

Visitors will be allowed in the cemeteries only during the hours the cemetery gates are kept open. Orderly conduct on the part of visitors will be required and they will not be permitted to throw paper or other litter on the grounds, cut, break, or injure trees, shrubs, or plants, or do anything not in keeping with the dignity and sacred character of the cemetery. Superintendents will courteously warn offenders and if they pay no attention to this warning, will order them to leave the grounds. Persons violating the regulations in this part will be ejected from the grounds if necessary, but this will only be resorted to after repeated warnings have proved of no avail. In ejecting a person from the cemetery grounds care will be taken to avoid any undue violence. The cemeteries will not be used as picnic grounds and visitors will be courteously advised to this effect.

### § 5.3 Memorial Day

The necessary steps will be taken in advance of each Memorial Day to place cemeteries in the best possible physical condition. On that day, the cemetery flag will be displayed at half-staff from sunrise until noon and at full staff from noon until sunset. All graves will be decorated with small flags for which requisition will be made on the supervising office. When Memorial Day falls on a Sunday, its celebration will be on the following day. Superintendents will offer and render assistance to patriotic organizations in carrying out their appropriate ceremonies. No organization will be granted exclusive right to hold Memorial Day services within a national cemetery, but such right will be extended equally to all organizations desiring to celebrate the day with appropriate services. At cemeteries where it

is difficult to maintain order on occasions of public gatherings such as Memorial Day, superintendents will make application to the officer having administrative jurisdiction over the cemetery for the necessary military or police protection. Such requests should be made if practicable not less than 30 days prior to the dates of such gatherings.

### § 5.4 Traffic.

(a) The use of cemetery roads as public highways for general traffic is prohibited.

(b) Pedestrians passing through a cemetery between points outside the inclosure will not be permitted to cross grave sections.

(c) The speed of automobiles and other vehicles will be limited to 15 miles per hour.

(d) Officers having administrative control of cemeteries will prescribe such rules as may be necessary for the control of sight-seeing busses and other similar large automobiles.

### § 5.5 Erection of lines for electricity, telephone, telegraph; sale of photographs.

(a) The construction or erection of poles and lines for the transmission and distribution of electric power; poles and lines for telephone and telegraph purposes, and water and sewer pipes will not be permitted without authority of the Secretary of the Interior.

(b) The sale of photographs, souvenirs, and refreshments or the taking of photographs of private monuments for commercial purposes will not be permitted without authority of the Director of the National Park Service.

### § 5.6 Who may be interred.

Under the provisions of 24 U.S.C. 281, 282, the following are entitled to burial in a national cemetery:

(a) Those dying in the service of the United States, including:

(1) *Army.* (i) Officers, warrant officers, contract surgeons, acting assistant surgeons, cadets, and enlisted men on the active list.

(ii) Retired officers, warrant officers, and enlisted men.

(iii) Officers and enlisted men of the National Guard when called or drafted into Federal service.

(iv) Officers and enlisted men of the Organized Reserves on active duty.

(v) Accepted applicants for enlistment.

(vi) Nurses.

(2) *Navy.* (i) Officers, warrant officers, cadets, and enlisted men on the active list.

(ii) Retired officers, warrant officers, and enlisted men.

(iii) Officers and enlisted men of the Naval Reserve on active duty.

(iv) Accepted applicants for enlistment.

(v) Nurses.

(3) *Marine Corps.* (i) Officers, warrant officers, and enlisted men on the active list.

(ii) Retired officers, warrant officers, and enlisted men.

(iii) Officers and enlisted men of the Marine Corps Reserve on active duty.



(iv) Accepted applicants for enlistment.

(4) *Coast Guard*. (i) Officers, cadets, and enlisted men on the active list.

(ii) Retired officers and enlisted men.

(5) *Coast and Geodetic Survey*. (i) Personnel transferred to the service and jurisdiction of the Department of the Army or Department of the Navy, by the President, and serving therewith in time of a national emergency.

(6) *Public Health Service*. (i) Officers and employees detailed by the authority of the President for duty with and serving with the Army or Navy in times of threatened or actual war.

(b) Those who served in the Federal forces of the United States either during peace or war and who die after honorable discharge from such service, including service in the:

(1) Army.

(2) Navy.

(3) Marine Corps.

(4) Coast Guard.

(5) Coast and Geodetic Survey who were transferred to and served with the Army or Navy by authority of the President.

(6) Public Health Service who were detailed for duty with and served with the Army or Navy by authority of the President.

(c) Any citizen of the United States who served in the army, or navy of any government at war with Germany or Austria, during the World War and who died while in such service or after honorable discharge therefrom.

(d) Persons dying in the District of Columbia or in the immediate vicinity thereof who have served in the Confederate armies during the Civil War may be buried in the Confederate section of Arlington National Cemetery as provided in § 5.7.

#### § 5.7 Evidence of right.

(a) For those who were not in the service of the United States at the time of death, it is a prerequisite that they shall have been honorably discharged from the service. In all cases the last service of a deceased man must have been honorable. The production of the honorable discharge of a deceased man will be sufficient authority for the superintendent of a national cemetery to permit interment. In cases where the honorable discharge can not be produced or where there is a reasonable doubt as to eligibility for interment in a national cemetery, the superintendent will telegraph to the Quartermaster General for verification of service and authorization of interment, furnishing all the information it is possible to obtain concerning the service of the decedent including his full name, organization, serial number if any, and dates of service. In the case of citizens of the United States who served in the army or navy of any government at war with Germany or Austria, the superintendent will request evidence of citizenship at time of service, correct name of decedent, rank and military organization in Army in which he served and communicate with the Director of the National Park Service by telegraph for the necessary permit for burial. Pension

certificates will not be accepted as authority upon which to authorize interment.

(b) In the case of Confederate veterans, the certificate of Camp No. 171, United Confederate Veterans of the District of Columbia that such persons are entitled to burial in Arlington National Cemetery, is required.

#### § 5.8 Interment of members of families.

(a) The wives of both officers and enlisted men may be buried with their husbands in a national cemetery. The wife may be interred prior to the death and burial of the husband provided the officer or enlisted man gives assurance that regardless of whether or not he remarries he will eventually be buried in the adjacent grave site reserved for the purpose. In those cemeteries where lots are assigned to an individual, the burial of his minor children and unmarried adult daughters (this includes daughters who have never married, widows and divorcees) is permitted under the following conditions, provided there is room in the lot:

(1) That the fact of the interment shall be entered on the records of the cemetery, but the name shall not appear on any monument on the lot.

(2) That the grave shall be marked, if so desired, at private expense, only with a footstone sunk flush with the ground, not exceeding 10 by 20 inches at the top, with a suitable identifying inscription and dates of birth and death.

(3) That the written concurrence in the above conditions by the legal next of kin be forwarded to the Director of the National Park Service.

(b) No lots or grave sites will be assigned in advance of their actual requirement for burial purposes.

#### § 5.9 Reinterments.

Lots will be assigned only for the reinterment of a veteran who is buried elsewhere. When the veteran dies, a lot will be assigned for his burial and the remains of those authorized to be buried in his lot may then be removed thereto.

#### § 5.10 Interment to be free of cost.

All work incident to interments and disinterments will be done by cemetery labor free of cost to relatives or friends. No charge will be made by superintendents or other employees in connection with such work and they are forbidden to accept any fees or tips.

#### § 5.11 Interment on Sunday.

Interments will not be made on Sunday, Memorial Day, or legal holidays at cemeteries having a receiving vault. At cemeteries having no receiving vaults interments may be made on those days only in cases of special necessity and then in the morning hours if practicable.

#### § 5.12 Disinterments.

The disinterment of remains will not be permitted without authority of the Director of the National Park Service. Applications for permission to disinter remains should be made by the nearest relative or the legal representative of the decedent to the Director of the National Park Service. When a disinterment is

made the old grave will be used as soon as practicable by making a new interment therein.

#### § 5.13 Headstones.

(a) Headstones of white marble conforming to approved specifications will be erected at the graves of officers and enlisted men if a monument is not provided by relatives or friends. They will be furnished without requisitions from data included in the monthly reports of interments. When received at the cemetery, they will be erected without delay by cemetery labor.

(b) Headstones erected at individual graves will be set on the center line at the head of the grave with the inscription facing the grave, and will be in alignment both laterally and longitudinally with the headstones at the other graves in the vicinity. All headstones will be set 24 inches above ground, unless in a section in which the headstones are only 18 inches above ground, in which case the new headstones will be set to conform with the existing headstones in the section. They will be reset and aligned when necessary, the work to be done by the regular cemetery labor.

(c) When a private monument is erected at a grave any headstone or other marker extending above the ground which may have been placed prior to the erection of the private monument, will be removed.

#### § 5.14 Monuments.

(a) *Approved designs*. The erection of monuments at private expense in lieu of regulation Government headstones is authorized in those sections wherein private monuments are authorized, as in paragraph (b) of this section; provided they are approved as to design and inscription by the Director of the National Park Service.

(b) *Application*. When erection of a private monument is desired, a full-sized drawing or blueprint showing detailed specifications as to the design of the monument, material of which it will be constructed, finish, carving, lettering, etc., and the exact inscription as it will appear on the monument must be forwarded to the Director of the National Park Service for his approval. The drawing should show in detail the kind of carving and lettering; i.e., whether V or U sunk, panelled, etc. If the request for erection of a private monument is from a monument firm it will be accompanied by a letter or card from the person purchasing the monument, authorizing the monument firm to make such request and will show the full name and address of such person. No contract for a monument or marker for any lot or grave should be entered into with any quarry or firm until both the design and the proposed inscription have been submitted to, and approved by, the Director of the National Park Service. Monument firms should be cautioned to retain a copy of the design for their own use, as the one forwarded to the Director of the National Park Service will be kept for comparison with the monument when delivered. The superintendent will inspect the monument when delivered to the cemetery, and if it does



not comply in every detail with the specifications as approved by the Director of the National Park Service or is not satisfactory, its erection will not be permitted, even though such monument is satisfactory to the purchaser. Final payment to the monument firm erecting a private monument should not be made by the purchaser until after the monument has been accepted by the superintendent of the cemetery, who will mail notification of such acceptance to the purchaser.

(c) *Material and finish.* The exposed portions of monuments may be constructed only of durable granite or marble of approved color of the best quality and without flaws or imperfections. Bronze plates with inscriptions thereon or bronze insignias may be placed on monuments but must be placed within a sunken panel so that they will be flush with the face of the stone. Any granite or marble that can be precisely identified by name of which there is a sample in Washington may be approved upon written application without the submission of a sample; otherwise, a sample must be submitted for approval with the application. All exposed masonry surfaces are to be hammered or axed finish except the base which, whenever practicable, will be rock faced with a hammered or axed finish margin draft at the top, otherwise the entire base will be hammered or axed finish. Dies of monuments will not be permitted to be either "rock-faced" or "glossily" polished.

(d) *Dimensions.* The dimensions of a monument above the level of the ground shall not exceed the following:

(1) For officers of the rank of major general or higher; 7 feet in length, 4½ feet in width, and 5 feet in height.

(2) For officers of the rank of major to brigadier general, inclusive; 7 feet in length, 4 feet in width, and 4½ feet in height.

(3) For officers of the rank of captain and lower; 7 feet in length, 3½ feet in width, and 4 feet in height.

(4) For enlisted men; the dimensions shall conform to the monuments and headstones already erected in the section where buried.

(5) Ledger monuments are not permitted.

(e) *Inscriptions.* Inscriptions will be properly placed on the monument in accordance with the dimensions of the stone and arranged in such a manner that they will add to and not detract from the appearance of the stone. Lettering will be either V or U sunk, except as provided below. If there will be a future inscription on the monument the lettering must be hand carved and in such case the use of a pneumatic tool is permitted. Raised carving or lettering is not permitted unless placed within a sunken panel so that the outer face of the lettering or carving is flush with the surface of the stone. All lettering must be properly proportioned and spaced, cut in such way as to insure permanency and legibility and be of first-class workmanship. V-sunk letters shall be so cut that the sides of the V are perfectly straight, preferably at 60 degrees to the face of

the stone and met in a clean, sharp line. Lettering cut by the sandblast method and finished with tool will be rejected when hard carved lettering is specified. Not artificial coloring, such as the application of any pigment, pencil, milk or other extraneous substance, will be used on inscriptions or carving. Sandblast lettering will be permitted if the entire inscription which is to appear on the monument can be completed at the time the stone is manufactured, but not otherwise. Inscriptions on the front face of the monument, i.e., overlooking the grave, must include:

(1) The name, rank, military or naval service of the decedent, in accordance with official Government records, and date of death. The military service must be shown in the inscription, as this is the authority upon which burial was permitted.

(2) Where there is a wife interred in the lot, the name, the words "Wife" or "His Wife" and date of death of the wife. If the wife is not interred, however, her inscription cannot be authorized to be cut on the monument until after her death and interment in her husband's lot.

(3) When an officer's wife is interred first and the officer desires to erect a private monument his name must appear on the monument with space reserved between his name and his wife's inscription for the future cutting of his military service and dates of birth and death, and may include the following:

(i) Places and dates of birth and place of death.

(ii) A brief classical quotation (reference to be furnished) or term of endearment, in English, not to exceed two lines.

(iii) Corps or other Army or Navy badges and insignia of civic organizations of a strictly military character (such as the G. A. R., Loyal Legion, etc.), whose membership is confined to persons originally having military or naval service.

(4) The following inscriptions are authorized on the rear face of the monument:

(i) Family name.

(ii) Insignias of fraternities and societies so long as they are not grotesque.

(iii) Official titles held in civil life and inscriptions in conformity therewith.

NOTE: The inscriptions in paragraph (e) (4) (ii) and (iii) of this section may be placed on the sides of the monument if so desired.

No inscriptions to the memory of minor children, unmarried adult daughters, or others buried in the lot shall be cut on the monument. The graves of such decedents may be marked, at private expense, if so desired, by footstones, as indicated in § 5.15.

(f) *Foundations.* (1) Foundations for monuments will be constructed of best quality material and in a thorough and workmanlike manner; they will be made the full size of the bottom bases of the monuments and will be brought up to within 1 inch of the lowest point of grade. The excavation will be of sufficient depth to secure a solid foundation. The depth will depend upon the location and nature of the soil but in all cases will be below

the frost line and in no case less than 3 feet. The concrete will be composed of 1 part Portland cement, 2 parts sharp clean sand, and 4 parts washed gravel or broken stone of a hard nature. The stone or gravel will be not larger than a 2-inch cube. The cement and sand will first be thoroughly mixed, then wetted to make a mortar, after which the stone or gravel will be added and the entire mixture turned, not less than four times, until each piece of stone or gravel is thoroughly coated with mortar. All concrete will be deposited as soon as mixed and will be tamped until the moisture flushes to the surface. Monuments will not be set until the foundation has set for at least 6 days.

(2) Monument dealers are particularly cautioned to visit the site of a proposed monument in order to familiarize themselves with the grade.

(3) Where the grade of a lot upon which a two-piece monument is to be placed is such that should the base be placed on a level foundation 1 inch below low point of grade the outside edge of the wash would be less than 4 inches above the highest point of grade, a sub-base or leveling stone of sufficient height to raise the base to the required level shall be furnished. This subbase may be in one or more pieces and shall be of the same material and finish as the base. It shall extend on all sides where any part of it will be visible. If desired, it may project slightly beyond the edge of the base, in no case, however, more than three-quarters of an inch. Where a subbase is used the bottom surface of the base shall be finished straight and true in order to make a joint of uniform thickness where it meets the subbase. Where the subbase consists of more than one piece, the vertical joints shall be on the ends of the monument and not on the front or rear face, and no piece less than 3 inches high and 6 inches thick shall be used. The subbase shall be set level and true to line and the remainder of the foundation built up to same height with concrete of the same mixture used for lower portion and allowed to set at least 24 hours before placing monument.

(4) No "humoring" or other alteration of the natural grade of a lot to avoid the use of a subbase will be permitted.

(g) *Erection.* (1) Superintendents will see that monuments are erected in strict accordance with approved specifications and that foundations are constructed as specified in paragraph (f) of this section. All work in connection with the erection of private monuments will be done at private expense. Superintendents will see that parties erecting such monuments exercise special care to avoid injury to the grounds, trees, shrubbery, or other monuments. Work on the erection of private monuments should be begun in ample time for completion and restoration of the grounds to their proper condition at least 10 days prior to Memorial Day. Superintendents will bring this matter to the attention of contractors having such work in charge.

(2) When one monument is to be erected on two burial sites (such as to an officer and his wife) it will be placed at



the head of and midway between the two graves. If separate monuments are desired for an officer and his wife they must be identical as to design, material, finish, lettering, etc., and erected at the head of each grave.

(3) The erection of a monument prior to the interment of an officer or his wife will not be permitted.

(h) *Cleaning and repairing.* When a National, State, or private monument is damaged, or when repairs or straightening are required, the fact will be reported to the Director of the National Park Service. They will not be cleaned without authority of the Director of the National Park Service.

#### § 5.15 Footstones.

Footstones of durable stone sunk flush with the ground, not exceeding 10 by 20 inches at the top and inscribed with a suitable identifying inscription, may be placed at private expense at the foot of any grave. Markers of iron or other material or other obstructions will not be allowed on any grave site.

#### § 5.16 Mausoleums.

The erection of mausoleums or over-ground vaults is prohibited; underground vaults of brick or concrete may be erected, if desired, when interment is made.

#### § 5.17 Ornamentation.

(a) A general ornamentation of the grounds appropriate to national cemeteries will be maintained, but the planting of trees, shrubs, vines, or other plants on any burial lot or grave site will not be permitted. Such of these as have been planted will be removed when they become winterkilled or die from other causes. This applies also to plants at the bases of monuments, headstones, or markers. Parties erecting private monuments will be advised of this section with a view to having the foundations so constructed that they will not be exposed.

(b) Small flags will not be permitted on graves except on Memorial Day when they are placed as indicated in § 5.3 and removed immediately thereafter.

#### § 5.18 Approach roads.

(a) When allotments are made for repairing an approach roadway, no portion of such funds will be expended on any part of the roadway which lies within the corporate limits of a city, town, or village unless so directed by the office having supervision.

(b) When the corporate limits of a city, town, or village are extended so as to take in any part of a Government approach roadway, or when the corporate limits are receded from so as to exclude any part of a Government approach roadway, the fact will be promptly reported to the Director of the National Park Service.

(c) Whenever authority is granted for the construction of a track along or across an approach roadway, the parties obtaining such privilege are required to maintain in proper repair the roadway between the tracks and for a certain distance on either side thereof. Likewise, whenever authority is granted for the construction of a crossing or an approach

to a roadway from adjoining property, the parties obtaining such privilege are required to maintain in proper repair that portion of the roadway adjacent to such crossing or approach. If the requirements of this section are not fully complied with, the superintendent will report the fact to the office having supervision.

#### § 5.19 Animals.

Public or private domestic animals will not be allowed to run loose or to be picketed within the inclosure. Corporations or individuals (other than the superintendent) will not be allowed to pasture or shelter any animals on the reservation.

#### § 5.20 Memorial markers.

(a) *Purpose.* (1) The purpose of this section is to implement the act of August 27, 1954 (68 Stat. 880), which provides that the Secretary of the Interior and the Secretary of the Army shall set aside, when available, suitable plots in the national cemeteries under their jurisdiction to honor the memory of members of the Armed Forces missing in action and to permit the erection of appropriate markers thereon in honor of any such member or group of members. The regulations in this section govern the erection of private memorial markers in national cemeteries under the jurisdiction of the Department of the Interior, a list of which is set forth below. The source of the regulations in this section is the "Joint Regulation" of the Secretary of the Interior and the Secretary of the Army, issued pursuant to the act of August 27, 1954, supra, and effective January 26, 1956.

Antietam National Cemetery, Sharpsburg, Maryland.

Battle Ground National Cemetery, 6625 Georgia Avenue NW., Washington, D.C.

Fort Donelson National Cemetery, Dover, Tennessee.

Fredericksburg National Cemetery, Fredericksburg, Virginia.

Gettysburg National Cemetery, Gettysburg, Pennsylvania.

Poplar Grove National Cemetery, Petersburg, Virginia.

Shiloh National Cemetery, Pittsburg Landing, Tennessee.

Stones River National Cemetery, Murfreesboro, Tennessee.

Vicksburg National Cemetery, Vicksburg, Mississippi.

Yorktown National Cemetery, Yorktown, Virginia.

Custer Battlefield National Monument, Crow Agency, Montana, which contains an active cemetery section.

Andrew Johnson National Monument, Greenville, Tennessee, which contains an active cemetery section.

(b) *Scope.*—(1) *Those who may be memorialized.* These members of the Armed Forces of the United States whose deaths occurred during a period when the United States was at war or as a result of military operations; whose remains have been determined officially to be nonrecoverable; and on whom there has been either:

(i) A report of missing in action and a subsequent official finding of death; or

(ii) An official report of death in action. "In action" as used in this paragraph characterizes the casualty status as having been the direct result of hostile

action; sustained in combat and related thereto; or sustained going to or returning from a combat mission, provided the occurrence was directly related to hostile action.

(2) *Extent of memorialization.* The erection of a private marker may be authorized to memorialize a person or a group of persons. Only one individual marker will be authorized for the memorialization of a person; however, the erection of an individual marker to a person will not preclude the inscription of his name on a group marker.

(c) *Application for memorialization.*

(1) Application for authority to erect a private memorial marker shall be submitted to the Director, National Park Service, Department of the Interior. The approval of the Director, National Park Service, should be obtained prior to fabrication of the marker, since erection will not be permitted except on compliance with the conditions specified in the regulations in this part.

(2) Application for permission to erect an individual marker must be submitted by the legal next of kin of the decedent or the authorized representative of the legal next of kin.

(3) Application for permission to erect a group marker may be submitted by a person, a group of persons, or an organization. Each group-marker application must be accompanied by (i) a list of names of the persons to be memorialized and other data desired for inscription on the marker; (ii) the written approval of the legal next of kin of each person whose name is to be inscribed on the marker; and (iii) a scale plan depicting the details of the design, materials, finish, carving, lettering, and arrangement of inscription.

(4) The Quartermaster General, Department of the Army, will determine the eligibility of the persons or groups of persons to be memorialized.

(5) The Director of the National Park Service will exercise approval authority and control over assignment of plots for and the design, type, size, materials, inscription, and erection of the memorial markers. Approval for erection will be conditional upon the applicant's granting to the Department of the Interior the substantive right to remove and dispose of the marker, if the applicant fails to maintain it in a condition acceptable to the Department.

(d) *Markers which may be authorized.*

(1) Memorial markers will conform to the type, size, materials, design, and specifications prescribed for the cemetery section in which the memorial marker is to be erected. The inscriptions will conform to those authorized to mark graves in national cemeteries and in addition will include the words "In Memoriam" or "In Memory Of" as mandatory elements. The inscription on a memorial marker may not include the name of the person or group of persons or the name or insignia of an organization, fraternity, or society responsible for the purchase and erection of the marker.

(e) *Cost and maintenance.* (1) The cost of the private memorial markers, transportation, and erection in the cemetery will be at no expense to the Govern-



ment. The Department of the Interior will assume no liability or responsibility incident to the purchase, fabrication, delivery, erection, maintenance of, or damage to private memorial markers.

(68 Stat. 880, as amended; 24 U.S.C. 279d)

## PART 6—RECREATIONAL DEMONSTRATION AREA REGULATIONS

- Sec.
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  - 6.2 Preservation of public property and natural features.
  - 6.3 Camping.
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  - 6.7 Protection of wildlife.
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  - 6.25 Special regulations.

AUTHORITY: §§ 6.1 to 6.25 issued under sec. 3, 39 Stat. 535, as amended, sec. 209, 48 Stat. 205; 16 U. S. C. 3, 40 U. S. C. 409.

### § 6.1 Definitions.

As used in this part, unless otherwise indicated:

(a) The term "Secretary" means the Secretary of the Interior or his duly authorized representative.

(b) The term "Director" means the Director of the National Park Service.

(c) The term "superintendent" means the person in charge of a recreational demonstration area.

(d) The term "area" means a recreational demonstration area.

(e) The term "vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon a roadway.

### § 6.2 Preservation of public property and natural features.

(a) The destruction, injury, defacement, removal, or disturbance in any way of any public building, sign, equipment, marker, or other structure, or of any tree, flower, vegetation, rock, mineral formation, or of any ruins or relic, or of any other public property of any kind, is prohibited.

(b) Collections for scientific or educational purposes are permitted only in accordance with written permits first had and obtained from the superintendent.

### § 6.3 Camping.

(a) No camping is permitted outside the specially designated camp sites except by special permit from the superintendent.

(b) Campers shall occupy the sites designated by the superintendent.

(c) No camp shall be placed within 25 feet of any main road or well-defined water course.

(d) The superintendent may establish limitations on the time allowed for camping in any public camping area, and upon the posting of such limitation no person, party, or organization shall be permitted to camp longer than the period prescribed for the particular area during any calendar year.

(e) Campers shall keep their campgrounds clean. Combustible rubbish shall be burned on camp fires, and all other garbage and refuse of all kinds shall be placed in receptacles provided for the purpose. At new or unfrequented camps garbage shall be burned or buried.

(f) Only in areas designated by the superintendent may campers use any dead or fallen timber for fuel or other purposes.

(g) The installation of permanent camping facilities by visitors, or the digging or leveling of the ground in any campsite without the superintendent's permission, is prohibited. Camps must be completely razed and the sites cleaned before the departure of campers.

(h) Campers shall not leave their camps unattended for more than 48 hours without permission of the superintendent obtained in advance. Camping equipment left unattended for 48 hours or more is subject to removal by order of the superintendent, the expense of such removal to be paid by the person or persons leaving such equipment.

(i) No camp may be established in an area and used as a base for hunting outside such area.

(j) The superintendent may establish hours during which quiet must be maintained at any camp, and prohibit the running of motors at or near a camp during such hours.

### § 6.4 Fishing.

(a) Any person desiring to fish must first procure a sporting fishing license as required by the laws of the State in which the area is situated. All fishing must be done in conformity with the laws of the State regarding open seasons, size of fish, and the limit of catch, unless otherwise provided by special regulations.

(b) Fishing with nets, seines, traps, or by the use of drugs or explosives, or for merchandise or profit, or in any other way than with hook and line, the rod or line being held in the hand, is prohibited.

### § 6.5 Bathing.

Bathing in any of the streams or lakes is permitted only at designated bathing places.

### § 6.6 Picnicking.

Picnicking is permitted only in areas designated for such use.

### § 6.7 Protection of wildlife.

(a) The areas are sanctuaries for wildlife of every sort, and all hunting, or the killing, wounding, frightening, disturbing, or capturing of any bird, animal or other wildlife, except when it is necessary to prevent them from destroying

human lives or inflicting personal injury, or the destruction, removal, or disturbance of the nest or eggs of any bird, is prohibited unless first authorized by the Director.

(b) During the hunting season, arrangements must be made with the superintendent to identify and transport through the areas, when necessary, carcasses of birds or animals legally killed outside the areas. Failure to make such arrangements shall be deemed a violation of this section.

### § 6.8 Firearms, etc.

(a) Firearms, explosives, air guns, traps, seines, and nets are prohibited within the areas except upon written permission of the superintendent. Visitors shall surrender all such objects in their possession to the superintendent, or obtain his written permission to carry them through the area sealed. Failure to obtain such written permission shall be deemed a violation of this section.

(b) The superintendent may, in his discretion, permit the carrying of firearms by employees under his administrative jurisdiction when such possession is deemed necessary in the performance of their official duties.

(c) Authorized law enforcement officers may carry unsealed firearms while engaged in the enforcement of Federal or State laws and regulations, or when otherwise necessary in the performance of their duties.

(d) The members of the armed forces of the United States shall be permitted to carry unsealed firearms; and, in the discretion of the superintendent, members of the armed forces of the several States or friendly foreign nations may be permitted to carry unsealed firearms. The provisions of this paragraph shall be applicable only during time of war in which the United States is engaged.

### § 6.9 Fires.

(a) Fires shall be lighted only in designated places. On public campgrounds only the regular fireplaces constructed for the convenience of visitors may be used.

(b) No lighted cigarette, cigar, pipe, match, or other burning material shall be thrown from any vehicle or saddle animal or dropped into any grass, leaves, twigs, tree mold, or other combustible or inflammable material.

(c) Fires shall be lighted only when necessary and, when no longer needed, shall be completely extinguished, and all embers and beds smothered with earth or water, so that there remains no possibility of reignition.

(d) Smoking or the building of fires may be prohibited or limited by the superintendent when, in his judgment, the hazard makes such action necessary.

(e) All persons making trips away from established camps are required to obtain written fire permits from the superintendent or his representative. When a written fire permit has been granted, such fires shall not be kindled near trees, dead wood, moss, dry leaves, forest mold, or other vegetable refuse, but in some open space on rocks or mineral soil. Should camp be made in a locality



where no such open space exists, the dead wood, dry leaves, etc., shall be scraped away to the rock or mineral soil over an area considerably larger than that required for the fire.

(1) The use of fireworks or firecrackers is prohibited, except with the written permission of the superintendent.

#### § 6.10 Restricted areas.

Visitors shall not enter restricted areas posted as being closed to the public, except upon written permission from the superintendent.

#### § 6.11 Sanitation.

(a) Campers and others shall not wash clothing or cooking or eating utensils in, or otherwise pollute or contaminate the waters of the areas.

(b) The cleaning of fish or the washing of clothing or cooking or eating utensils at campground hydrants is prohibited.

(c) Garbage, papers, or refuse of any kind shall not be thrown or left on or along roads, in camping or picnicking areas, or on any other area lands.

(d) All comfort stations shall be used in a clean and sanitary manner.

(e) The draining or dumping of refuse from any trailer, except in places or receptacles provided for such purpose, is prohibited.

#### § 6.12 Gambling.

Gambling in any form, or the operation of gambling devices, whether for merchandise or otherwise, is prohibited.

#### § 6.13 Disorderly conduct.

Persons who render themselves obnoxious by disorderly conduct or bad behavior shall be subject to the penalty provided for violation of the regulations in this part, and in addition thereto, or in lieu thereof, may be summarily removed from the area by the superintendent.

#### § 6.14 Radios.

The use of radios in public camps, buildings, or in vehicles is prohibited when audible beyond the immediate vicinity of the radio set. Radios shall not be operated to the annoyance of other persons nor so as to disturb the quiet of camps or other public places.

#### § 6.15 Motion or sound pictures.

Before any motion or sound picture may be filmed, except by amateurs and bona fide news reel photographers, authority must first be obtained, in writing, from the superintendent, which authority will be granted in the discretion of the superintendent under special regulations prescribed by the Secretary.

#### § 6.16 Abandonment of property.

The abandonment of any personal property within an area is prohibited.

#### § 6.17 Dogs and cats.

(a) Dogs and cats are prohibited on the Government lands unless such animals are on leash, crated, or otherwise under physical restrictive control at all times: *Provided, however,* That the superintendent may designate areas to which dogs and cats shall not be ad-

mitted: *Provided further,* That in special cases, the Director may authorize the keeping of dogs and cats by residents in an area under such conditions as he may prescribe.

(b) Stray dogs or cats running at large in the areas may be killed by the superintendent to prevent molestation of the wildlife therein.

#### § 6.18 Travel on roads and trails.

(a) Persons traveling on the trails on saddle animals shall not make short cuts but must confine themselves to the established trails.

(b) The superintendent may establish the hours during which any of the Government roads shall be open to the public, and the direction of travel thereon. During any period of emergency the superintendent may prescribe such other conditions regarding travel as may, in his judgment, appear necessary. Information regarding such hours, direction, and conditions of travel may be obtained at the office of the superintendent.

(c) No vehicle shall be operated outside the roadways or designated parking areas.

(d) There shall not be operated or moved upon any Government road any vehicle of any kind the face of wheels or tracks of which are fitted with flanges, ribs, clamps, cleats, lugs, spikes, or any device which may tend to injure the roadway. This section applies to all rings or flanges upon guiding or steering wheels of any such vehicle, but it shall not be construed as preventing the use of ordinary detachable tire or skid chains.

(e) The use of the Government roads for trucking, when such trucking is in no way connected with the operation of the area, is prohibited.

#### § 6.19 Vehicles; traffic.

(a) The areas are open to vehicles operated for pleasure, but such vehicles may not be operated outside the roads, and may be parked only in designated areas.

(b) Vehicles shall enter or leave the areas only at designated entrances and exits, and between such hours as shall be determined by the superintendent and indicated by appropriate signs giving notice of such hours.

(c) Drivers of vehicles shall comply with the directions of all official traffic signs posted in the areas.

(d) Muffler cut-outs shall be kept closed at all times.

(e) The engine and power mechanism of every motor vehicle shall be so equipped and adjusted as to prevent the escape of excessive fumes or smoke.

(f) The excessive acceleration of the engine of a motor vehicle while such vehicle is not moving, or is approaching a stopping place, is prohibited.

(g) No person shall cause or permit a vehicle under his control to obstruct traffic by making right or left turns from the wrong traffic lane or by weaving in and out of traffic, or in any other manner.

(h) No person driving or operating a vehicle shall fail to give proper hand signals or confuse other drivers by false signals or unnecessary extension of the

hand or arm outside the vehicle. The following signals shall be given by extending the hand and arm from the left side in the following manner:

(1) Left turn. Hand and arm extended horizontally.

(2) Right turn. Hand and arm extended upward.

(3) Stop or decrease speed. Hand and arm extended downward: *Provided, however,* That in lieu of such hand signals, signals may be given by a signal lamp or signal device which conveys an intelligible signal or warning to another driver approaching from the front or rear.

(4) No person who is under the influence of intoxicating liquor or narcotic drugs shall drive or operate a vehicle within an area.

#### § 6.20 Limitations on speed.

(a) Speed of vehicles is limited to 35 miles per hour, unless a lower limit is prescribed for a particular road or roads by special regulations. In every event, vehicles shall be driven or operated at an appropriate reduced speed when approaching and crossing an intersection, when approaching and going around a curve, when approaching a hill crest, when traveling upon a narrow and winding road, and when special hazards exist with respect to pedestrians or other traffic or by reason of weather or roadway conditions.

(b) The provisions of this section shall not apply to:

(1) Any vehicle driven or operated by or under the direction of the military or naval forces of the United States, or State military forces organized pursuant to section 61 of the National Defense Act, as amended.

(2) Any vehicle when driven or operated in an emergency for the protection or preservation of life, health, or for public safety: *Provided,* That this subparagraph shall not be so construed as to authorize any such vehicle to be driven or operated at a rate of speed in excess of that which is reasonable under conditions prevailing at such time.

#### § 6.21 Advertisements.

Private notices or advertisements shall not be posted, distributed, or displayed, excepting such as the superintendent may deem necessary for the convenience and guidance of the public.

#### § 6.22 Private operations.

(a) No person, firm, or corporation shall engage in or solicit any business in an area without permission in writing from the Director or his duly authorized representative.

(b) No person shall reside continuously within an area covered by these regulations except designated National Park Service employees, persons expressly authorized to do so by law, concessioners and their employees for the purpose of fulfilling their contracts, and former resident owners of land acquired for the area who have heretofore been granted permission to reside thereon.

#### § 6.23 Motorboats.

The use of boats powered with either inboard or outboard motors is prohibited,



unless such use is first approved by the Director.

#### § 6.24 Grazing.

The running at large, herding, or grazing of livestock of any kind on the Government lands, as well as the driving of livestock over the same, is prohibited except where authority therefor has first been granted by the Director, or his authorized representative.

#### § 6.25 Special regulations.

Special regulations necessary to cover local situations will be published in the FEDERAL REGISTER and may be seen at the headquarters of the areas in which they are operative.

### PART 12—PRIVATE LANDS SUBJECT TO EXCLUSIVE JURISDICTION OF THE UNITED STATES.

#### Sec.

- 12.1 Applicability.
- 12.2 Fishing.
- 12.3 Fires.
- 12.4 Protection of wildlife.
- 12.5 Firearms.
- 12.6 Gambling.
- 12.7 Discrimination in furnishing public accommodations.
- 12.8 Intoxicating liquors.

AUTHORITY: §§ 12.1 to 12.8 issued under sec. 3, 39 Stat. 535, as amended; 16 U. S. C. 3.

#### § 12.1 Applicability.

The regulations in this part shall be applicable to privately owned lands within the following national parks, exclusive jurisdiction over which is vested in the United States: Crater Lake, Glacier, Lassen Volcanic, Mesa Verde, Mount McKinley, Mount Rainier, Olympic, Rocky Mountain, Sequoia-Kings Canyon, Yellowstone, and Yosemite.

#### § 12.2 Fishing.

(a) Any person fishing in the waters of the parks listed in § 12.1 shall secure a sport fishing license as required by the laws of the State in which such waters of the park are situated, except that no such said license shall be required of any person fishing in the waters of Glacier, Mount McKinley, Mount Rainier, Olympic, and Yellowstone National Parks.

(b) All fishing in the waters of the parks listed in § 12.1 shall be done in conformity with the laws of the State or territory in which such waters of the park are situated regarding open seasons, size of fish, and the limit of catch, except as otherwise provided in the following paragraphs:

(c) Fishing with nets, seines, traps, or by the use of drugs or explosives, or for merchandise or profit, or in any other way than with hook and line, the rod or line being held in the hands, is prohibited.

(d) Fishing in particular waters may be suspended, or restricted, in regard to the use of particular kinds of bait under special regulations.

(e) The number of fish that may be taken by one person in any one day from the various lakes and streams shall be limited to 10 fish, unless otherwise provided by special regulations.

(f) Possession of more than 2 days' catch by any person at any one time is

prohibited, unless otherwise provided by special regulations.

(g) No fish less than 6 inches long may be retained unless a different limit be established by special regulations. All fish hooked less than such limit in length shall be carefully handled with moist hands and returned at once to the water if not seriously injured. Undersized fish retained because seriously injured shall be counted in the number of fish which may be taken in one day.

(h) The possession of live or dead minnows, chubs, or other bait fish, or the use thereof as bait, is prohibited.

(i) The canning or curing of fish for the purpose of transporting them out of any of the said parks is prohibited.

(j) The possession of fishing tackle or fish upon or along any waters closed to fishing shall be prima facie evidence that the person or persons having such fishing tackle or fish are guilty of unlawful fishing in such closed waters.

(k) State fishing licenses, where required, and all fish taken shall be exhibited, upon demand, to any person authorized to enforce the provisions of the regulations in this part.

#### § 12.3 Fires.

(a) Fires on privately owned lands within any of the parks listed in § 12.1 shall not be kindled near or on the roots of trees, dead wood, moss, dry leaves, forest mold, or other vegetable refuse, but in some open space on rocks or earth. On public campgrounds the regular fireplaces constructed for the convenience of visitors shall be used. Should camp be made in a locality where no such open space exists or is provided, the dead wood, moss, dry leaves, etc., shall be scraped away to the rock or earth over an area considerably larger than that required for the fire.

(b) Fires shall be lighted on privately owned lands within the said parks only when necessary, and, when no longer needed, shall be completely extinguished, and all embers and beds smothered with earth or water, so that there remains no possibility of reignition.

(c) Permission to burn in connection with any clean-up operation on privately owned lands within the said parks shall first be obtained, in writing, from the office of the superintendent, and in such cases as it is deemed advisable such burning will be under Government supervision. All costs of suppression and all damage caused by reason of loss of control of such burning operations shall be paid by the person or persons to whom such permit has been granted.

(d) No lighted cigarette, cigar, pipe, heel, match, or other burning material shall be thrown from any vehicle or saddle horse or dropped into any grass, leaves, twigs, tree mold, or other combustible or inflammable material on any privately owned lands within any of the said parks.

(e) The building of fires on privately owned lands within the said parks may be prohibited or limited by the superintendent when, in his judgment, the hazard makes such action necessary.

#### § 12.4 Protection of wildlife.

(a) The parks are sanctuaries for wildlife of every sort, and all hunting, or the killing, wounding, frightening, capturing, or attempting to kill, wound, frighten, or capture at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited on privately owned lands within the parks listed in § 12.1.

(b) Unauthorized possession on privately owned lands within any of the said parks of the dead body, or any part thereof, of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this section.

(c) The carcasses of animals or birds or parts thereof, unlawfully taken or possessed on privately owned lands within any of the said parks, shall be seized and shall be disposed of as the superintendent may prescribe.

(d) During the hunting season, arrangements shall be made at entrance stations to identify and transport within or through the said parks, where necessary, the carcasses of birds or animals legally killed outside the parks.

#### § 12.5 Firearms.

Firearms, explosives, traps, seines, and nets are prohibited on privately owned lands within the parks listed in § 12.1, except upon written permission of the superintendent.

#### § 12.6 Gambling.

Gambling in any form, or the operation of gambling devices, whether for merchandise or otherwise, is prohibited on privately owned lands within the parks wherein the regulations of this part are applicable.

#### § 12.7 Discrimination in furnishing public accommodations.

The proprietor, owner, or operator and the employees of any hotel, inn, lodge, or other public accommodation within any of the parks listed in § 12.1 are prohibited from (a) publicizing such facilities in any manner that would directly or inferentially reflect upon or question the acceptability of the patronage of any person or persons because of race, creed, color, or national origin; and (b) discriminating against any person or persons because of race, creed, color, or national origin by refusing to furnish such person or persons any accommodations, facilities, or privileges offered to or enjoyed by the general public.

#### § 12.8 Intoxicating liquors.

(a) No alcoholic, spirituous, vinous, or fermented liquor, containing more than one per cent of alcohol by weight, shall be sold on any privately-owned lands within any of the national parks listed in § 12.1 unless a permit for the sale thereof has first been secured from the appropriate regional director.

(b) In granting or refusing applications for permits as herein provided, the regional directors shall take into consideration (1) the character of the neighborhood, (2) the availability of other



liquor-dispensing facilities, (3) the local laws governing the sale of liquor, and (4) any other local factors which, in their judgment, have a relationship to the privilege requested.

(c) A fee will be charged for the issuance of such a permit, corresponding to that charged for the exercise of similar privileges outside the national park boundaries by the local State Government, or appropriate political subdivision thereof within whose exterior boundaries the place covered by the permit is situated.

(d) The applicant or permittee may appeal to the Director, National Park Service, from any final action of the appropriate regional director refusing, conditioning or revoking the permit. Such an appeal, in writing, shall be filed within twenty days after receipt of notice by the applicant or permittee of the action appealed from. Any final decision of the Director may be appealed to the Secretary of the Interior within 15 days after receipt of notice by the applicant or permittee of the Director's decision.

(e) The revocable permit for sale of intoxicating liquors authorized in this section to be issued by the appropriate regional director shall contain general regulatory provisions as hereinafter set forth, and will include such special conditions as the regional director may deem necessary to cover existing local circumstances, and shall be in a form substantially as follows:

#### FRONT OF PERMIT

No. \_\_\_\_\_ Form No. \_\_\_\_\_  
Year 19\_\_\_\_ (\_\_\_\_\_, 1948)

#### UNITED STATES DEPARTMENT OF THE INTERIOR NATIONAL PARK SERVICE

#### REVOCABLE PERMIT FOR SALE OF INTOXICATING LIQUORS ON PRIVATELY OWNED LANDS

Permission is hereby granted \_\_\_\_\_ of \_\_\_\_\_, during the period from \_\_\_\_\_, 19\_\_\_\_, to \_\_\_\_\_, 19\_\_\_\_, inclusive, to sell the following mentioned intoxicating liquors \_\_\_\_\_ within (an established place of business) (a place of business to be established) (strike out one) on the following described privately owned lands within \_\_\_\_\_ National Park, over which the United States exercises exclusive jurisdiction \_\_\_\_\_

subject to the general provisions and any special conditions stated on the reverse hereof and subject also to the payment to the Government of the United States of the sum of \_\_\_\_\_ dollars (\$\_\_\_\_\_)

(annually) (quarterly) (monthly)  
In advance, payment to be made through the Superintendent of the Park. Payment shall be tendered by money order, check or draft payable to the Treasurer, United States of America. Payment shall not be considered as made until the funds are collected by the United States.

Issued at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

Superintendent.

The undersigned hereby accepts the above permit subject to the terms, covenants, obligations, and reservations expressed or implied therein, with the understanding that this

permit shall not be valid until approved by the appropriate regional director.

Address: \_\_\_\_\_

Address: \_\_\_\_\_

Two witnesses to signature(s): \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

Approved: \_\_\_\_\_

Regional Director, Region \_\_\_\_\_

<sup>1</sup> Sign name or names as written in body of permit; for copartnership permittees should sign as "Members of firm"; for corporation, the officer authorized to execute contracts, etc., should sign, with title, the sufficiency of such signature being attested by the secretary, with corporate seal, in lieu of witnesses.

#### REVERSE OF PERMIT

#### GENERAL REGULATORY PROVISIONS OF THIS PERMIT

1. Permittee shall exercise this privilege subject to the supervision of the Superintendent of the Park and shall comply with the regulations of the Secretary of the Interior governing the Park.

2. Any building or structure used for the purpose of conducting the business herein permitted shall be kept in a safe, sanitary and slightly condition.

3. Permittee shall dispose of brush and other refuse from the business herein permitted as required by the Superintendent.

4. Permittee shall pay to the United States for any damage resulting to Government-owned property from the operation of the business herein permitted.

5. Permittee, his agents, and employees shall take all reasonable precautions to prevent forest fires and shall assist the Superintendent to extinguish forest fires within the vicinity of the place of business herein permitted, and in the preservation of good order within the vicinity of the business operations herein permitted.

6. Failure of the permittee to comply with all State and county laws and ordinances applicable to the sale of intoxicating liquors, except provisions requiring payment of license fees, or to comply with any law or any regulations of the Secretary of the Interior governing the Park, or with the conditions imposed by this permit, will be ground for revocation of this permit. The permit may be revoked by the regional director at any time in his discretion.

7. No minor may be employed by the permittee in the sale or dispensing of intoxicating liquors permitted under this permit.

8. No intoxicating liquors shall be sold to a minor.

9. No disorderly conduct shall be permitted on the premises.

10. This permit may not be transferred or assigned without the consent, in writing, of the appropriate regional director.

11. Neither members of, nor delegates to Congress, or Resident Commissioners, officers, agents, or employees of the Department of the Interior shall be admitted to any share or part of this permit or derive, directly or indirectly, any pecuniary benefit arising therefrom.

12. The following special provisions are made a part of this permit:

#### PART 13—ADMISSION, GUIDE, ELEVATOR, AND AUTOMOBILE FEES

Sec. \_\_\_\_\_

13.1 Fees, general.

13.2 Commercial passenger-carrying vehicles, Shenandoah National Park and Blue Ridge Parkway.

13.3 Commercial passenger-carrying vehicles, Colonial National Historical Park.

Sec. \_\_\_\_\_

13.4 Guide and elevator fees for Carlsbad Caverns.

13.5 Guide and elevator fees for Wind Cave.

13.6 Guide fees for Lehman Caves.

13.7 Guide fees for Crystal Cave.

13.8 Guide fees for Jewel Cave.

13.9 Commercial passenger-carrying vehicles, Mammoth Cave National Park.

13.10 Guide fee for Timpanogos Cave National Monument.

13.11 Guide fees; miscellaneous.

13.12 Elevator fees; miscellaneous.

13.13 Admission fees; miscellaneous.

13.14 Vehicle fees, Yorktown bathing beach and picnic area, Colonial National Historical Park.

13.15 Fees for automobile, motorcycle, and house trailer permits.

13.16 Guide fees for Mammoth Cave.

13.17 Commercial passenger-carrying vehicles, Kennesaw Mountain National Battlefield Park.

13.18 Commercial passenger-carrying vehicles, Great Smoky Mountains National Park.

13.19 Commercial passenger-carrying vehicles, Everglades National Park.

AUTHORITY: §§ 13.1 to 13.19 issued under sec. 3, 39 Stat. 535, as amended; 16 U.S.C. 3.

#### § 13.1 Fees, general.

(a) The fees prescribed in this part for the operation of commercial vehicles shall not be applicable to vehicles institutionally owned or chartered, carrying exclusively members of educational, welfare, or scientific organizations, such as boy scouts, girl scouts, school children, church organizations, inmates of charitable institutions, and members of generally recognized nonprofit organizations, when the trip to the area is officially initiated, organized, and directed by such organization.

(b) Personal admission, guide, and elevator fees prescribed in this part shall not be applicable to children under 12 years of age, or groups of school children 18 years of age or under, when accompanied by adults assuming responsibility for their safety and orderly conduct.

(c) In proper cases and upon application made in advance, the Director, Regional Directors, or superintendents may authorize admission without charge for guide and elevator service to persons from reputable educational institutions for the purpose of prosecuting class work or studies, or to persons under the support and care of charitable institutions and their attendants.

#### § 13.2 Commercial passenger-carrying vehicles, Shenandoah National Park and Blue Ridge Parkway.

(a) Permits issued by the Superintendent shall be required for the operation of commercial passenger-carrying vehicles, including taxicabs, carrying passengers for hire on the Skyline Drive in Shenandoah National Park, and that section of the Blue Ridge Parkway between Jarman Gap and Rockfish Gap. The fees for such permits shall be as follows:<sup>1</sup>

<sup>1</sup> These fees are not applicable to automobiles rented for personal use as distinguished from taxicabs. The regular automobile fees are applicable to all such rented cars.



(1) Annual permit for the calendar year: \$3.50 for each passenger-carrying seat in the vehicle to be operated.

(2) Quarterly permit for a period beginning January 1, April 1, July 1, or October 1: \$1.00 for each passenger-carrying seat in the vehicle to be operated.

(3) Permit good for one day, 5-passenger vehicle: \$2.00.

(4) Permit good for one day, more than 5-passenger vehicle: \$10.00

### § 13.3 Commercial passenger-carrying vehicles, Colonial National Historical Park.

(a) Permits issued by the Superintendent shall be required for the operation of commercial passenger-carrying vehicles, including taxicabs, carrying passengers for hire on any portion of the Colonial Parkway, Colonial National Historical Park. The fees for such permits shall be as follows:

(1) Annual permit for the calendar year: \$3.50 for each passenger-carrying seat in the vehicle to be operated.

(2) Quarterly permit for a period beginning January 1, April 1, July 1, or October 1: \$1.00 for each passenger-carrying seat in the vehicle to be operated.

(3) Permit good for one day, 5-passenger vehicle: \$1.00.

(4) Permit good for one day, more than 5-passenger vehicle: \$3.00.

### § 13.4 Guide and elevator fees for Carlsbad Caverns.

In Carlsbad Caverns National Park, no person or persons shall be permitted to enter the caverns unless accompanied by National Park Service employees. Competent guide service is provided by the Government, for which a fee of \$1.50, including Federal tax, shall be charged each person entering the caverns. The fee charged shall include the use of the elevator.

### § 13.5 Guide and elevator fees for Wind Cave.

In Wind Cave National Park, no person or persons shall be permitted to enter the cave unless accompanied by National Park Service employees. Competent guide service is provided by the Government, for which a fee of 75 cents, including Federal tax, shall be charged each person entering the cave. The fee shall include the use of the elevator.

### § 13.6 Guide fees for Lehman Caves.

In Lehman Caves National Monument, no person or persons shall be permitted to enter the caves unless accompanied by National Park Service employees. Competent guide service is provided by the Government, for which a fee of 50 cents shall be charged each person entering the caves.

### § 13.7 Guide fees for Crystal Cave.

In Sequoia National Park, no person or persons shall be permitted to enter Crystal Cave unless accompanied by National Park Service employees. Competent guide service is provided by the Government, for which a fee of 50 cents shall be charged each person entering the cave.

### § 13.8 Guide fees for Jewel Cave.

In Jewel Cave National Monument, no person or persons shall be permitted to enter the cave unless accompanied by National Park Service employees. Competent guide service is provided by the Government, for which a fee of 50 cents shall be charged each person entering the cave.

### § 13.9 Commercial passenger-carrying vehicles, Mammoth Cave National Park.

(a) Permits issued by the Superintendent shall be required for the operation of commercial passenger-carrying vehicles, including taxicabs, carrying passengers for hire within the Park. The fees for such permits shall be as follows:

(1) Annual permit for the calendar year: \$2.50 for each passenger-carrying seat in the vehicle.

(2) Quarterly permit for a period beginning January 1, April 1, July 1, or October 1: 65 cents for each passenger-carrying seat in the vehicle.

(3) Permit for one day: \$1.00 per vehicle.

### § 13.10 Guide fee for Timpanogos Cave National Monument.

In Timpanogos Cave National Monument, no person or persons shall be permitted to enter the cave unless accompanied by National Park Service employees. Competent guide service is provided by the Government, for which a fee of 50 cents shall be charged each person entering the cave.

### § 13.11 Guide fees; miscellaneous.

A guide fee shall be charged each person taking a guided trip through the following areas:

	Trip fee
Casa Grande National Monument.....	\$0.25
Chaco Canyon National Monument.....	.25
El Morro National Monument.....	.25

### § 13.12 Elevator fees; miscellaneous.

(a) A fee of 5 cents in each direction shall be charged each person using the elevator in the Statue of Liberty.

(b) A fee of 25 cents shall be charged each person using the elevator in Perry's Victory and International Peace Memorial: *Provided*, That organized groups of persons from clubs, associations, etc., may be granted a special rate of 10 cents per person.

(c) A fee of 10 cents shall be charged each person using the elevator in the Washington Monument.

### § 13.13 Admission fees; miscellaneous.

(a) An admission fee shall be charged each person entering the following areas:

	Fee
Aztec Ruins National Monument.....	\$0.25
Castillo de San Marcos National Monument.....	.50
Edison Laboratory National Monument.....	.25
Fort Pulaski National Monument.....	.25
George Washington Birthplace National Monument.....	.25
Montezuma Castle National Monument.....	.25
Tonto National Monument.....	.25
Tumacacori National Monument.....	.25
Tuzigoot National Monument.....	.25

Walnut Canyon National Monument.....	Fee \$0.25
Fort Raleigh National Historic Site (except after 6 p. m. on days when the pageant, "The Lost Colony," is presented by the Roanoke Island Historical Association).....	.25

(b) An admission fee shall be charged each person entering the following places:

	Fee
Fort McHenry National Monument and Historic Shrine—Inner Fort.....	\$0.25
Appomattox Court House National Historical Park—McLean House.....	.25
Colonial National Historical Park—Moore House.....	.25
Morristown National Historical Park—Ford Museum and Mansion.....	.25
Manassas National Battlefield Park—Museum.....	.25
Chickamauga and Chattanooga National Military Park—Point Park.....	.25
Fredericksburg and Spotsylvania County Battlefields Memorial National Military Park—Museum.....	.25
Vicksburg National Military Park—Museum.....	.25
Adams National Historic Site.....	.25
Salem Maritime National Historic Site—Derby House.....	.25
Vanderbilt Mansion National Historic Site.....	.25

(c) A fee of 25 cents shall be charged each person entering the Home of Franklin D. Roosevelt National Historic Site. No charge shall be made for persons desiring to visit only the grave of Franklin D. Roosevelt.

(d) A fee of 25 cents shall be charged each person entering the Government area on Jamestown Island and Glasshouse Point in Colonial National Historical Park, except members of the Association for the Preservation of Virginia Antiquities. The fee shall be combined with a fee of 25 cents per person charged for admission to the area owned by the Association for the Preservation of Virginia Antiquities and included within the Jamestown National Historic Site. Officials of the National Park Service and the Association for the Preservation of Virginia Antiquities may admit the general public to the areas under their jurisdiction without charge, upon special occasions, and official complimentary passes issued by either party shall be honored by the other party.

(e) A fee of 25 cents shall be charged each person entering the Cyclorama Building at Gettysburg National Military Park.

(f) A single fee of 25 cents shall be charged each person entering the Museum and Earth Lodge at Ocmulgee National Monument.

### § 13.14 Vehicle fees, Yorktown bathing beach and picnic area, Colonial National Historical Park.

(a) There shall be charged a fee of 25 cents for each passenger car and a fee of \$1.00 for each bus or truck entering the Yorktown bathing beach and picnic area on Saturdays, Sundays, and holidays from May 30 through Labor Day. The truck or bus fee is not applicable to trucks used as family vehicles. The fee is applicable to all buses and to trucks carrying groups. The automobile fee of \$0.25 is applicable to trucks used as family vehicles.



### § 13.15 Fees for automobile, motorcycle, and house trailer permits.

(a) Fees for automobile permits are as follows:

	Yearly permit	15-day permit unless otherwise stated
Bryce Canyon National Park.....	\$2.00	\$1.00
Crater Lake National Park.....	2.00	1.00
Glacier National Park.....	4.00	2.00
Grand Canyon National Park.....	2.00	1.00
Grand Teton National Park.....	2.00	1.00
Lassen Volcanic National Park.....	2.00	1.00
Mesa Verde National Park.....	2.00	1.00
Mount Rainier National Park.....	2.00	1.00
Rocky Mountain National Park.....	2.00	1.00
Sequoia-Kings Canyon National Parks.....	4.00	2.00
Shenandoah National Park and the section of Blue Ridge Parkway between Jarman Gap and Rockfish Gap.....	1.00	1.50
Yellowstone National Park.....	6.00	3.00
Yosemite National Park.....	6.00	3.00
Zion National Park.....	2.00	1.00
Bandelier National Monument.....	1.00	.50
Colorado National Monument.....	1.00	.50
Craters of the Moon National Monument.....	1.00	.50
Devils Tower National Monument.....	1.00	.50
Lava Beds National Monument.....	1.00	.50
Petrified Forest National Monument.....	1.00	.50
Pinnacles National Monument.....	1.00	.50
Scotts Bluff National Monument.....	.50	.25
White Sands National Monument.....	1.00	.50
Kennesaw Mountain National Battlefield Park.....	1.00	1.50

<sup>1</sup> Per trip.

(b) Fees for motorcycle permits are as follows:

	Yearly permit	15-day permit unless otherwise stated
Bryce Canyon National Park.....	\$2.00	\$1.00
Crater Lake National Park.....	2.00	1.00
Glacier National Park.....	2.00	1.00
Grand Canyon National Park.....	2.00	1.00
Grand Teton National Park.....	2.00	1.00
Lassen Volcanic National Park.....	2.00	1.00
Mesa Verde National Park.....	2.00	1.00
Mount Rainier National Park.....	2.00	1.00
Rocky Mountain National Park.....	2.00	1.00
Sequoia-Kings Canyon National Parks.....	2.00	1.00
Shenandoah National Park and the section of Blue Ridge Parkway between Jarman Gap and Rockfish Gap.....	1.00	1.50
Yellowstone National Park.....	2.00	1.00
Yosemite National Park.....	2.00	1.00
Zion National Park.....	2.00	1.00
Bandelier National Monument.....	1.00	.50
Colorado National Monument.....	1.00	.50
Craters of the Moon National Monument.....	1.00	.50
Devils Tower National Monument.....	1.00	.50
Lava Beds National Monument.....	1.00	.50
Petrified Forest National Monument.....	1.00	.50
Pinnacles National Monument.....	1.00	.50
Scotts Bluff National Monument.....	.50	.25
White Sands National Monument.....	1.00	.50
Kennesaw Mountain National Battlefield Park.....	1.00	1.50

<sup>1</sup> Per trip.

(c) Fees for house trailer permits are as follows:

	Yearly permit	15-day permit unless otherwise stated
Bryce Canyon National Park.....	\$2.00	\$1.00
Crater Lake National Park.....	2.00	1.00
Glacier National Park.....	4.00	2.00
Grand Canyon National Park.....	2.00	1.00
Grand Teton National Park.....	2.00	1.00

	Yearly permit	15-day permit unless otherwise stated
Lassen Volcanic National Park.....	\$2.00	\$1.00
Mesa Verde National Park.....	2.00	1.00
Mount Rainier National Park.....	2.00	1.00
Rocky Mountain National Park.....	2.00	1.00
Sequoia-Kings Canyon National Parks.....	4.00	2.00
Shenandoah National Park and the section of Blue Ridge Parkway between Jarman Gap and Rockfish Gap.....	1.00	1.50
Yellowstone National Park.....	6.00	3.00
Yosemite National Park.....	6.00	3.00
Zion National Park.....	2.00	1.00
Bandelier National Monument.....	1.00	.50
Colorado National Monument.....	1.00	.50
Craters of the Moon National Monument.....	1.00	.50
Devils Tower National Monument.....	1.00	.50
Pinnacles National Monument.....	1.00	.50
White Sands National Monument.....	1.00	.50

<sup>1</sup> Per trip.

(d) Any 15-day permit may be exchanged for an annual permit for the same vehicle at any time prior to the expiration date of the 15-day permit, and the purchase price of the 15-day permit will be allowed in the exchange.

### § 13.16 Guide fees for Mammoth Cave.

In Mammoth Cave National Park, no person shall be permitted to enter the cave unless accompanied by National Park Service employees. Competent guide service is provided by the Government, for which fees shall be charged as follows:

Route:	Fee per person including Federal tax
No. 1—Echo River.....	\$1.50
No. 2—Frozen Niagara.....	1.50
No. 3—Historic.....	1.50
No. 4—All Day.....	2.50
No. 5—Scenic.....	2.00
No. 6—Crystal Lake.....	1.50
No. 7—Mammoth Dome.....	1.50

### § 13.17 Commercial passenger-carrying vehicles, Kennesaw Mountain National Battlefield Park.

(a) Permits issued by the Superintendent shall be required for the operation of commercial passenger-carrying vehicles, including taxicabs, carrying passengers for hire on the Kennesaw Mountain Road, Kennesaw Mountain National Battlefield Park. The fees for such permits shall be as follows:

(1) Annual permit for the calendar year: \$2.50 for each passenger-carrying seat in the vehicle to be operated.

(2) Quarterly permit for a period beginning January 1, April 1, July 1, or October 1: \$.65 for each passenger-carrying seat in the vehicle to be operated.

(3) Permit good for one day, 5-passenger vehicle: \$1.00.

(4) Permit good for one day, more than 5-passenger vehicle: \$2.00.

### § 13.18 Commercial passenger-carrying vehicles, Great Smoky Mountains National Park.

(a) Permits issued by the Superintendent, and compliance with applicable state and federal regulations, shall be required for the operation of commercial passenger-carrying vehicles, including taxicabs, carrying passengers for

hire within the park. The fee for such permits shall be as follows:

(1) Annual permit for calendar year: \$1.00 for each passenger-carrying seat in the vehicle to be operated.

(2) Quarterly permit for a period beginning January 1, April 1, July 1, or October 1: 25¢ for each passenger-carrying seat in the vehicle to be operated.

(b) In addition to the permit required in paragraph (a) of this section, a guide permit issued by the Superintendent shall be required for each driver of a commercial passenger-carrying vehicle, including taxicabs, carrying passengers for hire within the park. Such a permit will be issued by the Superintendent upon a showing to his satisfaction that the applicant possesses adequate knowledge of the park's road system and points of interest, and has complied with all applicable state and federal regulations. The fee for a guide permit shall be \$5.00 for the calendar year, or any part thereof.

### § 13.19 Commercial passenger-carrying vehicles, Everglades National Park.

Permits issued by the Superintendent shall be required for the operation of commercial passenger-carrying vehicles, including taxicabs, carrying passengers for hire on any portion of the Park road in Everglades National Park. The fees for such permit shall be as follows:

(a) Annual permit for calendar year: \$3.00 for each passenger-carrying seat in the vehicle to be operated:

(b) Quarterly permit for a period beginning January 1, April 1, July 1, or October 1: \$1.00 for each passenger-carrying seat in the vehicle to be operated.

(c) Permit good for one day, 7-passenger vehicle or less: \$1.00 per vehicle.

(d) Permit good for one day, more than 7-passenger vehicle: \$10.00 per vehicle.

## PART 20—SPECIAL REGULATIONS

Sec.	Colonial National Historical Park.
20.1	Crater Lake National Park.
20.2	Glacier National Park.
20.3	Grand Canyon National Park.
20.4	Mount Rainier National Park.
20.5	Muir Woods National Monument.
20.6	Rocky Mountain National Park.
20.7	Sequoia-Kings Canyon National Parks.
20.8	Shiloh National Military Park.
20.9	Zion and Bryce Canyon National Parks.
20.10	Lassen Volcanic National Park.
20.11	Kennesaw Mountain National Battlefield Park.
20.12	Yellowstone National Park.
20.13	Great Smoky Mountain National Park.
20.14	Shenandoah National Park.
20.15	Yosemite National Park.
20.16	Platt National Park.
20.17	Hot Springs National Park.
20.18	Morristown National Historical Park.
20.19	Moores Creek National Military Park.
20.20	Gulford Courthouse National Military Park.
20.21	Grand Teton National Park.
20.22	George Washington Birthplace National Monument.
20.23	Catoctin Recreational Demonstration Area.
20.24	Hawaii National Park.
20.25	Death Valley National Monument.
20.26	Fort Jefferson National Monument.
20.27	



- Sec.  
 20.28 Olympic National Park.  
 20.29 Bandelier National Monument.  
 20.30 Salem Maritime National Historic Site.  
 20.31 Vanderbilt Mansion National Historic Site.  
 20.32 Ocmulgee National Monument.  
 20.33 Statue of Liberty National Monument.  
 20.34 Blue Ridge Parkway.  
 20.35 Gettysburg National Military Park.  
 20.36 Mammoth Cave National Park.  
 20.37 Timpanogos Cave National Monument.  
 20.38 Isle Royale National Park.  
 20.39 Mesa Verde National Park.  
 20.40 Hopewell Village National Historic Site.  
 20.41 Big Bend National Park.  
 20.42 Pipestone National Monument.  
 20.43 Natchez Trace Parkway.  
 20.44 Mount McKinley National Park, Alaska.  
 20.45 Everglades National Park.  
 20.46 Katmai National Monument.  
 20.47 Carlsbad Caverns National Park.  
 20.48 Lake Mead National Recreation Area.  
 20.49 Oregon Caves National Monument.  
 20.50 Theodore Roosevelt National Memorial Park.  
 20.51 Vicksburg National Military Park.  
 20.52 Devils Tower National Monument.  
 20.53 Scotts Bluff National Monument.  
 20.54 Colorado National Monument.  
 20.55 Acadia National Park.  
 20.56 Petersburg National Military Park.  
 20.58 Cape Hatteras National Seashore Recreational Area; hunting.

**AUTHORITY:** §§ 20.1 to 20.58 issued under sec. 3, 39 Stat. 535, as amended, sec. 209, 49 Stat. 205; 16 U. S. C. 3, 40 U. S. C. 409. Interpret or apply sec. 1, 46 Stat. 315, sec. 1, 47 Stat. 1420, sec. 2, 49 Stat. 666, 49 Stat. 2041, as amended, 50 Stat. 804, sec. 5, 52 Stat. 29, sec. 1, 2, 52 Stat. 407, 408, sec. 2, 54 Stat. 250, sec. 3, 56 Stat. 138; 16 U. S. C. 118, 9a, 462, 460a-2, 445c, 4031 460, 460a, 460a-3, 408g. Other statutory provisions interpreted or applied are cited to text in parentheses.

#### § 20.1 Colonial National Historical Park.

(a) *Fishing.* Fishing from bridges within the park is prohibited.

(b) *Travel on roads and trails.* Any road, trail or area within the Park may be closed to public use by order of the Superintendent when, in his judgment, conditions such as fire hazards, work operations, or other dangers make such action necessary for the protection of the Park and of the public.

(c) *Speed.* Except where different speed limits are indicated by posted signs or markers, speed of automobiles and other vehicles, except ambulances and Government cars on emergency trips, shall not exceed 45 miles per hour on park roadways.

(d) *Closing of areas.* The beach and picnic grounds shall be closed daily at 11:00 p. m.

(e) *Landing or launching of boats.* Except when authorized by the Superintendent, no privately-owned boat, canoe, raft or other floating craft shall be launched from land within Colonial National Historical Park and no boat, canoe, raft or other floating craft shall be beached or landed on land within said Park.

#### § 20.2 Crater Lake National Park.

(a) *Fishing.* (1) Fishing is permitted in Crater Lake at any time.

(2) The fishing season in park streams shall be from June 15 to September 10, inclusive.

(3) The limit of catch per person per day shall be 10 fish.

(4) Possession of more than one day's catch by any person at any time is prohibited.

(b) *Dogs.* No dogs are allowed at the Rim concentration area between the main roadway and the lake.

(c) *Speed.* Speed limits in the Park, except in emergencies as provided in § 1.42 (b) of this chapter are as follows:

(1) Basic speed rule:

(i) No person shall drive a vehicle upon a highway at a speed greater than is reasonable and prudent, having due regard to the traffic, surface and width of the highway, the hazard at intersections and any other conditions then existing.

(ii) No person shall drive at a speed which is greater than will permit the driver to exercise proper control of the vehicle and to decrease speed or to stop as may be necessary to avoid colliding with any person, vehicle or other conveyance on or entering the highway in compliance with legal requirements and with the duty of drivers and other persons using the highways to exercise due care.

(2) 15 miles per hour:

(i) In all campgrounds, parking areas, and places of public assemblage.

(ii) Upon that portion of any highway which passes through or borders upon a scene of emergency, such as forest fires, auto accidents or similar emergency.

(iii) In any business or residence area.

(3) 20 miles per hour:

(i) Upon approaching within 50 feet and in traversing an intersection of highways where the driver's view in either direction along any intersecting highway within a distance of 200 feet is obstructed, except that when traveling upon a through highway or at traffic-controlled intersection, the district speed applies.

(ii) When approaching, or upon a curve or any other part of a highway, in the event the driver's view is obstructed within a distance of 100 feet along the highway in the direction in which such driver is proceeding.

(iii) When approaching or traversing a section of highway posted as "Construction" or "Men Working" or similarly, unless a lesser speed limit is posted.

(4) 35 miles per hour:

(i) That portion of Annie Springs to Rim Highway lying between Park Headquarters and North Junction.

(5) 45 miles per hour on all other paved, public roads in the Park.

(6) Special speed limits:

(i) Whenever the Superintendent, Crater Lake National Park, determines that a temporary condition or situation exists upon or adjacent to a road, which requires a reduced speed limit, the Superintendent may designate a lesser speed limit, which shall be effective when appropriate signs giving notice thereof are erected upon such road.

(7) Any speed in excess of the speeds designated in subparagraphs (2), (3), (4), (5) and (6) of this paragraph shall be prima facie evidence of violation of subparagraph (1) of this subparagraph.

(d) *Commercial automobiles and buses.* The prohibition against the ad-

mission of commercial automobiles and buses to Crater Lake National Park, contained in § 1.36 of this chapter, shall be subject to the following exceptions: Commercial passenger carrying vehicles will be accorded admission to the Park upon establishing to the satisfaction of the Superintendent that said vehicles are operated from such places and in such a manner as not to provide, in effect, a regular and duplicating service conflicting with, or in competition with, the transportation services provided for the public at or outside of the Park pursuant to contract authorization with the Secretary. Admission to the Park will be accorded such motor vehicles upon payment of a special tour permit fee of \$1.00 per passenger-carrying seat in the vehicle.

(e) *Trucking.* (1) Trucks with a rated load capacity in excess of  $\frac{3}{4}$  ton are prohibited from using park roads except that trucks carrying bona fide park visitors and/or their luggage or camping equipment may enter the park upon payment of the regular automobile fee.

(2) The Superintendent may, in his discretion, issue permits for the use of park roads for non-commercial trucking, for which fees will be charged as follows, on rated capacity:

Truck, 1 ton or less	\$1.00
Truck, over 1 ton but not more than 2 tons	2.00
Truck, over 2 tons but not more than 3 tons	3.00
Truck, over 3 tons but not more than 5 tons	4.00
Truck, over 5 tons but not more than 10 tons	5.00
Truck, over 10 tons	10.00

(3) The fees listed in subparagraph (2) of this paragraph shall entitle the holder to one round trip if performed on the same day of issue; otherwise, the fee will be for a one-way trip.

(4) The word "trucks", as used in this section, shall mean truck, tractor, trailers, semi-trailers, and/or any combination thereof.

(5) Nothing in this section shall be construed to prohibit trucks used in connection with park operation.

(6) The fees established in this section shall also apply to special emergency trucking permits issued pursuant to § 1.37 (a) of this chapter.

#### § 20.3 Glacier National Park.

(a) *Fishing; open season.* The opening date for fishing in all waters in Glacier National Park shall conform to the regular opening date of the fishing season for the State of Montana, but the open season for fishing in all waters of the Park shall close at 9:30 p. m. on October 15, subject to the following exceptions and restrictions:

(1) Howe Lake and Mud Lake will be closed at 9:30 p. m. July 5.

(2) Midvale Creek is closed at all times.

(3) Fishing is prohibited between the hours of 9:30 p. m. and 5:00 a. m.

(4) Hidden Creek is closed at all times.

(5) Hidden Lake, open to fishing July 1-October 15, inclusive.

(6) Logging Creek, from the head of Logging Lake and including Grace Lake, open July 1-October 15, inclusive.



(7) Quartz Creek, between Lower Quartz Lake and Quartz Lake, open July 1-October 15, inclusive.

(8) Kintla Creek, between Kintla Lake and Upper Kintla Lake, open July 1-October 15, inclusive.

(b) *Fishing; limit of catch and in possession.* (1) The limit of catch per person per day shall be 15 pounds of fish (dressed weight with heads and tails intact) and 1 fish, not exceeding in the aggregate 10 fish.

(2) Possession of more than 1 day's catch limit by any person at any one time is prohibited.

(c) *Fishing; bait.* (1) The possession, or use for bait, of salmon eggs or other fish spawn, or any imitation thereof or substance prepared therefrom, is prohibited.

(2) Fishing with multiple spinner baits (lures with more than one blade on a single line) is prohibited.

(3) The snagging of fish is prohibited.

(d) *Speed.* The maximum speed of automobiles and other vehicles, except ambulances and Government cars on emergency trips, is limited to 45 miles per hour, subject to the following conditions and limitations:

(1) In all areas so posted, and on dangerous curves, 20 miles per hour.

(2) On the North Fork Truck Trail from Appar to Kishenehn, and on all feeder roads leading thereto, 25 miles per hour.

(3) Between U. S. Highway No. 89 (Blackfoot Highway) and Cut Bank Chalets, 30 miles per hour.

(4) Between U. S. Highway No. 89 (Blackfoot Highway) and Two Medicine Chalets, 30 miles per hour.

(5) On the Going-to-the-Sun Highway between Logan Creek and Siyeh Creek, 30 miles per hour.

(6) All trucks and busses of 1½ tons capacity or over, 35 miles per hour.

(7) All vehicles towing other vehicles, 35 miles per hour.

(e) *Camping.* No person, party, or organization shall be permitted to camp in the Park more than 30 days in any one calendar year. Camping in Sprague Creek Campground shall not exceed 15 days in any one calendar year.

(f) *Mufflers.* All cars, trucks, busses, and motorcycles shall be equipped with muffling systems in good working order. Cut-outs are prohibited.

#### § 20.4 Grand Canyon National Park.

(a) *Limitations on load, weight, and size of vehicles.* Any vehicle operated or moved upon any road within the boundaries of Grand Canyon National Park shall comply with the following height, weight, and load limitations:

(1) No vehicle including any load thereon shall exceed a height of thirteen feet six inches.

(2) No vehicle including any load thereon shall exceed a length of forty feet extreme overall dimensions, inclusive of front and rear bumpers.

(3) No combination of vehicles coupled together shall consist of more than two units except that a truck tractor and semi-trailer will be permitted to haul one full trailer and no such combination of vehicles shall exceed a total length of sixty-five feet.

(4) (i) The gross weight imposed on the highway by the wheels of any one axle of a vehicle shall not exceed eighteen thousand pounds.

(ii) For the purposes of this section an axle load means the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle.

(5) Subject to the limit upon the weight imposed upon the road through any one axle as set forth in subparagraph (4) of this paragraph, the total gross weight with load imposed upon the road by any one group of two or more consecutive axles of a vehicle or combination of vehicles shall not exceed the gross weight given for the respective distance between the first and last axle of the group of axles measured longitudinally to the nearest foot as set forth in the following table:

Distance in feet between first and last axles of group:	Allowed load in pounds on group of axles
4-----	32,000
5-----	32,000
6-----	32,200
7-----	32,900
8-----	33,600
9-----	34,300
10-----	35,000
11-----	35,700
12-----	36,400
13-----	37,100
14-----	43,200
15-----	44,000
16-----	44,800
17-----	45,600
18-----	46,400

(6) The total gross weight with load imposed on the road by any vehicle or combination of vehicles where the distance between the first and last axles is more than eighteen feet shall not exceed that given for the respective distances in the following table:

Distance in feet:	Allowed load in pounds
18-----	46,400
19-----	47,200
20-----	48,000
21-----	48,800
22-----	49,600
23-----	50,400
24-----	51,200
25-----	55,250
26-----	56,100
27-----	56,950
28-----	57,800
29-----	58,650
30-----	59,500
31-----	60,350
32-----	61,200
33-----	62,050
34-----	62,900
35-----	63,750
36-----	64,600
37-----	65,450
38-----	66,300
39-----	67,150
40-----	68,000
41-----	68,000
42-----	68,000
43-----	68,000
44-----	68,000
45-----	68,000
46-----	68,800
47-----	69,600
48-----	70,400
49-----	71,200
50-----	72,000
51-----	72,800
52-----	73,600

Distance in feet—Continued	Allowed load in pounds
53-----	74,400
54-----	75,200
55-----	76,000
56 or over-----	76,800

(7) The distance between axles shall be measured to the nearest even foot. When a fraction is exactly one-half foot the next larger whole number shall be used.

(8) *Provided, however,* That a horse-drawn vehicle equipped with metal tires may be operated when the weight of such vehicle including any load thereon does not exceed 700 pounds upon any inch in width of tire.

(9) *Provided, further,* That the provisions of this paragraph shall not apply to traction engines or tractors the propulsive power of which is exerted, not through wheels resting upon the ground, but by means of a flexible band or chain known as a movable track when the portions of the movable tracks in contact with the surface of the roadway present plane surfaces.

(b) *Flanges, ribs, clamps.* There shall not be operated or moved upon any road within the boundaries of Grand Canyon National Park any vehicle of any kind the face of the wheel or wheels of which are fitted flanges, ribs, clamps, cleats, lugs, spikes, or any device which may tend to damage the roadway. This paragraph applies to all rings or flanges upon guiding or steering wheels on any such vehicle, but it shall not be construed to prevent the use of ordinary detachable tire or skid chains.

(c) *Weighing by Park officers.* Any officer of Grand Canyon National Park having reason to believe that the weight of a vehicle and load is unlawful and not in conformity with the regulations, is authorized to weigh the same either by portable or by stationary scales and may require that such vehicle be driven to the nearest scales in the event such scales are within 5 miles. The officer may then require the driver to unload immediately such portions of the load as may be necessary to decrease the gross weight of such vehicle to the maximum therefor specified in paragraphs (a), (b), and (c) of this section.

(d) *Special permits.* The Superintendent of Grand Canyon National Park may, in his discretion, upon application in writing and good cause being shown therefor, issue a special permit in writing authorizing the applicant to operate or move a vehicle of a size or weight exceeding the maximum specified in the foregoing paragraphs upon any Park highway. Every such permit shall be issued for a single trip and may designate the route to be traversed and contain any other restrictions or conditions deemed necessary by said Superintendent. Every such permit shall be carried in the vehicle to which it refers and shall be open to inspection by any Park officer.

(e) *Reduction of load and tire limitations.* Whenever by reason of rains, thawing snow or frost, or as a result of any other cause, any Park road or roads are in a soft condition or are unsuitable for heavy traffic, the Superintendent of Grand Canyon National Park may, in his discretion and for so long a period as he



deems advisable, reduce the load capacity limitations or he may prohibit all hauling if the condition of any road so warrants.

(f) *Speed.* The maximum speed of automobiles and other vehicles, except ambulances and Government cars on emergency trips, shall not exceed the following prescribed limits:

(1) 35 miles per hour on any road, except East Rim Drive, south entrance to junction with East Rim Drive, and north entrance to junction with Cape Royal-Point Imperial spur.

(2) Approaching and at road intersections, entrance stations, and in residential areas, 25 miles per hour, as posted.

(3) In school zone, 15 miles per hour, as posted.

(4) On all curves and grades where so posted, 25 miles per hour.

(5) Trucks of two and one-half tons capacity or over, 35 miles per hour.

(6) Cars towing trailers or other cars or vehicles of any kind, 35 miles per hour.

(g) *Commercial automobiles and busses.* The prohibition against the admission of commercial automobiles and busses, so far as it applies to that section of Grand Canyon National Park north of the Colorado River known as the North Rim, contained in § 1.36 of this chapter, shall be subject to the following exception: (1) Motor vehicles operated on a general, infrequent, and non-scheduled tour on which the visit to the Park is an incident to such tour, carrying only round trip passengers traveling from the point of origin of the tour, will be accorded admission to the Park upon establishing to the satisfaction of the Superintendent that the tour originated from such place and in such manner as not to provide, in effect, a regular and duplicating service conflicting with, or in competition with, the services provided for the public at or outside of the Park pursuant to contract authorization with the Secretary. Admission to the Park will be accorded such motor vehicles upon payment of a special tour permit fee of \$1.00 per passenger-carrying seat in the vehicle.

#### § 20.5 Mount Rainier National Park.

(a) *Camping.* Quiet shall be maintained in all camps between the hours of 10:00 p.m. and 6:00 a.m.

(b) *Fishing.* (1) The fishing season in streams shall conform to that of the State of Washington, and in lakes shall be from July 4 to September 30, inclusive, with the following exceptions and restrictions:

(i) In Mowich Lake the fishing season shall be from August 1 to September 30, inclusive.

(ii) Fishing is permitted only between the hours of 4 a. m. and 9 p. m.

(2) The following waters are closed to fishing:

(i) Tipsoo Lake.

(ii) Shadow Lake.

(iii) Klickitat Creek above the White River Entrance water supply intake.

(iv) Laughing Water Creek above the Ohanapecosh water supply intake.

(v) Panther Creek above the East Side Road.

(vi) Frozen Lake.

(vii) Ipsut Creek above the Ipsut Creek Campground water supply intake.

(3) (i) The limit of catch per person per day in streams and lakes shall be 10 pounds and 1 fish, with a maximum of 10 fish, except in Lake George where the limit of catch per person per day shall be 5 pounds and 1 fish, with a maximum of 5 fish.

(ii) Possession of more than 1 day's catch by any person at any one time is prohibited.

(4) (i) The Ohanapecosh River and its tributaries and Lake George are closed to all fishing except fly fishing. The use of bait and other lures is prohibited.

(ii) The cleaning of fish in lakes or streams is prohibited.

(iii) The placing or depositing of fish eggs, fish roe, food, or other substance in any waters for the purpose of attracting, collecting, or feeding fish is prohibited.

(iv) Fishing with any line, gear, or tackle having more than two spinners, spoons, blades, flashers, or like attractions, and with more than one transparent or black rudder and more than three hooks attached to such line, gear, or tackle is prohibited.

(c) *Speed.* The maximum speed of automobiles and other vehicles, except in emergencies as provided in § 1.42 (b) of this chapter, shall not exceed the following prescribed limits when appropriate signs giving notice thereof are erected:

(1) 15 miles per hour:  
(i) When approaching or upon a curve or any other part of a road or highway in the event the driver's view is obstructed within a distance of 100 feet along the road or highway in the direction in which such driver is proceeding.

(2) 20 miles per hour:  
(i) In any business or residence district.

(ii) Upon that portion of any road or highway which passes through or borders upon a public campground, parking area, or other place of public assemblage.

(3) 35 miles per hour:  
(i) On U. S. Highway No. 410 from Chinook Pass to its junction with the East Side Road at Cayuse Pass.

(ii) On the Sunrise (Yakima Park) Road between its junction with the White River Campground Road and Sunrise.

(iii) On the White River Campground Road.

(iv) On the Carbon River Road.

(v) On the road from the Nisqually Park Entrance to Paradise.

(vi) On the West Side Road.

(vii) On the Mowich Lake Road.

(viii) On the Stevens Canyon Road.

(4) 45 miles per hour:  
(i) On the East Side Road between its junction with U. S. Highway No. 410 at Cayuse Pass and the south park boundary.

(ii) On the Sunrise (Yakima Park) Road between its junction with U. S. Highway No. 410 and its junction with the White River Campground Road.

(5) 50 miles per hour:  
(i) On U. S. Highway No. 410 between the north park boundary and its junction with the East Side Road at Cayuse Pass.

(ii) On the East Side Road between its junction with U. S. Highway No. 410 and its junction with the East Side Road at Cayuse Pass.

(6) Trucks of a ton and one-half capacity or over, 30 miles per hour except on U. S. Highway No. 410 between the north park boundary and its junction with the East Side Road at Cayuse Pass.

(7) Trucks of a ton and one-half capacity or over, 40 miles per hour on U. S. Highway No. 410 between the north park boundary and its junction with the East Side Road at Cayuse Pass.

(8) Vehicles towing trailers or other vehicles of any kind, 30 miles per hour, except on U. S. Highway No. 410 between the north park boundary and its junction with the East Side Road at Cayuse Pass.

(9) Vehicles towing trailers or other vehicles of any kind, 40 miles per hour on U. S. Highway No. 410 between the north park boundary and its junction with the East Side Road at Cayuse Pass.

(10) In every event, vehicles shall be driven or operated at appropriate reduced speed when approaching and crossing an intersection, when approaching and going around a curve, when approaching a hill crest, when traveling upon a narrow and winding road, and when special hazards exist with respect to pedestrians or other traffic or by reason of weather or roadway conditions.

(d) *Entrances and exits.* Automobiles will be permitted to enter and leave the park through park checking stations between the hours of 6:00 a.m. and 11:00 p.m. daily.

(e) *Commercial automobiles and buses.* The prohibition against the admission of commercial automobiles and buses to Mount Rainier National Park, contained in § 1.36 of this chapter, shall be subject to the following exception: Motor vehicles operated on a general, infrequent, and non-scheduled tour on which the visit to the Park is an incident to such tour, carrying only round-trip passengers traveling from the point of origin of the tour, will be accorded admission to the Park upon establishing to the satisfaction of the Superintendent that the tour originated from such place and in such a manner as not to provide, in effect, a regular and duplicating service conflicting with, or in competition with, the services provided for the public at or outside of the Park pursuant to contract authorization with the Secretary. Admission to the Park will be accorded such motor vehicles upon payment of a special tour permit fee of \$1.00 per passenger-carrying seat in the vehicle.

#### § 20.6 Muir Woods National Monument.

(a) *Fires.* Fires are prohibited within the monument.

(b) *Dogs.* Dogs are allowed in the monument only under leash. Those found running at large will be impounded and disposed of according to law.

(c) *Fishing.* Fishing is prohibited within the Monument.

#### § 20.7 Rocky Mountain National Park.

(a) *Fires.* The building of fires for any purpose on or along park roads, except in designated areas, is prohibited.

(b) *Fishing.* (1) Along the eastern shores of Shadow Mountain Lake and the Granby Reservoir fishing shall be



done in conformity with the laws and regulations of the State of Colorado.

(2) Elsewhere in the Park, fishing shall be permitted in conformity with the laws and regulations of the State of Colorado regarding minimum size limits and the method of handling and returning undersized fish to the water; and, the following additional provisions:

(i) The open season for fishing shall be June 15 through September 30.

(ii) Permissible hours for fishing shall be 4:00 a. m. to 8:30 p. m., m. s. t.

(iii) The use of seines, throw lines, set lines, or any other method of catching fish, except by rod and line held in the hand, is prohibited.

(iv) Fishing with minnows, small fish, fish eggs, or other live bait or the release or freeing thereof, in any of the waters is prohibited.

(v) The number of fish that may be taken by any person in any one day is limited to 10 fish (not exceeding a total of 10 pounds). The possession of more than one day's catch by any person at any time is prohibited.

(vi) Fishing in rearing ponds or other posted waters is prohibited.

(vii) Tonahutu Creek is closed for a distance of 3 miles upstream from the park boundary.

(viii) The Big Thompson River in Forest Canyon from the junction of Fern Creek to its source is closed to fishing.

(c) *Travel on roads and trails.* Travel on the Fall River Road is limited to one-way travel from Chasm Falls to Fall River Pass.

(d) *Camping.* No person, party, or organization shall be permitted to camp in the park more than 30 days in any calendar year.

(e) *Trucking.* (1) The park superintendent may issue permits for the use of the Trail Ridge Road for trucking by ranchers, farmers, and business concerns located in the counties of Larimer, Boulder, and Grand, Colorado, when the loads carried originate and terminate within these counties, for which fees shall be charged as follows:

Vehicle, 1 ton or less.....	\$2.00
Vehicle, over 1 ton but not more than 2 tons.....	3.00
Vehicle, over 2 tons but not more than 3 tons.....	4.00
Vehicle, over 3 tons but not more than 5 tons.....	5.00
Vehicle, over 5 tons but not more than 10 tons.....	10.00

(2) The applicable fee shall be charged for the licensed capacity of a truck, trailer, or semi-trailer.

(3) The fee charged is for one round trip, provided such trip is made in one day, otherwise the fee is for a one-way trip.

(4) No vehicle which has a gross weight, including vehicle and load, in excess of 10 tons, shall be operated or moved on the Trail Ridge Road.

(5) The fee provided in this paragraph shall also apply to special emergency trucking permits issued pursuant to § 1.37 (a) of this chapter.

(f) *Report of accidents by wrecker operators.* Before the operator of a commercial wrecking car shall attempt to remove any vehicle involved in an accident within the Park, he shall take rea-

sonable steps to ascertain whether any of the persons involved in the accident have reported it to the appropriate Park authority and if he fails to ascertain that a report of the accident has been made, he shall report the accident to the nearest Park authority before disturbing or removing any of the vehicles, equipment, or materials involved in the accident, except when the removal thereof is necessary to save human life or to prevent the further destruction of property.

(g) *Commercial automobiles and buses.* The prohibition against the admission of commercial automobiles and buses to Rocky Mountain National Park, contained in § 1.36 of this chapter, shall be subject to the following exception: Motor vehicles operated on a general, infrequent, and nonscheduled tour on which the visit to the park is an incident to such tour, carrying only round-trip passengers traveling from the point of origin of the tour, will be accorded admission to the park upon establishing to the satisfaction of the Superintendent that the tour originated from such place and in such a manner as not to provide, in effect, a regular and duplicating service conflicting with, or in competition with, the services provided for the public at or outside the park pursuant to contract authorization with the Secretary. Admission to the park will be accorded such motor vehicles upon payment of a special tour permit fee of \$1.00 per passenger-carrying seat in the vehicle.

(h) *Speed.* Speed limits in the Park, except in emergencies as provided in § 1.42 (b) of this chapter, are as follows:

(i) 40 miles per hour:  
(1) Between the National Park boundary at the Grand Lake Entrance and the Phantom Valley Trading Post.

(2) 35 miles per hour:  
(i) All other roads in the Park.

(3) As provided in § 1.42 (a) of this chapter, vehicles shall be operated at an appropriate reduced speed where so posted or when approaching and crossing an intersection, when approaching and going around a curve, when approaching a hill crest, when traveling upon a narrow and winding road, and when special hazards exist with respect to pedestrians or other traffic, or by reason of weather or roadway conditions.

(i) *Regulations governing eating and drinking establishments on privately-owned lands.* (1) *Definitions.* The following definitions shall apply in the interpretation and enforcement of this section:

(ii) *Restaurant.* The term "restaurant" shall mean restaurant, coffee shop, cafeteria, short order cafe, luncheonette, tavern, sandwich stand, soda fountain, and all other eating or drinking establishments, as well as kitchens or other places in which food or drink is prepared for sale elsewhere.

(iii) *Employee.* The term "employee" shall mean any person who handles food or drink during preparation or serving, or who comes in contact with any eating or cooking utensils, or who is employed in a room in which food or drink is prepared or served.

(iii) *Utensils.* "Utensils" shall include any kitchenware, tableware, glass-

ware, cutlery, utensils, containers, or other equipment with which food or drink comes in contact during storage, preparation, or serving.

(iv) *Superintendent.* The term "Superintendent" shall mean the Superintendent of Rocky Mountain National Park or his authorized representative.

(v) *Person.* The word "person" shall mean person, firm, corporation, or association.

(2) *Examination and condemnation of unwholesome or adulterated food or drink.* Samples of food, drink, and other substances may be taken and examined by the Superintendent as often as may be necessary for the detection of unwholesomeness or adulteration. The Superintendent may condemn and forbid the sale of, or cause to be removed or destroyed, any food or drink which is unwholesome or adulterated.

(3) *Sanitation requirements for restaurants.* All restaurants shall comply with all of the following items of sanitation:

(i) *Floors.* The floors of all rooms in which food or drink is stored, prepared, or served, or in which utensils are washed, shall be of such construction as to be easily cleaned, shall be smooth, and shall be kept clean and in good repair.

(ii) *Walls and ceilings.* Walls and ceilings of all rooms shall be kept clean and in good repair. All walls and ceilings of rooms in which food or drink is stored or prepared shall be finished in light color. The walls of all rooms in which food or drink is prepared or utensils are washed shall have a smooth, washable surface up to the level reached by splash or spray.

(iii) *Doors and windows.* When flies are prevalent, all openings into the outer air shall be effectively screened and doors shall be self-closing, unless other effective means are provided to prevent the entrance of flies.

(iv) *Lighting.* All rooms in which food or drink is stored or prepared or in which utensils are washed shall be well lighted.

(v) *Ventilation.* All rooms in which food or drink is stored, prepared, or served, or in which utensils are washed, shall be well ventilated.

(vi) *Toilet facilities.* Every restaurant shall be provided with adequate and conveniently located sanitary toilet facilities for its employees, conforming to the requirements of the Superintendent. The doors of all toilet rooms shall be self-closing. Toilet rooms shall be kept in a clean condition, in good repair, and well lighted and ventilated. Hand-washing signs shall be posted in each toilet room used by employees. In case privies or earth closets are permitted and used, they shall be of a sanitary type, separate from the restaurant building, and shall be fly and rodent proof.

(vii) *Water supply.* Running water under pressure shall be easily accessible to all rooms in which food is prepared or utensils are washed, and the water supply shall be adequate, and of a safe, sanitary quality.

(viii) *Lavatory facilities.* Adequate and convenient hand-washing facilities shall be provided, including hot and cold running water, soap, and approved sani-



tary towels. The use of a common towel is prohibited. No employee shall resume work after using the toilet room without first washing his hands.

(ix) *Construction of utensils and equipment.* All multi-use utensils and all show and display cases or windows, counters, shelves, tables, refrigerating equipment, sinks, and other equipment or utensils used in connection with the operation of a restaurant shall be so constructed as to be easily cleaned and shall be kept in good repair. Utensils containing or plated with cadmium or lead shall not be used: *Provided*, That solder containing lead may be used for joining.

(x) *Cleaning and bactericidal treatment of utensils and equipment.* (a) All equipment, including display cases or windows, counters, shelves, tables, refrigerators, stoves, hoods, and sinks, shall be kept clean and free from dust, dirt, insects, and other contaminating material. All cloths used by waiters, chefs, and other employees shall be clean. Single-service containers shall be used only once.

(b) All multi-use eating and drinking utensils shall be thoroughly cleaned and effectively subjected to an approved bactericidal process after each usage. All multi-use utensils used in the preparation or serving of food and drink shall be thoroughly cleaned and effectively subjected to an approved bactericidal process immediately following the day's operation. Drying cloths, if used, shall be clean and shall be used for no other purpose.

(c) No article, polish, or other substance containing any cyanide preparation or other poisonous material shall be used for the cleansing or polishing of utensils.

(xi) *Storage and handling of utensils and equipment.* After bactericidal treatment, utensils shall be stored in a clean, dry place protected from flies, dust, and other contamination, and shall be handled in such a manner as to prevent contamination as far as practicable. Single-service utensils shall be purchased only in sanitary containers, shall be stored therein in a clean, dry place until used, and shall be handled in a sanitary manner.

(xii) *Disposal of wastes.* All wastes shall be properly disposed of, and all garbage and trash shall be kept in suitable receptacles, in such manner as not to become a nuisance.

(xiii) *Refrigeration.* All readily perishable food and drink shall be kept at or below 50° F. except when being prepared or served. Waste water from refrigeration equipment shall be properly disposed of.

(xiv) *Wholesomeness of food and drink.* All food and drink shall be clean, wholesome, free from spoilage, and so prepared as to be safe for human consumption. All milk, fluid milk products, ice cream, and other frozen desserts served shall be from approved sources. Milk and fluid milk products shall be served in the individual original containers in which they were received from the distributor or from a bulk container equipped with an approved dispensing device: *Provided*, That this requirement

shall not apply to cream, which may be served from the original bottle or from a dispenser approved for such service. All oysters, clams, and mussels shall be from approved sources, and if shucked shall be kept until used in the containers in which they were placed at the shucking plant.

(xv) *Storage, display, and serving of food and drink.* All food and drink shall be so stored, displayed, and served as to be protected from dust, flies, vermin, depredation and pollution by rodents, unnecessary handling, droplet infection, overhead leakage, and other contamination. No animals or fowls shall be kept or allowed in any room in which food or drink is prepared or stored. All means necessary for the elimination of flies, roaches, and rodents shall be used.

(xvi) *Cleanliness of employees.* All employees shall wear clean outer garments and shall keep their hands clean at all times while engaged in handling food, drink, utensils, or equipment. Employees shall not expectorate or use tobacco in any form in rooms in which food is prepared.

(xvii) *Miscellaneous.* The premises of all restaurants shall be kept clean and free of litter or rubbish. None of the operations connected with a restaurant shall be conducted in any room used as living or sleeping quarters. Adequate lockers or dressing rooms shall be provided for employees' clothing and shall be kept clean. Soiled linens, coats, and aprons shall be kept in containers provided for this purpose.

(4) *Disease control.* No person who is affected with any disease in a communicable form or is a carrier of such disease shall work in any restaurant, and no restaurant shall employ any such person or any person suspected of being affected with any disease in a communicable form or of being a carrier of such disease. If the restaurant manager suspects that any employee has contracted any disease in a communicable form or has become a carrier of such disease he shall notify the Superintendent immediately. A placard containing this section shall be posted in all toilet rooms.

(5) *Procedure when infection suspected.* When suspicion arises as to the possibility of transmission of infection from any restaurant employee the Superintendent may require any or all of the following measures:

(i) The immediate exclusion of the employee from all restaurants.

(ii) The immediate closing of the restaurant concerned until no further danger of disease outbreak exists, in the opinion of the Superintendent.

(iii) Adequate medical examinations of the employee and of his associates, with such laboratory examinations as may be indicated.

#### § 20.8 Sequoia-Kings Canyon National Parks.

(a) *Stock driveways.* (1) So long as it may be available for such purpose, the present county road extending from the west boundary of Kings Canyon National Park near Redwood Gap to Quail Flat junction of the Generals Highway and the old road beyond is designated

for the movement of stock and vehicular traffic, without charge, to and from national forest lands on either side of the General Grant grove section of the park. Care must be exercised to prevent stock from straying from the right-of-way.

(2) *Nooning at Redwood Gap* is permitted, provided the stock are first driven beyond the developed area.

(3) In emergencies other stock driveway crossings in the General Grant grove section of the park may be used without charge under special arrangements first made with the superintendent of the parks.

(b) *Camping.* Within the campgrounds or other occupied areas of the Sequoia National Park, quiet must be maintained between the hours of 10:00 p. m. and 6:00 a. m.

(c) *Entrance roads.* (1) Automobiles will be permitted to enter Sequoia National Park through the Ash Mountain and Lost Grove Checking Stations between the hours of 5:00 a. m. and 9:00 p. m. except on Saturdays and days preceding a holiday, on which days entrance will be permitted until 11:00 p. m. Vehicles may leave the park through these stations only between the hours of 6:00 a. m. and 10:00 p. m.

(2) Vehicle travel is prohibited within the Giant Forest and Lodgepole areas between the hours of 11:00 p. m. and 5:00 a. m. except on Saturdays and the days preceding holidays, when the hours shall be 12:00 midnight to 5:00 a. m.

(d) *Speed.* Special speed limits within Sequoia National Park are as follows:

(1) *Generals Highway:* Through Ash Mountain Headquarters, Hospital Rock Camp and Giant Forest Village area where signs are posted, 15 miles per hour.

From Giant Forest Lodge to General Sherman Tree where sign is posted, 25 miles per hour.

(2) *Moro Rock Crescent Meadow, and Wolverton Roads* where sign is posted, 25 miles per hour.

(3) *Lodgepole and Giant Forest Camp Roads,* 15 miles per hour.

(4) *North Fork Road,* 25 miles per hour.

(5) *Bear Hill Road,* 15 miles per hour.

(6) *Ash Mountain and Potwisha Camp Roads,* 15 miles per hour.

(7) On curves where driver's view is obstructed within a distance of 200 feet along such highway in the direction in which the vehicle is proceeding, 15 miles per hour.

(8) At all intersections, 15 miles per hour.

(9) At intersections, road crossings or ranger stations where posted with "Stop" signs, all vehicles shall come to a full stop before proceeding.

(e) *Fishing.* (1) The fishing season shall conform to that of the State of California.

(2) The limit of catch per person per day shall be 10 fish, not exceeding 5 pounds of fish and 1 fish. Possession of more than 1 day's catch of fish by any person at any one time is prohibited. No minimum size limit for trout is prescribed in the parks.

(3) A California State fishing license is required of all persons 16 years of age or over fishing in the Parks.



(4) In Sequoia National Park the following waters are closed to fishing as a fish conservation measure, and as protection to domestic water supplies, watersheds, and meadows:

(i) On the watershed of the North Fork of the Kaweah River: Yucca Creek and tributaries from confluence with North Fork to sources from July 1 to close of season; Cabin Creek from Generals Highway to source.

(ii) On the watershed of the Marble Fork of the Kaweah River: Deer Creek from the foot bridge on the Sunset-Village Trail to source, except to children 10 years of age or younger; that section of Wolverton Creek from the dam up to the first posted water supply sign, except to persons 15 years of age or younger; that section of Wolverton Creek from point where water supply signs are posted to source; and Silliman Creek from Generals Highway to source at outlet of Silliman Lakes.

(iii) On the watershed of the Middle Fork of the Kaweah River: Crescent Creek from source to High Sierra Trail Bridge at lower Crescent Meadow.

(5) In Kings Canyon National Park the following waters are closed to fishing as a conservation measure, and as protection to domestic water supplies, watersheds, and meadows:

(i) On the watershed of the South Fork of the Kings River: Sheep Creek and its tributaries from source to Park boundary; Lewis Creek from Park boundary where signs are posted at the intake of the water supply to the first trail crossing; and Comb Creek from Lewis Creek to trail crossing.

(f) *Commercial automobiles and busses.* The prohibition against the admission of commercial automobiles and busses to Sequoia and Kings Canyon National Parks, contained in § 1.36 of this chapter, shall be subject to the following exceptions: Motor vehicles operated on a general, infrequent, and nonscheduled tour on which the visit to the parks is an incident to such tour, carrying only round-trip passengers traveling from the point of origin of the tour, will be accorded admission to the parks upon establishing to the satisfaction of the superintendent that the tour originated from such place and in such a manner as not to provide, in effect, a regular and duplicating service conflicting with, or in competition with, the services provided for the public at or outside of the parks pursuant to contract authorization with the Secretary. Admission to the parks will be accorded such motor vehicles upon payment of a special tour permit fee of \$2.00 per passenger-carrying seat in the vehicle.

#### § 20.9 Shiloh National Military Park.

(a) *Maximum weights of vehicles.* The maximum weight of any vehicle using the park roads or the Shiloh-Corinth Federal Highway, including the load of such vehicle, shall not exceed 18,000 pounds.

(b) *Speed.* Except where different speed zones are indicated by signs or markers, speed of automobiles and other vehicles, except ambulances and cars on official emergency trips, shall not exceed 35 miles per hour on park roads or the Shiloh-Corinth Federal Highway.

#### § 20.10 Zion and Bryce Canyon National Parks.

(a) *Limitations on load, weight, and size of vehicles—(1) Maximum size of vehicles.*

	Feet
Total width of vehicle, including load.	8
Total width of farm tractor.	9
Total height of vehicle with load.	14
Total length of single vehicle.	45
Total length of combinations of vehicles.	60

A truck tractor and semi-trailer is considered to be a combination of two vehicles. No vehicle or combination of vehicles shall carry any load extending more than three feet beyond the front of the vehicle.

(2) *Maximum weights of vehicles.* (1) No motor vehicle equipped with pneumatic tires shall be driven on any highway in the park with a maximum gross weight in excess of 9,500 pounds on one wheel, 18,000 on any one axle; and subject to this axle load limitation, no vehicle shall be operated whose total gross weight, with load, exceeds that given by formula  $W$  equals  $750 (L + 40)$  where the  $W$  is the total gross weight in pounds, and  $L$  is the distance between the first and last axles of the vehicle or combination of vehicles, in feet. An axle load shall be defined as the total load on all wheels whose centers may be included between two parallel transverse vertical planes 40 inches apart.

(ii) No motor vehicle equipped with solid rubber tires shall be operated on any highway with maximum gross weights in excess of 75 percent of the weights prescribed for vehicles equipped with pneumatic tires.

(iii) The load on any wheel of any vehicle equipped with metal tires shall not exceed 400 pounds per inch in width of tire.

(b) *Limitation on hours for trucking.* Any vehicle, whether loaded or unloaded, for which the manufacturer's rated capacity is over three tons, may be driven over the highways in Zion National Park only during the hours 10 p. m. to 6 a. m. daily during the period from April 1 to October 31, inclusive.

(c) *Convoy required; convoy fee.* No vehicle, including any load or equipment thereon, which exceeds 8 feet in width, or exceeds 10 feet 6 inches in height, or exceeds 35 feet in length single or 55 feet in length combination, may be driven over the highways in Zion National Park except under convoy by the Chief Ranger or some person acting under his authority. Drivers or owners of vehicles will not control the traffic except under the direction of the Chief Ranger or other person acting under his authority. For providing the required convoy service a convoy fee of \$5 per single trip shall be charged for each vehicle or combination of vehicles, including vehicles entitled to waiver of the automobile permit fee in accordance with § 13.15 (d) of this chapter. For vehicles not entitled to such waiver the convoy fee shall be in addition to the automobile permit fee.

(d) *Speed.* Speed in the Parks, except in emergencies as provided in § 1.42 (a) of this chapter, is limited to 35 miles per hour except where lower limits are prescribed and posted.

(e) *Commercial automobiles and busses.* The prohibition against the admission of commercial automobiles and busses to Zion and Bryce Canyon National Parks, contained in § 1.36 of this chapter shall be subject to the following exception: Motor vehicles operated on a general, infrequent, and nonscheduled tour on which the visit to either park is an incident to such tour, carrying only round-trip passengers traveling from the point of origin of the tour, will be accorded admission to the park upon establishing to the satisfaction of the Superintendent that the tour originated from such place and in such manner as not to provide, in effect, a regular and duplicating service conflicting with, or in competition with, the services provided for the public at or outside of the park pursuant to contract authorization with the Secretary. Admission to each park will be accorded such motor vehicles upon payment of a special tour permit fee of \$1.00 per passenger-carrying seat in the vehicle for each park to be visited.

#### § 20.11 Lassen Volcanic National Park.

(a) *Fishing; open season.* In all waters open to fishing, the season shall be in accordance with that established by the State of California.

(b) *Fishing; limit of catch and in possession.* The limit of catch and in possession per person per day shall be 10 fish, or 10 pounds of fish and 1 fish, in all waters except Manzanita Lake and Reflection Lake, where the daily limit of catch shall be 5 fish, or 5 pounds of fish and 1 fish. All fish caught, regardless of size, shall be retained.

(c) *Fishing; closed waters.* The following waters are closed to fishing:

Manzanita Creek.  
Grassy Swale Creek.  
Grassy Creek.  
Emerald Lake.  
Manzanita Lake, within 150 feet of inlet and outlet.

(d) *Entrance roads.* The Manzanita Lake and Sulphur Works entrances will be open from 6:00 a.m. to 10:00 p.m. daily.

(e) *Speed.* Speed limits in the Park, except in emergencies as provided in § 1.42 (b) of this chapter, are as follows:

(1) 25 miles per hour:

(i) On the Hat Creek Road, Butte Lake Road, Warner Valley Road, and Juniper Lake Road.

(2) 20 miles per hour

(i) In any business, residential, or Government service area.

(ii) Upon that portion of any road or highway which passes through or borders upon a public campground, picnic area, parking area, or other place of public assemblage.

(3) In every event, vehicles shall be driven or operated at appropriate reduced speed when approaching and crossing an intersection, when approaching and going around a curve, when approaching a hill crest, when traveling upon a narrow and winding road, and when special hazards exist with respect to pedestrians or other traffic or by reason of weather or roadway conditions.



(f) *Commercial automobiles and buses.* The prohibition against the admission of commercial automobiles and buses to Lassen Volcanic National Park, contained in §1.36 of this chapter shall be subject to the following exception: Motor vehicles operated on a general, infrequent, and nonscheduled tour on which the visit to the park is an incident to such tour, carrying only round-trip passengers traveling from the point of origin of the tour, will be accorded admission to the park upon establishing to the satisfaction of the superintendent that the tour originated from such place and in such a manner as not to provide, in effect, a regular and duplicating service conflicting with, or in competition with, the services provided for the public at or outside of the park pursuant to contract authorization with the Secretary. Admission to the park will be accorded such motor vehicles upon payment of a special tour permit fee of \$1.00 per passenger-carrying seat in the vehicle.

#### § 20.12 Kennesaw Mountain National Battlefield Park.

(a) *Speed.* Speed of automobiles and other vehicles except ambulances and Government cars on emergency trips on Kennesaw Mountain Road is limited to 25 miles per hour.

#### § 20.13 Yellowstone National Park.

(a) *Weight and size limits for vehicles.* (1) No vehicle which has a gross weight, including vehicle and load, in excess of 10 tons, shall be operated on or across the following bridges:

(i) The bridge across the Yellowstone River near Tower Junction on the Northeast Entrance road.

(ii) The bridge across the Lewis River south of Lewis Lake on the South Entrance road.

(2) No two-axle vehicle which has a gross weight, including vehicle and load, in excess of 12 tons, and no vehicle having three or more axles which has a gross weight, including vehicle and load, in excess of 15 tons, and no vehicle having a gross weight in excess of 400 pounds per inch width of tire, shall be operated or moved upon any park road, except on that portion of U. S. Highway 191 lying within the boundary of the park on which highway the limits shall be as follows:

(i) No vehicle shall carry more than 18,000 pounds on any one axle.

(3) No vehicle shall be operated or moved upon any park road when the total outside width and length, including the load thereon, exceeds 8 feet in width and 33 feet in length for a single vehicle, or 60 feet in length for a combination of vehicles, or when the total height of a vehicle, including the load thereon, exceeds 12 feet 6 inches, except on that portion of U. S. Highway 191 lying within the boundary of the park on which highway the size limits shall be as follows:

(i) Buses shall be no more than 102 inches in width. Other vehicles shall be no more than 96 inches in width. No vehicle, including load, shall be more than 15 feet in height. Buses shall not be more than 40 feet in length. Single trucks shall not be more than 35 feet in length. Combinations of vehicles shall be no more than 60 feet in length.

(b) *Traffic control.* Speed of automobiles and other vehicles, except ambulances and Government cars on emergency trips, shall not exceed the following prescribed limits:

(1) At Bridge Bay from a point approximately 3.7 miles west of Lake Junction on the road to West Thumb, along the entire length of the concrete wall for a distance of .6 mile, 25 miles per hour.

(2) The road between Mammoth Village and the North Entrance; the road between Canyon Junction and Chittenden Bridge; and the road from Norris Junction eastward to the beginning of the new park road at Station 412, approximately 3.5 miles west of Canyon Junction, 35 miles per hour; except that portion of the road through the Virginia Cascades to the top of Blanding Hill posted at 25 miles per hour.

(3) Passenger cars, and trucks of less than 1½ tons capacity, 45 miles per hour on straight and open stretches. Trucks of 1½ tons capacity or over, and vehicles towing trailers or other vehicles of any kind, 30 miles per hour. Except, on that portion of U. S. Highway 191 lying within the boundary of the park, the speed limits shall be as follows: Single vehicles and trucks with gross weight of 4,000 pounds or less, 65 miles per hour; this limit is reduced to 55 miles per hour during the hours of darkness; combination vehicles, and trucks with gross weight of more than 4,000 pounds, 45 miles per hour.

(4) Travel shall be restricted to one direction when posted on the esplanade at Mammoth Hot Springs, the esplanade at Old Faithful Village, the Bunsen Peak loop road, and the Mammoth Terrace loop road.

(5) *Careless driving:* The operating of any vehicle upon a park road in a careless and heedless disregard of the rights or safety of others, or without due caution, or at a speed or in a manner so as to endanger or be likely to endanger any person or property is prohibited.

(6) *Stop signs:* (i) No person shall drive any vehicle onto any road from another road in the Park without coming to a complete stop, provided, however, there are erected appropriate signs at such locations.

(ii) The term "road" means any street, highway turnout, parking area or public thoroughfare.

(7) *Parking:* No person shall park any vehicle in a posted restricted area except in case of bona fide emergency or for administrative purposes.

(i) The following places are designated as restricted parking areas: All bridges and the immediate surrounding areas of natural features, concession establishments, Government buildings, amphitheatres, and camp and picnic grounds. Provided, however, there are erected appropriate signs at such locations.

(c) *Trucking.* The park superintendent may issue permits for the use of park roads for trucking, for which fees shall be charged as follows:

Emergency trucking between any two park entrances—Round trip permit fee, \$10.

Trucking between the north and northeast entrances:

Trucks with a capacity of ¾ ton, but with a capacity of not more than 1¼ tons—Yearly permit fee, \$20.

Trucks with a capacity of more than 1¼ tons—Yearly permit fee, \$40.

(d) *Boats—(1) Permit.* A permit, issued by the Superintendent, is required for all boats operated upon the waters of the park. This permit must be carried within the boat at all times when any person is aboard, and shall be exhibited upon request to any person authorized to enforce the regulations in this chapter. A violation of the regulations, or disregard of the conditions outlined, by the permittee or other persons using the boat, will constitute cause for the cancellation of the permit.

(2) *Commercial operation.* No privately owned boat shall be used to carry passengers for hire or be used in any commercial operation.

(3) *Size limitation.* No privately owned boat more than 32 feet in length measured through the middle of the boat from bow to stern, and no sailboat of any type, houseboat, or any similar type water craft, shall be placed or operated upon waters of the park. Except for administrative purposes or emergencies, motor-propelled boats may be placed or operated only on Yellowstone, Lewis, and Shoshone Lakes and the channel between Shoshone and Lewis Lakes, and on the Yellowstone River from the outlet of Yellowstone Lake to a point 300 yards below Fishing Bridge.

(4) *Removal of boats.* All privately owned boats, boat trailers, water-borne craft of any kind, buoys, mooring floats, and anchorage equipment will not be permitted in the Park prior to May 1 and must be removed by November 1.

(5) *Boat equipment and requirements.* All boats operated upon Park waters are subject to the following requirements:

(i) All boats operated from sunset to sunrise must display the following lights:

(a) Class A (less than 16 feet in length). A clear white light showing all around the horizon and visible for one mile.

(b) Class I (16 feet to less than 26 feet in length). Same light requirement as Class A boats.

(c) Class II (26 feet to 32 feet in length). Individual running lights, red to port and green to starboard, visible for one mile. A bright white light aft showing all around the horizon and visible for two miles, also a bright white light forward showing from right ahead to two points abaft the beam on both sides and visible for two miles.

(ii) Boats shall carry an approved warning device as follows:

(a) Class A boats. No warning device required.

(b) Class I boats. A hand, mouth, or power operated whistle or horn, capable of producing a blast for at least two seconds duration and audible for a distance of at least one-half mile.

(c) Class II boats. Same requirement as Class I boats except the device shall be capable of producing a blast audible for a distance of at least one mile.



(iii) All boats shall carry an approved life preserver, ring buoy, or buoyant cushion in good and serviceable condition for each person on board. Such devices shall be properly secured and stowed so as to be readily accessible in emergency.

(iv) All boats having built-in or in-board motors shall carry approved fire extinguishers as follows:

(a) Class A and Class I boats. One hand operated and portable fire extinguisher. This may be a 1½-gallon foam, 4-pound carbon-dioxide, one quart carbon-tetrachloride or a 4-pound dry chemical, or larger.

(b) Class II boats. One fixed carbon-dioxide system and two hand operated, portable extinguishers of an approved type, such as 2½-gallon foam, 15-pound carbon-dioxide or 12-pound dry chemical.

(v) All boats powered with inboard motors which use gasoline as fuel are subject to the following conditions:

(a) Carburetors shall be fitted with an approved device which has demonstrated its ability to arrest backfire.

(b) In decked over boats, two or more ventilators are required, with cowls or equivalent capable of removing gases from bilges in engine and fuel tank compartments. Bilges must be kept free of oil, gasoline and grease.

(c) Drip pans are required on all up-draft carburetors. These pans are to be equipped with a fine mesh wire screen cover to prevent the overflow from catching fire.

(d) The fuel tank filler pipe must be outside the cabin and cockpit, and so constructed that spillage of gasoline will not flow into the bilge. A vent of not less than ¾-inch diameter is required from the fuel tank to the outside of the hull and shall be independent of the filler pipe.

(vi) Galley and cabin stoves shall be of such type and installation as approved by the Underwriters Laboratories.

(a) Approved types of galley stoves are those which use coal, charcoal, wood, alcohol, fuel oil or kerosene as fuel. Stoves which use gasoline as fuel are prohibited.

(b) Where a galley or cabin stove is installed, it shall be firmly attached, insulated from the woodwork, and so located that it does not endanger flammable material.

(vii) General conditions. (a) Fuel lines must be intact with no leaks and must have a shut-off valve installed near the fuel tank in a readily accessible location.

(b) Electrical wiring must be in good condition.

(c) All boats must carry a bailing bucket on board in addition to whatever bilge pumps or automatic bailing devices with which they may be equipped.

(d) All boats 26 feet or less in length shall be equipped with oars and oarlocks, or carry a sweep adequate to propel the boat in case of engine failure.

(6) *Special limits for small boats.* No boat 16 feet or less in length measured through the middle of the boat from bow to stern, canoe (regardless of length), or other water-borne craft not propelled by

a motor, shall be operated at a distance of more than one quarter mile from the shore of any lake.

(7) *Rules of the road.* The following rules of the road shall be observed:

(i) The operation of boats in such a manner as to endanger life or property is prohibited.

(ii) In narrow channels, boats shall be operated to the right of the middle of the channel.

(iii) When approaching or passing other water craft, speed shall be reduced so that the wake does not endanger the other craft.

(iv) Slow speed shall be maintained in docking and fishing areas so as not to endanger persons or other craft.

(v) Right-of-way shall be given larger craft.

(8) *Registration of trip.* The operator of each boat leaving for an extended trip, including trips of overnight duration, shall register both upon departure and return at one of the following Ranger Stations: Lake Ranger Station, Fishing Bridge Ranger Station, West Thumb Ranger Station, South Entrance Station, Old Faithful Ranger Station, and East Entrance Station.

(9) *Sanitation.* No fish offal, bottles, cans, rubbish, or refuse shall be discarded from any boat or water-borne craft into Park waters, or from docks, or from the shores, or otherwise placed in the waters of the Park. Boats, not equipped with or utilizing sewage and waste treatment equipment (consisting of shredding, retention, and chlorination prior to discharge) are hereby prohibited from discharging head and/or galley wastes within one-half mile of low water mark or any domestic water supply intake. All boats or other water-borne craft operating in park waters shall have a receptacle aboard to contain rubbish and refuse which shall be emptied only into facilities provided at docks or other specified places.

(10) *Limitation of boat loads.* No boat or other water-borne craft shall be operated on any water of the park with more than a safe capacity load of passengers or supplies. The following formula shall be used to determine the maximum safe load for boats and other water-borne craft: Maximum safe load (in pounds) =  $7\frac{1}{2} \times \text{length in feet measured through the middle of the boat} \times \text{width in feet amidship} \times \text{depth in feet amidship}$ .

(11) *Restricted landing areas.* The landing of boats or other water-borne craft on either of the islands designated as "Molly Islands" in Yellowstone Lake, or passage of boats or other water-borne craft between these islands, or the disturbance in any manner of the birds inhabiting the same or nesting thereon, is prohibited, except upon written permission of the Superintendent. Prior to July 1 of each year, the landing of any boat or other water-borne craft on the lake shore between Trail Creek and Beaverdam Creek is prohibited.

(12) *Restricted waters.* The operation of any boat, canoe, raft, or other water-borne craft on park streams (as distinguished from lakes) is prohibited, except on the channel between Lewis

Lake and Shoshone Lake and on the Yellowstone River from the outlet of Yellowstone Lake to a point 300 yards below Fishing Bridge.

(i) The operation of any canoe, raft, boat, or other water-borne craft of any kind is prohibited on Squaw, Goose, Feather, Sylvan, Eleanor, and Twin Lakes, and Beach Springs Lagoon.

(ii) The operation of any motor-propelled water-borne craft is prohibited south and west of the buoy markers in Flat Mountain Arm of Yellowstone Lake.

(iii) Water skiing, boat racing, towing of aircraft, water pageants, and other spectacular and often unsafe types of recreational use are prohibited on all park waters.

(iv) These restrictions shall not apply to craft operated for administrative purposes or in emergencies.

(e) *Fishing.* (1) *Open season.* Except as otherwise provided, the open season for fishing in the waters of the park shall be from sunrise on May 30 to sunset on October 15.

(2) *Limited open season.* (i) Riddle Lake, Grebe Lake, Wolf Lake, the stream connecting Grebe and Wolf Lakes and the Yellowstone River and its tributaries from the Upper Falls at Canyon to the marking buoys at the outlet of Yellowstone Lake are open to fishing from sunrise on July 1 to sunset on October 15. Yellowstone Lake and Squaw Lake are open to fishing from sunrise on June 15 to sunset on October 15.

(ii) All streams emptying into Yellowstone Lake, except those closed for management or cultural purposes, are open to fishing from sunrise on July 15 to sunset on October 15. Streams trapped for egg taking purposes are closed during the spawning season. Closure of such streams will be indicated by signs. Mouths of streams shall include those portions of Yellowstone Lake marked by signs and buoys within 100 yards of the stream outlet and/or inlet.

(3) *Night fishing.* Night fishing is prohibited in all waters of the Park open to fishing during specific hours of Mountain Standard Time as follows:

(i) From opening of fishing season to August 31: 9:00 p. m. to 4:00 a. m.

(ii) From September 1 to close of fishing season: 8:00 p. m. to 5:00 a. m.

(4) *Closed waters.* (i) The following waters of the Park are closed to fishing:

Indian Creek, Panther Creek, Duck Lake, Arnica Creek, a tributary of Yellowstone Lake, Obsidian Creek, upstream from the Bridge at the entrance to Indian Creek Campground, Cascade Creek, Mammoth Water Supply Reservoir, Yellowstone River for a distance of 250 yards on either side of the center of the Yellowstone Cascades, Firehole River, from the Old Faithful water supply intake to the Shoshone Lake Trail crossing above Lone Star Geyser, Gardiner River and Glen Creek for their entire length above the Mammoth water supply intake.

(ii) Fishing from the shores of the following waters is prohibited:

From West Thumb boat dock north along the shore of Yellowstone Lake to the mouth of Little Thumb Creek.

(5) *Limit of catch and in possession.* The limit of catch per day by each person fishing, and the limit of fish in pos-



session at any one time by any one person, shall be 10 pounds of fish (dressed weight with heads and tails intact), plus one fish, not to exceed a total of 5 fish.

(i) In Yellowstone Lake, that portion of the Yellowstone River above the Upper Falls at Canyon, and the streams entering into these waters, the limit of catch per day by each person fishing, and the limit of fish in possession at any one time by any person, shall be 10 pounds of fish (dressed weight with heads and tails intact), plus one fish, not to exceed a total of 3 fish.

(6) *Restrictions on use of bait and lures.* (i) No salmon eggs or other fish eggs, either fresh or preserved, shall be used as bait. The possession of such salmon eggs or other fish eggs is prohibited within the park.

(ii) Only artificial flies, with a single hook, may be used as lures in the Firehole River, Madison River, Squaw Lake, and that sector of the Gibbon River extending from the mouth of the stream to the crest of Gibbon Falls. The use of any lures, other than artificial flies, in these waters is prohibited.

(f) *Commercial automobiles and busses.* The prohibition against the admission of commercial automobiles and busses to Yellowstone National Park, contained in § 1.36 of this chapter, shall be subject to the following exceptions: Motor vehicles operated on a general, infrequent, and nonscheduled tour on which the visit to the park is an incident to such tour, carrying only round-trip passengers traveling from the point of origin of the tour, will, subject to the conditions set forth in this paragraph, be accorded admission to the park for the purpose of delivering passengers to a point of stay while in the park. After passengers have completed their stay, such motor vehicles shall leave the park by the most convenient exit station, considering their destination. Motor vehicles admitted to the park under this paragraph shall not, while in the park, engage in general sightseeing operations. Admission will be accorded such vehicles upon establishing to the satisfaction of the Superintendent that the tour originated from such place and in such a manner as not to provide, in effect, a regular and duplicating service conflicting with, or in competition with, the services provided for the public at or outside of the park, pursuant to contract authorization from the Secretary. The Superintendent shall have the authority to specify the route to be followed by such vehicles within the park. Admission to the park will be accorded such motor vehicles upon payment of a special tour permit fee of \$2.00 per passenger-carrying seat in the vehicle.

(g) *Camping—(1) Limitations.* Occupancy of each campground in Yellowstone National Park by any person, party, or organization during any calendar year during the period July 1 to Labor Day, inclusive, shall not exceed 30 days except as hereinafter specified.

(i) Occupancy of Madison, Old Faithful, West Thumb, Lewis Lake, Fishing Bridge, Cascade, and Canyon campgrounds shall not exceed 15 days during the period July 1 to Labor Day, inclusive.

(ii) Occupancy of primitive campgrounds on Yellowstone and Shoshone Lakes shall not exceed 7 days during the period July 1 to Labor Day, inclusive.

(2) *Hours of quiet.* Quiet shall be maintained in all campgrounds and hotels and other buildings during the period from 10:00 p. m. to 6:00 a. m. and the use of any noise producing device, such as motors or television sets, to the annoyance or disturbance of other persons, is prohibited during such periods.

(h) *Dogs and cats.* (1) Dogs and cats on leash, crated, or otherwise under physical restraint are permitted in the park only along established roads, walks, and paths within one quarter mile of roads or parking areas except as hereinafter stated.

(2) Dogs and cats are prohibited in the following locations:

(i) On trails more than one quarter mile from roads, and in primitive camps.

(ii) In establishments dispensing food to the public.

(iii) In possession of any employee residing in the park.

(i) *Alcoholic liquors.* (1) Definitions for the purposes of this section:

(i) The term "minor" means any person under 21 years of age regardless of marital status.

(ii) The term "alcoholic liquor" includes alcohol, spirits, wine and beer and every liquid containing alcohol, spirits, wine and beer and capable of being consumed as a beverage by a human being.

(iii) The term "person" includes any natural person, corporation, partnership or association.

(2) The sale of alcoholic liquor within the park by any person not authorized to do so by written permit or contract issued by the Superintendent or the National Park Service is prohibited. This does not apply to employees of persons to whom permits have been issued, in carrying out their assigned duties.

(3) No person authorized to sell alcoholic liquor shall sell any alcoholic liquor between the hours of one o'clock a. m. Sunday and six o'clock a. m. Monday. No person authorized to sell alcoholic liquor shall sell alcoholic liquor on week days between the hours of one o'clock a. m. and six o'clock a. m.

(4) No person authorized to sell alcoholic liquor within the park shall employ any minor to sell or dispense alcoholic liquor or permit any minor to sell or dispense any alcoholic liquor for him.

(5) No person shall sell, give away, dispose of, exchange or deliver, or permit the sale, gift or procuring of any alcoholic liquors, to or for any minor, any person who is mentally incompetent or any person who is mentally or physically incapacitated by the consumption of such liquors.

(6) No minor may sell or dispense or have in his possession or physical control any alcoholic liquor.

(7) No minor shall obtain, or attempt to obtain alcoholic liquor by misrepresentation of age, or by any other method in any place where alcoholic liquor is sold.

(8) No person authorized to sell alcoholic liquors shall engage in, allow, permit or suffer in or upon the premises where such alcoholic liquor is sold any disturbances, lewdness, immoral activities or displays, brawls or allow, permit, or suffer the premises where alcoholic liquors are sold to be conducted in such a manner as to become a nuisance public or private.

#### § 20.14 Great Smoky Mountains National Park.

(a) *Fishing—(1) Open and closed waters.* All Park waters are open to fishing except the following:

(i) North Carolina: That part of Raven Fork and all tributaries thereof lying upstream from the Cherokee Indian Reservation boundary at Big Cove; and all of the following waters: Lands Creek; Mingus Creek; and Chestnut Branch.

(ii) Tennessee: All waters of the Middle Prong of Little Pigeon River above the point where Ramsey Prong enters it.

(2) *Time.* Fishing is permitted from sunrise to sunset only.

(3) *General open season.* Fishing is permitted from May 16 to August 31, inclusive. Special open seasons are listed under subparagraph (7) of this paragraph.

(4) *Restrictions as to use of bait.* Fishing is permitted only with artificial flies or lures with one hook. Possession of insect adults, pupae and larvae, earthworms, amphibians or mammals, or parts thereof, along any stream while in possession of fishing tackle shall be considered prima facie evidence of violation of this section.

(5) *Size limits.* No fish less than 7 inches long may be retained. All fish caught, less than seven inches in length, shall be carefully handled and returned at once to the water. (Special size limits are listed under subparagraph (7) of this paragraph.)

(6) *Limit of catch and in possession.* Five fish is the maximum number of trout or bass, or combination thereof, which an angler may catch and retain in any one day or have in his possession at any time. Immediately upon retention of the fifth fish, the fisherman must disassemble his fishing tackle and cease fishing. There is no creel limit on other species of fishes.

(7) *Restrictions and exceptions in certain waters of the Park.* The following waters are designated as "Sport Fishing Streams" and subject to the following restrictions:

(i) The waters of Little River, exclusive of the Middle Prong and its tributaries, lying downstream from Millieap Picnic Area to the Park boundary; and the waters of the Oconaluftee River, North Carolina, lying downstream from the Kephart bridge to the Park boundary, excepting Mingus Creek, are open to "sport fishing" from September 1 to May 16 inclusive. During this period of time the following restrictions are in effect:

(a) Fishing restricted to artificial flies or lures containing one hook.

(b) No fish less than 16 inches in length may be retained. All fish less than 16 inches must be handled care-



fully with moist hands and returned immediately to the stream.

(ii) The waters of Bradley Fork and its tributaries, North Carolina, and West Prong of Little Pigeon River and its tributaries, Tennessee:

(a) No closed season.

(b) Fishing restricted to artificial flies or lures containing one hook.

(c) No fish less than 16 inches in length may be retained. All fish less than 16 inches must be handled carefully with moist hands and returned immediately to the stream.

(8) *License.* The National Park Service makes no charge for fishing, but persons fishing within the Park must procure the resident or nonresident State License issued and required by Tennessee, or the resident or nonresident State or county license or permit issued and required by North Carolina. The possessor of a resident fishing license issued by the State of North Carolina shall not fish on the Tennessee side of the Park without first having obtained a fishing license issued by the State of Tennessee, and the possessor of a resident fishing license issued by the State of Tennessee shall not fish on the North Carolina side of the Park without first having obtained a fishing license issued by the State of North Carolina. The possessor of a nonresident license issued by the State of Tennessee or by the State of North Carolina may fish throughout the Park during the open season.

(b) *Fires.* The lighting of fires for any purpose on or along Park roads, except at designated campgrounds and picnic areas, is prohibited.

(c) *Camping.* (1) Camping within one-eighth mile of any open public road, except at designated public camp or picnic grounds, is prohibited.

(2) Camping within one-half mile of the tower on Clingmans Dome is prohibited.

(3) Camping or trespassing on the watershed of any stream furnishing domestic water supply is prohibited.

(d) *Speed.* Except where different speed limits are indicated by posted signs or markers, speed of automobiles and other vehicles, except ambulances and Government cars on emergency trips, shall not exceed 45 miles per hour on Park roadways.

(e) *Report of accidents by wrecker operators.* Before the operator of a commercial wrecking car shall attempt to remove any vehicle involved in an accident within the Park, he shall take reasonable steps to ascertain whether any of the persons involved in the accident have reported it to the appropriate Park authority, and if he does not ascertain that a report of the accident has been made, he shall report the accident to the nearest Park authority.

(f) *Load and vehicle weight limitations.* From May 15 to October 15, inclusive, between the hours of 8:00 a. m. and 6:00 p. m., trucks over one and one-half tons capacity, and trucks of one and one-half tons capacity carrying a load in excess of 5,000 pounds, shall not be operated or moved over any road in Great Smoky Mountains National Park.

## § 20.15 Shenandoah National Park.

(a) *Fishing—(1) Applicability of regulations.*

The regulations in this section shall govern fishing on those portions of all streams lying wholly within the Park, including those portions of the Conway River, the Rapidan River, and the North and South Forks of Moormans River. Along those portions of the streams which follow the boundary line of the Park, the State of Virginia laws and regulations governing fishing shall apply.

(2) *Waters.* All waters in the Park are open to trout fishing only.

(3) *Season.* The opening date of the trout fishing season shall conform with that of the State of Virginia and shall close on the same date as the State, or October 15, whichever date is earlier.

(4) *Size limit.* Trout under nine (9) inches in length shall not be retained. All undersized fish shall be immediately and carefully returned to the water.

(5) *Limit of catch.* The limit of catch per day, or possession by each person fishing, shall not exceed eight (8) fish.

(6) *Bait.* Only artificial lures such as artificial flies, spinners, or bugs shall be used. Fishing with multiple hooks (double, treble, or gang) is prohibited.

(7) *State licenses.* No special Park license is required, but persons fishing within the Park must first procure an appropriate fishing license issued by the State of Virginia.

(8) *Emergency closing of waters.* During any period of emergency, or to prevent over-use by fishermen of waters open to fishing in Shenandoah National Park, the Superintendent, in his discretion, may close to fishing all or any part of such open waters for such periods of time as may be necessary: Provided, The notice thereof shall be given by the posting of appropriate signs, notices, and markers.

(b) *Speed.* Except where different speed zones are indicated by signs or markers, speed of automobiles and other vehicles, except ambulances and cars on official emergency trips, shall not exceed 35 miles per hour on park roadways.

(c) *Travel on roads and trails.* Any or all roads or trails may be closed to public use by order of the Superintendent when, in his judgment, conditions make travel thereon hazardous or dangerous, or when such action is necessary for the proper protection, administration and maintenance of the Park.

## § 20.16 Yosemite National Park.

(a) *Fishing—(1) Open season.* The open season for fishing within the Park shall conform with that of the State of California for the adjoining counties of Tuolumne, Mariposa, and Madera.

(2) *Open and closed waters.* The waters of Lake Eleanor and its tributaries for a distance of 1 mile from the lake are closed to fishing.

(3) *Limit of catch.* The number of fish that may be taken by any one person in any one day shall not exceed ten fish, or ten pounds and one fish. Possession of more than one day's catch limit by any person at any one time is prohibited.

(4) *Fishing from horseback.* Fishing from horseback in any lake or stream is prohibited.

(5) *Gathering or securing grubs.* Gathering or securing grubs for bait through the destruction or tearing apart of down trees or logs within sight of roads, trails or inhabited areas is prohibited.

(b) *Closed roads.* (1) The road between Hetch Hetchy Dam and Lake Eleanor is closed to all motor vehicle travel except vehicles belonging to the United States Government, the State of California, or the City of San Francisco, California.

(2) The access road, approximately eight-tenths of a mile in length, between the new Big Oak Flat Road and the summit of the Coulterville Road grade near Big Meadows, is closed to all motor vehicle travel except vehicles belonging to the United States Government and other vehicles used in connection with the administration, protection, and maintenance of the park.

(c) *Trucking.* No commercial trucks will be permitted on the Tioga Road except those used in connection with the activities of the United States Government, the State of California, or agencies operating under contract or agreement with the United States Government to render service to the public in the park, or trucks delivering supplies, materials, etc., to the United States Government, the State of California, or contractors or permittees in the park.

(d) *Speed.* Speed limits in the Park, except in emergencies as provided in § 1.42 (b) of this chapter, are as follows, when appropriate signs giving notice thereof are erected:

(1) 15 miles per hour:

(i) When passing a school building, or the grounds thereof, contiguous to the highway during school recess or while children are going to or leaving such school during opening or closing hours or while the playgrounds of any such school are in use by school children.

(ii) Upon roadways within public campgrounds.

(2) 20 miles per hour:

(i) In any business or residence district.

(ii) Upon that portion of any highway which borders upon a public campground, parking area, or place of public assemblage.

(3) 25 miles per hour on the Tioga Road between McSwain Meadows and Cathedral Creek:

(i) On Big Oak Flat Road between Crane Flat and Carl Inn.

(ii) Through Mariposa Grove.

(4) 45 miles per hour:

(i) On Tioga Road between Tioga Pass and Cathedral Creek.

(ii) On Tioga Road between Crane Flat and McSwain Meadows.

(iii) On Glacier Point Road between Badger Pass intersection and Sentinel Dome.

(5) 35 miles per hour on all other public roads in the Park.

(6) In every event, vehicles shall be driven or operated at appropriate reduced speed when approaching and crossing an intersection, when ap-



proaching and going around a curve, when approaching a hill crest, when traveling upon a narrow and winding road, and when special hazards exist with respect to pedestrians or other traffic or by reason of weather or roadway conditions.

(e) *Camping.* Quiet shall be maintained at all camps between 10:00 p. m. and 6:00 a. m.

(f) *Registration of vehicles.* Motor vehicles driven or moved upon a park road in Yosemite National Park must be registered and properly display current license plates. Such registration may be with a State or other appropriate authority or, in the case of motor vehicles operated exclusively on park roads, with the Superintendent of the Park. An annual registration fee of \$6 will be charged for vehicles registered with the Superintendent which are not connected with the operation of the Park.

(g) *Bicycles.* Bicycles are prohibited on all business sidewalks serving concession operations and public facilities.

#### § 20.17 Platt National Park.

(a) *Use of park waters.* The superintendent may, whenever it becomes necessary to do so, restrict the use of the waters of any of the springs to immediate drinking purposes at such springs.

(b) *Speed.* Speed limits in the Park, except in emergencies as provided in § 1.42, are as follows:

(1) The maximum speed of all vehicles on the Perimeter Road is limited to 25 miles per hour.

(2) On that part of Oklahoma State Highway No. 18 within the Park the maximum speed shall be limited to 35 miles per hour.

(3) On all dangerous curves, posted as such, on all roads within the Park the maximum speed is limited to 25 miles per hour.

#### § 20.18 Hot Springs National Park.

(a) *Speed.* Speed of automobiles and other vehicles, except ambulances and Government cars on emergency trips, is limited to 15 miles per hour on all roads in the campground area.

(b) *Use of water.* The taking or carrying away of water, hot or cold, from any of the springs, fountains, or other sources of supply in Hot Springs National Park for the purpose of sale, or for any use other than personal drinking, is prohibited.

#### § 20.19 Morristown National Historical Park.

(a) *Speed.* Speed of automobiles and other vehicles, except ambulances and Government cars on emergency trips, is limited to 30 miles per hour on straight stretches, and to 15 miles per hour on curves.

#### § 20.20 Moores Creek National Military Park.

(a) *Visiting hours.* The park shall remain open to visitors from 7:00 a. m. to 6:00 p. m. between May 1 and September 30, and from 7:00 a. m. to 5:00 p. m. between October 1 and April 30: *Provided,* That the superintendent may open the park at such other times as may be deemed expedient for the convenience of the public: *Provided further,* That the superintendent may close the park to all visitors when, in his judgment, such action is necessary for the protection of the park or the public.

*Provided further,* That the superintendent may close the park to all visitors when, in his judgment, such action is necessary for the protection of the park or the public.

#### § 20.21 Guilford Courthouse National Military Park.

(a) *Travel on roads.* Travel on roads within the park is limited to passenger carrying vehicles, except:

(1) Vehicles belonging to the United States Government, the State of North Carolina, the County of Guilford, North Carolina, or the City of Greensboro, North Carolina.

(2) Privately owned vehicles temporarily engaged under contract with an agency enumerated in subparagraph (1) of this paragraph.

(3) Privately owned vehicles engaged wholly in hauling or trucking to or from property in the vicinity of the park, where the use of the park roads is necessary as a means of ingress to or egress from a public road.

(b) *Prohibited devices.* The operation or movement upon any road of any vehicle fitted with flanges, ribs, clamps, cleats, lugs, spikes, or any device which may tend to damage the roadway, is prohibited.

(c) *Load and vehicle weight limitations.* No vehicle equipped with pneumatic tires shall be operated or moved upon any road which has:

(1) A total weight, including vehicle and load, in excess of twelve thousand (12,000) pounds.

(2) A total weight, including vehicle and load, in excess of six thousand (6,000) pounds on any one axle, or in excess of three thousand (3,000) pounds on any one wheel.

(3) For vehicles equipped with solid rubber tires, the maximum weight, including vehicle and load, shall not exceed seventy-five (75%) percent of the maximum weights prescribed in subparagraphs (1) and (2) of this paragraph.

(4) For vehicles equipped with tires made in whole or in part of metal, the total weight, including vehicle and load, shall not exceed four hundred (400) pounds per inch of tire width.

(5) The provisions of this paragraph shall not apply to traction engines or tractors the propulsive power of which is exerted by means of a flexible band or chain known as a movable track, when the portions of the movable track in contact with the surface of the roadway present plain surfaces.

(d) *Speed.* The speed of automobiles and other vehicles, except Government cars and ambulances on emergency trips, is limited to 30 miles per hour on all roads.

(e) *Exception.* The regulations in this section shall not apply to traffic on U. S. Highway No. 220.

#### § 20.22 Grand Teton National Park.

(a) *Speed.* Speed of automobiles and other vehicles, except ambulances and Government cars on emergency trips, shall not exceed the speed limits listed below for the following designated roads:

(1) Jenny Lake Road, 35 miles per hour.

(2) Wilson Road, 25 miles per hour.

(3) Signal Mountain Road, 20 miles per hour.

(b) *Fishing.* (1) (i) The open season for fishing in Grand Teton National Park shall be from June 1 through October 31, except where otherwise specifically stated.

(ii) Jackson Lake shall be open during the calendar year except from September 20 through November 14.

(iii) The Snake River proper shall be open from May 1 through October 31.

(iv) There shall be an open season for whitefish fishing only on the Snake River from January 1 through March 15 and from December 1 through December 31.

(2) The following waters shall be closed to fishing at all times: The Snake River for a distance of 150 feet below the lower face of Moran Dam; and Cottonwood Creek from the outlet of Jenny Lake to the Horse Concession bridge.

(3) There shall be a creel limit of 12 game fish, or ten pounds and one fish (whichever is reached first) per day or in possession, except that the creel limit for Jackson Lake shall be 6 game fish or ten pounds and one fish (whichever is reached first) per day in possession. The limit of whitefish shall be 25 per day with a possession limit of three days' catch.

(4) The use or possession of fish eggs or fish for bait is prohibited in all Park waters, except that it shall be permissible to use and have in possession dead fish for use as bait on or along the shores of Jackson Lake. Authorized dealers in bait fish may retain such fish in live condition in containers removed from any fishing waters, but such fish must be dead when sold.

(5) Fishing from any bridge or boat dock in the Park is prohibited.

(6) The use of rafts or boats propelled by any type of motor is prohibited on Leigh Lake, Taggart Lake, Bradley Lake, Two Ocean and Emma Matilda Lakes and the Snake River, except for official management purposes. The use of rafts or boats of any type is prohibited within 1000 feet of the lower face of the Moran Dam.

(7) During any period of emergency, or to prevent overuse by fishermen, the Superintendent may close to fishing all or any part of such open waters for such periods of time as may seem necessary; provided that notice thereof shall be given by the posting of appropriate signs or markers.

(c) *Stock grazing.* (1) Permits for the grazing of domestic livestock based on authorized use of certain areas at the time of approval of Public Law 787, September 14, 1950, shall continue in effect or shall be renewed from time to time, except for failure to comply with the conditions and terms applicable thereto after reasonable notice of default and subject to the following provisions of tenure:

(i) Grazing privileges appurtenant to privately owned lands located within the park shall not be withdrawn until title to lands to which such privileges are



appurtenant shall have vested in the United States.

(ii) Grazing privileges appurtenant to privately owned lands located outside the park shall not be withdrawn for a period of twenty-five years, after September 14, 1950, and thereafter during the lifetime of the original permittee and his heirs if they were members of his immediate family as described below:

(a) Members of the immediate family are those persons who are related to and were living with and directly dependent upon a person, or persons, living on or conducting grazing operations from lands, as of September 14, 1950, which the Service recognized as base lands appurtenant to grazing privileges in the park. Such interpretation excludes mature children who, as of that date, were established in their own households and were not directly dependent upon the base lands and appurtenant grazing recognized by the National Park Service.

(iii) If title to base lands lying outside the park is conveyed, or such base lands are leased to someone other than a member of the immediate family of the original permittee, the grazing preference shall be recognized only for a period of twenty-five years from September 14, 1950.

(2) Where no reasonable access or egress is available to permittee or non-permittee stockmen who must cross park lands to reach grazing allotments and State or private lands within the exterior boundary of the park or to National Forest, State or private lands adjacent to the park, The Superintendent will grant, upon request, a temporary non-fee annual permit to herd stock across the park on a designated driveway, provided such herding does not require more than two trips across the park during the grazing season or consume more than five days per trip in either direction. Permittees or non-permittees who allow stock to remain on Federal lands within the park in excess of the time granted in the temporary permit, or at any time or place, when or where herding or grazing is unauthorized may be assessed fifty cents per day per animal.

(3) Grazing preferences are based on actual use during the period March 15, 1938 through September 14, 1950 and henceforth no increase in the number of animals or animal unit months will be allowed on Federal lands in the park.

(4) (i) Any permittee whose grazing privilege is appurtenant to privately owned lands within the park will be granted non-use or reduced benefits for one or more years without nullifying his privilege in subsequent years.

(ii) A permittee whose privilege is appurtenant to lands outside the park may be granted non-use on a year to year basis not to exceed three consecutive years unless such a request is clearly beyond his control for such reasons as National emergencies due to protracted labor shortages, economic depressions, etc. Whenever non-use or reduced benefits are desired a written request must be made to the Superintendent at least 60 days before the grazing season starts.

(5) Grazing fees in the park shall be the same as those charged on the ad-

joining Teton National Forest and may be adjusted annually.

(d) *Camping.* No person, party or organization shall be permitted to camp more than 30 days in any one calendar year in each of the following campgrounds: Colter Bay, Jackson Lake, Pelican Bay and Lizard Point campgrounds. Camping in the Jenny Lake campground shall not exceed 10 days in any calendar year.

(e) *House trailers.* The Jenny Lake and Colter Bay campgrounds are closed to house trailers.

#### § 20.23 George Washington Birthplace National Monument.

(a) *Travel on roads.* The following roads are open to travel during daylight hours only:

(1) The road from the Monument Circle to and including the Mansion Grounds and utility area;

(2) The Duck Hall Loop Road, except to patrons of the Log House Tea Room and the Picnic Grounds;

(3) The parking loops at the Burial Grounds and River Shore.

#### § 20.24 Catocin Recreational Demonstration Area.

(a) *Fishing.* (1) Persons desiring to fish in the waters lying within the boundaries of the Catocin Recreational Demonstration Area in Frederick County, Maryland, must first procure an anglers license as required by the laws of the State of Maryland.

(2) Little Hunting Creek is closed to fishing. All other waters are open to fishing.

(3) The open season for fishing shall be from April 15 to September 15, inclusive. Fishing is permitted only between the hours of 5:30 a.m. and 8:00 p.m.

(4) Fishing with other than artificial flies is prohibited in or on all waters except Owens Creek.

(5) The catch or creel limit of trout shall be five fish per person per day, all of which must be legal length in conformance with the laws of the State of Maryland.

#### § 20.25 Hawaii National Park.

(a) *Speed.* The speed of automobiles and other vehicles, except ambulances and Government cars on emergency trips, shall not exceed the following prescribed limits:

(1) On the Mamalahoa Highway 45 miles per hour except where signs are posted giving notice of a lower limit.

(2) Through the headquarters area, Kilauea section, 25 miles per hour.

(3) Through the Kilauea Military Camp area, 25 miles per hour.

(4) On the Crater Rim Road and the Chain of Craters Road, 35 miles per hour.

(5) On the Hilina Pali Road, 20 miles per hour.

(6) On roads in the Residential Area and Utility Area, Kilauea section, 15 miles per hour.

(7) On the Haleakala Road, 30 miles per hour, except that speed is limited to 15 miles per hour on all curves.

(8) On the Mamalahoa Highway, trucks of one and one-half ton capacity or over, and all vehicles towing trailers,

30 miles per hour, except where a lower limit is prescribed.

(b) [Reserved]

(c) *Camping.* Camping is prohibited in the Haleakala section unless a permit is first secured from the official in charge of this section of the park.

(d) *Fishing.* (1) All fishing or the gathering of sea food accomplished from the lands of the park comprising the seacoast boundary will be in conformance with existing Territorial laws. Native Hawaiian residents of the Kalapana extension area added to the park pursuant to the act of June 20, 1938 (52 Stat. 781; 16 U. S. C. 396a), or of adjacent villages and visitors under their guidance are granted the exclusive privilege of fishing or gathering sea food along the shore line of such area. These persons may engage in commercial fishing, under proper Territorial permit, and do not require a special fishing permit from the Superintendent for fishing, or the gathering of sea food in such area. Other than as noted above, commercial fishing is prohibited along the seacoast of Hawaii National Park and all fishing, or the gathering of sea food is prohibited unless a permit has first been secured from the Superintendent.

(2) The use of throw nets in fishing along the shore line is permitted.

(e) *Bicycles.* (1) Bicycle riders shall keep well to the right on all roads.

(2) Bicycles shall not be ridden abreast of one another, except on straight stretches of road where there is clear visibility ahead and to the rear for at least 300 feet.

(3) The riding of bicycles on trails is prohibited.

(4) Bicycle riders shall operate their vehicles so as to have complete control over the vehicle at all times.

(f) *Picnicking.* Picnicking or the eating of meals of any kind is prohibited in Kipuka Puau and the area adjacent to Thurston Lava Tube. Persons desiring to picnic or eat meals of any kind at places other than the designated picnic or camp grounds must first secure a permit from the Superintendent.

#### § 20.26 Death Valley National Monument.

(a) *Mining.* Mining in Death Valley National Monument is subject to the following regulations, which are prescribed to govern the surface use of claims therein:

(1) The claim shall be occupied and used exclusively for mineral exploration and development and for no other purpose except that upon written permission of an authorized officer or employee of the National Park Service the surface of the claim may be used for other specified purposes, the use to be on such conditions and for such period as may be prescribed when permission is granted.

(2) The owner of the claim and all persons holding under him shall conform to all rules and regulations governing occupancy of the lands within the National Monument.

(3) The use and occupancy of the surface of mining claims as prescribed in subparagraphs (1) and (2) of this paragraph shall apply to all such claims



located after the date of the act of June 13, 1933 (48 Stat. 139; 16 U. S. C. 447), within the limits of the National Monument as fixed by Proclamation No. 2028 of February 11, 1933, and enlarged by Proclamation No. 2228 of March 26, 1937, and to all mining claims on lands hereafter included in the National Monument, located after such inclusion, so long as such claims are within the boundaries of said Monument.

(4) Prospectors or miners shall not open or construct roads or vehicle trails without first obtaining written permission from an authorized officer or employee of the National Park Service. Applications for permits shall be accompanied by a map or sketch showing the location of the mining property to be served and the location of the proposed road or vehicle trail. The permit may be conditioned upon the permittee's maintaining the road or trail in a passable condition as long as it is used by the permittee or his successors.

(5) From and after the date of publication of this section, no construction, development, or dumping upon any location or entry, lying wholly or partly within the areas set forth in subdivisions (i) to (iii) of this subparagraph, shall be undertaken until the plans for such construction, development, and dumping, insofar as the surface is affected thereby, shall have been first submitted to and approved in writing by an authorized officer or employee of the National Park Service:

(i) All land within 200 feet of the center line of any public road.

(ii) All land within the smallest legal subdivision of the public land surveys containing a spring or water hole, or within one quarter of a mile thereof on unsurveyed public land.

(iii) All land within any site developed or approved for development by the National Park Service as a residential, administrative, or public campground site. Such sites shall include all land within the exterior boundaries thereof as conspicuously posted by the placing of an appropriate sign disclosing that the boundaries of the developed site are designated on a map of the site which will be available for inspection in the office of the Superintendent. If not so posted, such sites shall include all land within 1,000 feet of any Federally owned buildings, water and sewer systems, road loops, and camp tables and fireplaces set at designated camp sites.

(b) *Use of water.* No works or water system of any kind for the diversion, impoundment, appropriation, transmission, or other use of water shall be constructed on or across Monument lands, including mining claims, without a permit approved by an authorized officer or employee of the National Park Service. Application for such permit shall be accompanied by plans of the proposed construction. The permit shall contain the following conditions: (1) No diversion and use of the water shall conflict with the paramount general public need for such water; (2) such water systems shall include taps or spigots at points to be prescribed by the Superintendent, for the convenience of the public; and (3) all appropriations of water, in compli-

ance with the State water laws, shall be made for public use in the name of the United States and in accordance with instructions to be supplied by an authorized officer or employee of the National Park Service.

(c) *Permits.* Application for any permit required by this section shall be made through the Superintendent of the Monument.

(d) *Filing of copies of mining locations.* From and after the publication of this paragraph, in order to facilitate the administration of the regulations in this part, copies of all mining locations filed in the Office of the County Recorder shall be furnished to the office of the Superintendent, Death Valley National Monument, by the person filing the mining location in his own behalf or on behalf of any other person.

#### § 20.27 Fort Jefferson National Monument.

(a) *Fishing.* (1) No coral, shells, sea fans, or other forms of marine life found in the water, whether alive or dead, except fish, crayfish, and the common species of conch known as giant stromb (*Strombus gigas*), shall be taken or disturbed. Dead shells found about the low tide line on Loggerhead Key and Garden Key may be taken by visitors. Dead shells found above the low tide line on other keys shall not be taken without a permit from the Custodian. Dead shells occupied by hermit crabs shall not be taken or disturbed.

(2) Sea turtles, or the eggs thereof, whether on land or in the water, shall not be taken or disturbed.

(3) (i) Salt water crayfish (*Panulirus argus*), known locally as "crawfish", "Florida Lobster", or "Caribbean Spiny Lobster", shall not be caught or taken between March 21 and July 21, inclusive.

(ii) Salt water crayfish caught or taken measuring less than 12 inches from tip of head to tip of tail, exclusive of "feelers", shall be immediately returned to the water alive unless seriously injured. Those retained because seriously injured shall be counted in the day's catch and shall be surrendered to the superintendent or his representative.

(4) The limit per person per day is 2 crayfish, including those retained because seriously injured, except that the total for any vessel having more than 12 persons aboard shall not exceed twenty-five.

(5) The taking or catching of crayfish for commercial purposes is prohibited.

(6) No conchs known as the giant stromb (*Strombus gigas*) shall be caught or taken except for food or for bait. The shells of conchs caught or taken for such purposes may be retained for non-commercial purposes.

(7) The limit per person per day is 2 conchs, except that the total for any vessel having more than 12 persons aboard shall not exceed twenty-five.

(8) Fishing from vessels that engage in any commercial fishing or shrimping activity, and the taking of fish for the purpose of sale by any other boats or vessels not so engaged, is prohibited in the area of the national monument described as follows:

Beginning at Pulaski Shoal Light, at latitude 24°41'36" North, longitude 82°46'23" West, thence on a straight line to a point at latitude 24°38'00" North, longitude 82°48'00" West; thence on a straight line to a buoy "N-10" at latitude 24°36'39" North, longitude 82°49'48" West; thence in a straight line to a buoy "C1" at latitude 24°35'35" North, longitude 82°52'19" West; thence in a straight line to a buoy "N8" at latitude 24°35'07" North, longitude 82°54'07" West; thence in a straight line to a buoy "N-10" at latitude 24°36'39" North, longitude 82°57'27" West; thence in a straight line to a point at latitude 24°40'57" North, longitude 82°54'16" West; thence in a straight line to a point at latitude 24°41'50" North, longitude 82°53'10" West; thence in a straight line to a point at latitude 24°42'22" North, longitude 82°51'50" West; thence in a straight line to a point at latitude 24°42'53" North, longitude 82°49'34" West; and thence in a straight line to a point at latitude 24°42'44" North, longitude 82°48'20" West; and thence in a straight line to the point of beginning at Pulaski Shoal Light.

(9) (i) The taking of live bait in the area described in subparagraph (8) of this paragraph is prohibited, except minnows or "plichers" may be taken anywhere in the area by cast net of twelve foot diameter or under, or by hook and line.

(ii) Possession at any time of more than one day's supply of bait so taken is prohibited. No bait shall be taken for the purpose of sale.

(10) No underwater marine life shall be disturbed or taken from the moat or from the shoal waters surrounding Garden Key or Bush Key, or from the shoal waters of Long Key north of the 5-foot channel, where depths of water at mean low tide are less than 15 feet. The possession of fishing tackle, nets, spears, or gigs within such areas shall be prima facie evidence that the person or persons possessing the same are guilty of unlawful fishing in such waters: *Provided*, That the provisions of this paragraph shall not be construed to prohibit sport fishing in the deep water channels or from any pier within the area or to the taking of minnows by cast net as described in subparagraph (9) of this paragraph.

(b) *Prohibited anchorage.* All vessels are prohibited from anchoring in the channels immediately surrounding Garden Key, at any point southerly from and between marker No. 1 of the East channel and marker No. 1 of the West channel: *Provided*, That passenger carrying vessels and yachts carrying visitors to historic Fort Jefferson will be permitted to anchor temporarily within the above-described channel in such a manner as not to obstruct the passage of other vessels or craft. No vessels shall be moored at any of the piers of Fort Jefferson except with the permission of the Superintendent.

(c) *Dumping of refuse prohibited.* Dumping of trash, oily liquids or wastes, or refuse of any kind in the waters or on the beaches or lands of the national monument is prohibited.

(d) *Protection of wildlife.* Landing in any area which is used as a nesting or roosting place by summer nesting birds, or the molesting of any terrestrial wildlife, is prohibited. The Superintendent may, upon application of qualified per-



sons, issue permits to study or photograph the birds at roosting or nesting sites.

#### § 20.28 Olympic National Park.

(a) *Fishing; open season.* Fishing is permitted in open streams from the fourth Sunday in May to October 31, inclusive, and in open lakes from July 4 to October 31, inclusive, subject to the following exceptions and restrictions:

(1) Lake Crescent, Lake Mills and Irely Lake are open to fishing from May 15 to October 31, inclusive.

(2) The following streams or portions thereof are open to fishing for steelhead only from the first Sunday of December to February 28, inclusive; all tributaries thereof are closed except as otherwise indicated:

Bogachiel River.  
Dosewallips River below falls.  
Queets River below Tshletsby Creek.  
Calawah River.  
Hoh River, including South Fork.  
Quinalt River, including the North Fork below the south line of Sec. 12, T. 24 N., R. 8 W., and the East Fork below Graves Creek.  
Soloduck River below the North Fork Soloduck.

(3) Fishing is prohibited from one hour after sunset until sunrise.

(4) In that part of the Olympic National Park known as the Queets Corridor and Olympic Ocean Strip and other areas, which were added to the Park by Proclamation of the President, dated January 6, 1953 (18 F. R. 169), fishing shall be done in conformity with the laws and regulations promulgated by the State of Washington for these areas.

(b) *Fishing; closed waters.* The following waters and their tributaries are closed to fishing:

Cat Creek.  
Entire Morse Creek watershed except Lake Angeles and P. J. Lake.

(c) *Fishing; size limits.* Steelheads less than 12 inches in length and fish of any other species less than 6 inches in length, when caught, shall be released by carefully handling with moist hands and returned at once to the water.

(d) *Fishing; limit of catch and in possession.* (1) The limit of catch per person per day shall not exceed 10 fish, or 10 pounds of fish and 1 fish, except as otherwise provided.

(2) Between the first Sunday of December and February 28, inclusive, the limit of catch of steelhead shall not exceed 3 fish per person per day, 6 fish per week, or 24 fish per winter season less the number of steelhead caught by each person in the State of Washington outside Olympic National Park. Each person possessing a State of Washington fishing license shall account for his catch of steelhead in the park in the manner required by the State of Washington for fish caught outside the park.

(3) The limit of catch per person per day in Lake Crescent shall not exceed 5 fish, of which no more than 1 fish may exceed 18 inches in length.

(4) Possession of more than 1 day's catch limit by any person at any one time is prohibited.

(e) *Fishing; bait.* (1) Fishing with any line, gear, or tackle having more

than two spinners, spoons, blades, flashers, or like attractions, and with more than one transparent or black rudder, and more than three (3) hooks attached to such line, gear, or tackle, is prohibited.

(2) The placing or depositing of fish eggs, fish roe, food, or other substance in any waters for the purpose of attracting, collecting, or feeding fish, is prohibited.

(f) *Fishing; pollution of waters.* The cleaning of fish in lakes or streams, or the depositing of fish entrails, heads, gills, or other refuse in any lake or stream, is prohibited.

(g) *Fishing; license.* A State or County Fishing license is required for fishing in Lake Angeles located in Section 15, T. 29 N., R. 6 W., W. M.; and within those portions of Olympic National Park known as the Queets Corridor and Olympic Ocean Strip, and in Sections 1 to 6 inclusive, T. 27 N., R. 11 W., W. M., and in Sections 1 to 3, inclusive, T. 27 N., R. 12 W., W. M., which were added to the park by proclamation of the President, dated January 6, 1953 (18 F. R. 169).

(h) *Speed.* Speed limits in the Park, except in emergencies as provided in § 1.42 (b) of this chapter are as follows:

(1) Basic Speed Rules:

(i) Every person operating or driving a vehicle of any character upon the roads in Olympic National Park shall operate the same in a careful and prudent manner and at a rate of speed no greater than is reasonable and proper under the conditions existing at the point of operation, taking into account the amount and character of the traffic, weight of vehicle, grade and width of highway, condition of surface and freedom of obstruction to view ahead and consistent with any and all conditions existing at the point of operation so as not to unduly or unreasonably endanger the life, limb, property or other rights of any person entitled to the use of such roads.

(ii) The operator of any motorized vehicle, when entering a curve on any narrow road, must exercise due care to the extent that he or she is at all times able to bring the vehicle to a full stop within one-half of the unobstructed sight distance ahead.

(iii) No vehicle shall pass a school bus loading or unloading passengers.

(2) Maximum speed 25 miles per hour.

(i) When upon that portion of any highway which passes through or borders upon a public campground, parking area, or other place of public assemblage and when upon the following public roads:

Deer Park road.  
Dosewallips road.  
Hurricane Ridge road above Elwha Ranger Station area.  
North Fork Quinalt road east of Finley Creek.  
Staircase road.

(ii) When approaching or traversing a section of highway posted as "Construction" or "Men Working" or similarly, unless a lesser speed limit is posted.

(3) Maximum speed 35 miles per hour:

(i) When upon the following roads:

East Beach Road—Lake Crescent.  
East Fork Quinalt Road.  
Elwha to Olympic Hot Springs Road.  
Hoh Road.  
North Fork Quinalt Road west of Finley Creek.  
North Shore Road—Lake Crescent.  
Queets Road.  
Rialto Beach Road.  
Soloduck Road.  
Heart O' the Hills Road to Hurricane Ridge.

(ii) Maximum speed of trucks, or combinations of trucks and trailers, having a gross weight of 10,000 pounds is limited to 35 miles per hour on U. S. Highway 101 and to 25 miles per hour on all other park roads.

(4) Special speed limits:

(i) Whenever the Superintendent, Olympic National Park, determines that a temporary condition or situation exists upon or adjacent to a road, which requires a reduced speed limit, the Superintendent may designate a lesser speed limit, which shall be effective when appropriate signs giving notice thereof are erected upon such road.

(5) Due care required: Compliance with speed requirements as set forth in this paragraph shall not relieve the operator of any vehicle from the further exercise of due care and caution as further circumstances shall require.

(i) *Accommodations for hunters.* In that part of Olympic National Park known as Queets Corridor and Ocean Strip, which was added to the Park by Proclamation of the President of January 6, 1953 (Proclamation 3003, 18 F. R. 169; 3 CFR, 1953 Supp.), hunters may, during State authorized open hunting seasons for deer and elk, establish camps at locations designated by the Superintendent or obtain accommodations at lodging concessions for the purpose of hunting outside the Park.

(j) *Dogs and cats.* Dogs and cats, under physical restrictive control, are permitted on public highways only while in transit status, and are permitted only in such developed areas as are accessible by road. Such animals are prohibited in public eating establishments, community kitchens, and swimming pools located on Government lands.

(k) *Privately owned lands.* (1) *State health and safety laws.* Owners of privately owned lands and occupants of private lands (including business establishments) in that portion of Olympic National Park over which jurisdiction has been ceded by the State of Washington to the United States of America shall comply with the standards concerning safety and health established from time to time by or pursuant to the laws of the State of Washington which would apply to such lands, owners, and occupants if such lands were not located in Olympic National Park and personnel of the Park will consult and cooperate with State officials in the administration of this regulation. Although safety and health standards established from time to time by or pursuant to the laws of the State of Washington shall apply, such owners, and occupants of privately owned lands (including business establishments), shall not be required to obtain permits or licenses from the State of



Washington or its political subdivisions, but shall submit plans for public use structures to the Superintendent, Olympic National Park, for approval.

(2) *State forest practice laws.* Any person, firm, or corporation harvesting or cutting timber on privately owned lands within that portion of Olympic National Park over which jurisdiction has been ceded by the State of Washington to the United States of America shall comply with the standards concerning forest practices established from time to time by or pursuant to the laws of the State of Washington which would apply to such operations if they were not being conducted in Olympic National Park and personnel of the Park will consult and cooperate with State officials in the administration of this regulation. Although forest practice standards established from time to time by or pursuant to the laws of the State of Washington shall apply, no person, firm, or corporation harvesting timber, on such privately owned lands shall be required to obtain permits or licenses from, or pay fees to, the State of Washington or its political subdivisions in connection with the harvesting or cutting of timber on such lands. Prior to the initiation of harvesting or cutting of timber on privately owned lands over which jurisdiction has been ceded to the United States, such operations shall be registered with the Superintendent of Olympic National Park.

(3) *Conflict with Federal laws.* If the standards established from time to time by or pursuant to the laws of the State of Washington, specified in subparagraphs (1) and (2) of this paragraph, are lower than or conflict with any established by Federal laws or regulations applicable to privately owned lands within Olympic National Park, the latter shall prevail.

#### § 20.29 Bandelier National Monument.

(a) *Speed.* Speed of automobiles and other vehicles, except ambulances and Government cars on emergency trips, is limited to 15 miles per hour in campgrounds and Headquarters area.

#### § 20.30 Salem Maritime National Historic Site.

(a) *Wharfage fees.* (1) Fees for use of the Government-owned wharf by any privately owned craft shall be charged as follows:

	1 week	1 month
Craft with an over-all length of 15 feet and not more than 25 feet.....	\$1.00	\$2.50
Craft with an over-all length of more than 25 feet and not more than 50 feet.....	1.50	3.75
Craft with an over-all length of more than 50 feet.....	2.00	5.00

(2) No fee will be charged for the first 2 consecutive days of wharfage in any 7-day period, but any wharfage in excess of the first 2 consecutive days in any 7-day period will be charged for at the weekly rate.

#### § 20.31 Vanderbilt Mansion National Historic Site.

(a) *Speed.* Speed of automobiles and other vehicles, except ambulances

and Government cars on emergency trips, is limited to 15 miles per hour on all roads.

(b) *Admission to mansion.* No person or persons will be permitted to enter the mansion unless accompanied by National Park Service employees.

(c) *Fishing.* Fishing is prohibited.

(d) *Picnicking.* Picnicking is prohibited.

#### § 20.32 Ocmulgee National Monument.

(a) *Speed.* Speed of automobiles and other vehicles, except ambulances and Government cars on emergency trips, is limited to 25 miles per hour.

#### § 20.33 Statue of Liberty National Monument.

(a) *Checking parcels and baggage.* All parcels and bags, other than purses, brought within the Statue of Liberty National Monument shall be checked before the person or persons carrying such articles will be permitted to enter the statue: *Provided*, That this requirement may be waived by the monument superintendent or his representative in the case of bags or parcels which are voluntarily submitted for inspection of their contents.

#### § 20.34 Blue Ridge Parkway.

(a) *Speed.* Except where lower speeds are indicated by signs or markers, speed of automobiles and other vehicles, except ambulances and cars on official emergency trips, shall not exceed 45 miles per hour.

(b) *Fishing; open season.* (1) The open season for fishing in the streams within the boundaries of the Parkway, listed in this section, shall be the same as that prescribed for the State within which the stream lies. Fishing is permitted only between sunrise and sunset of the same day.

(2) The following streams within the Parkway are open to fishing during the said open season:

- Little Stoney Creek within the Peaks of Otter Area.
- Rock Castle Creek and Little Rock Castle Creek within the Rocky Knob Area.
- Gulley Creek within the Cumberland Knob Area.
- Basin Creek and Cove Creek within the Bluffs Area.
- Camp Creek within Section 2-J and Linville Area.
- Crabtree Creek within Crabtree Area.

(3) The catch or creel limit of all fish allowed per person per day, as well as the legal length of such fish, shall be in conformance with the laws of the State within which the fish are caught.

(c) *Fishing license.* The Parkway as such does not charge for fishing, but persons desiring to fish in the streams within the boundaries of the Parkway must first obtain a proper license therefor as required by the laws of the State wherein the stream in which they desire to fish is located.

(d) *Parking and crossing permits for hunters.* During the hunting seasons prescribed by the States of North Carolina and Virginia between the dates of October 16 and January 31 hunters may, under permits issued by the Superintendent, park vehicles in designated

parking areas and cross Parkway lands from and to their vehicles with dogs on leash, firearms with breach or chamber open, and wildlife lawfully killed on lands adjacent to the Parkway. The loading or unloading of any hunter, dog, or game from any point within the Parkway boundaries other than at previously designated parking areas is prohibited.

(e) *Reporting of accidents by wrecker operators and others.* Before any person shall attempt to remove any vehicle involved in an accident within the Parkway, he shall take reasonable steps to ascertain whether any of the persons involved in the accident have reported it to the appropriate Parkway authority and if he does not ascertain that a report of the accident has been made, he shall report the accident to the nearest Parkway authority.

(f) *Commercial hauling by trucks, station wagons, pickups, passenger cars, or other vehicles.* Commercial hauling on the Blue Ridge Parkway, for any purpose, by trucks, station wagons, pickups, passenger cars, or other vehicles, when such hauling is in no way connected with the operation of the Parkway, is prohibited, except that, in emergencies, special hauling permits may be issued by the Superintendent.

#### § 20.35 Gettysburg National Military Park.

(a) *Speed.* Speed of vehicles is limited to 25 miles per hour.

#### § 20.36 Mammoth Cave National Park.

(a) *Fishing.* (1) Fishing with pole and line, rod and reel, and trot and throw lines is permitted all year.

(2) *Size limit:* There shall be no size limit. All fish caught shall be retained.

(3) *Creel limit:* The following creel limits shall apply:

Black bass.....	10
Rock bass or goggle-eye.....	15
Crapple.....	30
Jack salmon or walleye pike.....	10
Sauger or sand pike.....	10
Striped bass.....	15
Muskellunge.....	5
Northern pike.....	5

(4) *Use of seines:* Seines which do not exceed 6 feet in length and 4 feet in width or height, with mesh not larger than 1/4 inch may be used only in the following runs and creeks for procuring minnows and crawfish for bait, except that minnows and crawfish shall not be taken or caught for commercial purposes: Bylew, First, Second, Pine, Buffalo, Big Hollow, Ugly, Cub, Blowing Spring, Floating Mill Branch, Dry Branch and Mill Branch. As used in this subparagraph, the term "minnows" means any fish less than 6 inches in length, except those species mentioned in this subparagraph.

(5) *Live bait.* Live bait, other than worms, shall not be used in Sloans Crossing, Green or Doyel Ponds.

(6) *Worms:* Worms or grubs may not be dug in the park.

(7) *Bows and arrows:* Use of bows and arrows for the purpose of catching fish is prohibited.

(b) *Speed.* (1) Except where otherwise indicated, speed of automobiles and other vehicles, except Government ve-



hicles on official emergency trips, shall not exceed 35 miles per hour on gravel or dirt roads within the park.

(2) At all times vehicles shall be driven at appropriate reduced speeds when approaching and crossing intersections not protected by stop signs, when approaching and rounding curves, when approaching hill crests, when traveling on narrow and winding roads, and where special hazards exist with respect to pedestrians or other traffic, or by reason of weather, roadway or other conditions.

(c) *Caves.* (1) No person or persons shall enter any cave within the boundaries of Mammoth Cave National Park with the exception of bona fide visitors to caves open to the general public without prior approval of the Superintendent.

(2) The unauthorized possession of any cave formation and/or other cave materials shall be prima facie evidence that the person or persons having the same are guilty of violating § 1.2 (a) of this chapter.

#### § 20.37 Timpanogos Cave National Monument.

(a) *Speed.* Speed of vehicles is limited to 25 miles per hour.

#### § 20.38 Isle Royale National Park.

(a) *Sport fishing, inland lakes and streams.* (1) The open season for fishing shall be as follows:

Brook trout, rainbow trout, brown trout, steelheads, and lake trout (Mackinaw trout), last Saturday in April to Labor Day, inclusive.

Muskellunge, northern pike, walleyed pike, and yellow perch, 1st of May to November 1st, inclusive.

(2) *Catch limits.* The maximum catch per person per day shall be as follows:

Brook trout, rainbow trout, brown trout, and steelheads, a combined total of 10 fish, but not more than 10 pounds of fish and 1 fish.

Lake trout (Mackinaw trout), 5 fish, but not more than 25 pounds of fish and 1 fish.  
Northern pike, walleyed pike, and muskellunge, 5 fish of either species.

(3) *Minimum size limits.* Fish of the following sizes shall not be retained but shall be carefully handled with moist hands and returned at once to the water:

Brook trout, rainbow trout, brown trout, and steelheads, under 7 inches in length.

Northern pike and walleyed pike, under 14 inches in length.

Lake trout (Mackinaw trout), under 15 inches in length.

Yellow perch, under 6 inches in length.

Muskellunge, under 30 inches in length.

(4) *Number of fish in possession.* The number of fish in possession shall not exceed the maximum catch per person per day, as indicated herein.

(b) *Docking of commercial boats and watercraft.* No privately owned boat or other watercraft which is being used for commercial purposes shall dock or land at any Government-owned dock or pier of Isle Royale National Park, except in case of emergency, without a permit from the Superintendent who shall have authority to revoke the permit and require the immediate removal of such

craft upon the failure of permittee to comply with terms and conditions of the permit.

(c) *Docking of commercial planes and aircraft.* No privately owned plane or other aircraft which is being used for commercial purposes shall dock or land at any Government-owned dock or pier of Isle Royale National Park, except in case of emergency, without a permit from the Superintendent who shall have authority to revoke the permit and require the immediate removal of such craft upon the failure of permittee to comply with terms and conditions of the permit.

(d) *Vessel rates.* (1) Transportation services between Houghton, Michigan and Isle Royale National Park, Michigan, rendered aboard Government-owned vessels, shall be charged for at the following rates:

Personal transportation—one way only—	\$5.00
Personal transportation—round trip—	10.00
Transportation of boats up to 14 feet in length—one way only—	2.50
Transportation of boats up to 14 feet in length—round trip—	5.00
Transportation of boats over 14 feet but less than 18 feet—one way only—	5.00
Transportation of boats over 14 feet but less than 18 feet—round trip—	10.00

(2) The rates mentioned in subparagraph (1) of this paragraph are subject to applicable Federal Transportation Taxes.

(3) Personal transportation for children between the ages of five and twelve, inclusive, will be one-half of the rates mentioned in subparagraph (1) of this paragraph for comparable service. No charge will be made for children under the age of five.

(4) Employees of the National Park Service, dependent members of their families, and official visitors in the pursuit of their duties will not be charged for personal transportation.

(5) The Superintendent of Isle Royale National Park shall have the authority to refuse passage to any and all persons or things for just cause.

#### § 20.39 Mesa Verde National Park.

(a) *Hospital charges.* (1) Services rendered at the Aileen Nusbaum Hospital shall be charged for at the following rates:

(i) First aid and dispensary: Ward bed, including ordinary drugs, or small dressings, and 8 hours of general nursing service per day—	\$5.00
(ii) Laboratory:	
Urinalysis, chemical only—	1.00
Urinalysis, microscopic only—	1.00
White blood count—	1.00
Red blood count—	1.00
Hemoglobin—	1.00
Differential—	2.00
Complete count with differential—	4.00

(2) The rates mentioned in subparagraph (1) of this paragraph shall be subject to the following discounts:

(i) Employees of the National Park Service and the dependent members of their families, 66% per cent. No charge will be made for the first 24 hours of hospitalization, except for services furnished in excess of those normally provided.

(ii) Residents of the Park not employed by the National Park Service and dependent members of their families, 33½ per cent.

(3) Minor dispensary services will be rendered to all residents of the Park without charge.

(4) The provision of the laboratory services enumerated above shall be optional with the Superintendent, depending upon equipment and supplies available for the rendering of such services.

(5) The charges mentioned in subparagraph (1) of this paragraph do not include meals or the services of a physician, which must be arranged for by patients at their own expense.

(6) Patients requiring greater care or service than normally furnished at the hospital must employ a special nurse or attendant.

(7) Since the facilities at the hospital are inadequate for general hospitalization, patients requiring such hospitalization should be under a physician's care and must arrange for transfer to another hospital. The superintendent may waive this requirement in his discretion, or when the physical condition of the patient renders it necessary.

(8) Residence calls will be made by the nurse only when the condition of hospitalized patients permits her absence from the hospital.

(b) *Speed.* (1) The maximum speed of all vehicles on the Entrance Road and on the Ruins Roads up to the beginning of the loop sections is limited to 35 miles per hour.

(2) On the loop sections of the Ruins Roads, and those parts of the Headquarters Area Loop Road for which maximum limits are not prescribed by § 1.42 of this chapter 25 miles per hour, as posted.

(c) *Commercial automobiles and busses.* The prohibition against the admission of commercial automobiles and busses to Mesa Verde National Park, contained in § 1.36 of this chapter, shall be subject to the following exceptions: Motor vehicles operated on a general, infrequent, and nonscheduled tour on which the visit to the park is an incident to such tour, carrying only round-trip passengers traveling from the point of origin of the tour, will be accorded admission to the park upon establishing to the satisfaction of the superintendent that the tour originated from such place and in such manner as not to provide, in effect, a regular and duplicating service conflicting with, or in competition with, the services provided for the public at or outside of the park pursuant to contract authorization with the Secretary. Admission to the park will be accorded such motor vehicles upon payment of a special tour permit fee of \$1.00 per passenger-carrying seat in the vehicle.

#### § 20.40 Hopewell Village National Historic Site

(a) *Fishing.* (1) Fishing between sunset and sunrise is prohibited.

(2) Fishing from boats is prohibited.

#### § 20.41 Big Bend National Park.

(a) *Fishing; closed waters.* All springs and ponds, and all waters within



Santa Elena, Mariscal, and Boquillas Canyons, are closed to fishing.

(b) *Fishing; method.* (1) Fishing with rod and line, or with set lines, is permitted. Each person fishing may use two set lines with not more than two hooks attached to each such line.

(2) Fishing with trotlines is prohibited.

(3) Fishing from boats is prohibited.

(c) *Fishing; limit of catch.* The limit of catch per person per day shall be 20 pounds of fish and 1 fish.

(d) *Speed.* The maximum speed of automobiles and other vehicles, except ambulances and Government cars on emergency trips, shall not exceed the following prescribed limits:

(1) In residential areas, as posted.

(2) On the Basin road from Santa Elena Junction to the Basin, as posted.

(3) On all curves and grades where so posted, 15 miles per hour.

(4) Trucks of two and one-half tons capacity or over, 35 miles per hour.

(5) Cars towing trailers or other cars or vehicles of any kind, 35 miles per hour.

(6) Passenger cars and trucks of less than two and one-half tons capacity, 45 miles per hour on straight and open stretches.

#### § 20.42 Pipestone National Monument.

(a) Indians desiring to quarry or work red pipestone shall first secure permits from the Director, which shall be issued without charge and shall be valid only during the calendar year in which they are issued. Applications for such permits may be addressed to the Director through the superintendent. The Director may limit the number of permits in operation at any one time consistent with the area available for camp sites and in the interest of conserving the pipestone.

(b) All red pipestone quarried shall be used by the Indians for the purpose of making pipes or other articles or trinkets associated with Indian folklore and legend. No unworked stone shall be sold.

(c) Pipestone, which is uncovered and exposed to the air, shall be removed and worked, or covered in such a manner as to prevent hardening or deterioration.

(d) Quarrying shall be done by hand methods, preferably with tools characteristic of those used by the "Early American Indian."

(e) The abodes of Indians living on the Monument during quarrying or working operations shall be located on sites selected by the superintendent and such abodes shall be kept clean and sanitary.

(f) *Speed.* Speed of automobiles and other vehicles, except ambulances and Government cars on emergency trips, is limited to 20 miles per hour on all roads.

#### § 20.43 Natchez Trace Parkway.

(a) *Animal-drawn vehicles.* No animal-drawn vehicles, sleds, drags, or implements which are not connected with the construction or maintenance of the Parkway shall be permitted on the main Parkway roads.

(b) *Animals.* No animal or animals which are not connected with the construction, operation, or maintenance of

the Parkway shall be ridden, led, or driven upon or along the main Parkway roads.

(c) *Except ambulances and Government cars on emergency trips:*

(1) The speed of automobiles and other vehicles, on parkway motor-roads, is limited to 50 miles per hour, except on those sections of the parkway motor roads where a lesser speed is indicated by posted signs or markers.

(2) The speed of automobiles and other vehicles on roads in the utility and residential areas shall not exceed 20 miles per hour.

#### § 20.44 Mount McKinley National Park, Alaska.

(a) *Registration of prospectors and miners.* Before entering the Park for the purpose of prospecting or locating any mining claim under the public land mining laws on lands therein, or prior to engaging in exploration or mining on any mining claim theretofore located, all prospectors and miners shall register with the Superintendent, furnishing the information required on the registration form hereinafter set forth.

(1) *Registration form.* The aforesaid registration form shall be substantially as follows:

Form No. \_\_\_\_\_  
(\_\_\_\_\_, 1949)

#### REGISTRATION OF PROSPECTORS AND MINERS

#### UNITED STATES DEPARTMENT OF THE INTERIOR

#### National Park Service

#### Mount McKinley National Park

Pursuant to the regulations of the Secretary of the Interior (36 CFR 20.44) governing the surface use of mineral claims located within the boundaries of the Mount McKinley National Park, Alaska, and to provide for the proper registration of prospectors and miners on lands within said Park, the following information is furnished:

1. Name and address of registrant: \_\_\_\_\_

**NOTE:** If registrant is an agent, this fact should be indicated and the name and address of his principal should be furnished in addition to registrant's name and address. If registrant is in charge of a party, then only the chief of the party need register; however, the names and addresses of all members of the party must be listed herein, or on a separate sheet of paper attached hereto.

2. Is registrant a citizen of the United States? \_\_\_\_\_ If registering for a party in which he is in direct charge, is each member of the party a citizen of the United States? \_\_\_\_\_ If registrant is an agent, is the principal a citizen of the United States? \_\_\_\_\_

3. If this registration is for the purpose of prospecting for minerals prior to the location of a mining claim, state the general area to be covered. \_\_\_\_\_

4. If this registration is for the purpose of further prospecting, development, or mining on a mining claim heretofore located, describe the exact location of such claim or claims, furnishing evidence of filing. \_\_\_\_\_

5. Type of mineral to be prospected for or mined. \_\_\_\_\_

6. Equipment to be used. \_\_\_\_\_

7. Date prospecting or mining will commence \_\_\_\_\_ and expected cessation of operations and departure from the Park. \_\_\_\_\_

The foregoing registration is made this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, with the understanding that it is good for one year only from the date hereof and must be renewed if activities are to be carried on within the Park after the said expiration date. A copy of this registration, duly accepted and recorded, shall be retained by the registrant at all times as evidence of his compliance with the said regulations of the Secretary of the Interior.

(Signature of registrant)

Accepted and recorded:

Superintendent,  
Mount McKinley National Park

(b) *Surface use of mineral land locations.* (1) The surface use of mining claims shall be restricted to purposes of mineral exploration and development unless other uses of the surface are authorized, in writing, by the Regional Director.

(2) Prospectors and miners may open or construct roads or vehicle trails after first obtaining a permit therefor from the Regional Director. Applications for such permits may be made to the Superintendent. Each such application shall be accompanied by a map or sketch showing the location of the mining property to be served and the location of the proposed road or vehicle trail.

(3) Timber may be cut and removed from a mining claim or access road with the prior permission of the Superintendent, who shall designate the timber which may be cut and removed. All slash, brush, or debris resulting from the cutting of timber shall be disposed of by the prospector or miner in such manner and at such times as may be designated by the Superintendent.

(c) *Fishing, limit of catch and in possession.* The limit of catch per person per day shall be 10 fish but not to exceed 10 pounds and one fish, except that the limit of catch of lake trout (mackinaw) per person per day shall be two fish, including those hooked and released. Possession of more than one day's limit of catch by any one person at any one time is prohibited.

(d) *Special wildlife protection area.* The area within one mile of the Park road (Denali Highway) between milepost 37 and milepost 42 (Sable Pass area) is closed to photographers, hikers, and other Park visitors except as may be specifically authorized by the Superintendent. Observations and photography of wildlife and other features are permitted from the road shoulders and designated turnouts.

(e) *Speed.* Speed limits in the Park are as provided in § 1.42 of this chapter, except that the maximum speed limit for vehicles having a gross weight in excess of 10,000 pounds is 25 miles per hour, and for all other vehicles is 35 miles per hour.

Interprets or applies sec. 2, 46 Stat. 1043; 16 U.S.C. 350a)

#### § 20.45 Everglades National Park.

(a) *Commercial fishing.* (1) The regulations in this paragraph apply only to the area of Everglades National Park known as Florida Bay and described as follows: All of the park waters and keys lying easterly and northerly of a line drawn south true from East Cape Sable to the park boundary, thence following



the park boundary southeasterly to the Intracoastal Waterway at a point near Jewfish Key, thence northeasterly following said Intracoastal Waterway to Jewfish Creek. Nets and traps may be used in accordance with the provisions of subparagraphs (2) to (10) of this paragraph.

(2) Gill nets shall not exceed 400 yards in length and shall have a stretched mesh of not less than 3 inches measured from knot to knot after being shrunk. Twine used in gill nets shall not be heavier than 9/20 cotton or 16/3 linen or No. 139 nylon. Only one lead line is permitted and neither lead lines nor cork lines shall be more than one-fourth inch in diameter. No purses, pockets, trammels, or other special devices for entrapping or catching fish shall be used on gill nets. No gill net may be tarred, or contain hoops. Gill nets may be tied together and used in groups of not more than three, provided that the nearest net of any group shall be at least 1,000 yards from any other gill net.

(3) Cast nets shall be of the type thrown and hauled by hand by one person, and shall not exceed 18 feet in diameter of spread.

(4) Bully nets may have a spread of not more than 3 feet and a pocket of not more than 3 feet measured from rim to tip.

(5) Bait nets shall not be more than 100 feet in length and not more than 4 feet in depth.

(6) Bait traps shall not be more than 2 feet by 2 feet by 1 foot in size, built of 1/4 inch to 1/2 inch wire mesh containing not more than 2 openings 2 1/2 inches by 4 inches or smaller. Bait traps must be buoyed.

(7) Crab traps shall have rectangular openings not to exceed sixteen square inches in area and the longer dimension shall not exceed five inches. Crab traps shall be buoyed.

(8) No other net, seine, trap, spear, explosive, or other device for entrapping, catching, killing, or taking fish, bait, or other similar edible products of the waters may be used or be in the possession of any person within the Florida Bay section of the Everglades National Park, except hook and line, the pole or line being held in hand, and further excepting the shrimp and silver mullet nets permitted under subparagraph (9) of this paragraph.

(9) The taking of shrimp, prawn, silver mullet, or other products of the waters of the park for sale as bait is prohibited: *Provided*, That fishermen may obtain bait for their own use without permit: *Provided further*, That persons holding permits may be authorized to take shrimp, prawn, silver mullet, or other products of the waters of the park for sale as bait. Bait nets, shrimp nets, or silver mullet nets may be used by holders of permits and by fishermen obtaining bait for their own use.

(10) With the exception of the gill nets mentioned in subparagraph (2) of this paragraph, no nets may be tied together, and no net shall be used within 100 yards of another net (excepting shrimp nets or silver mullet nets).

(b) *Closed waters.* (1) The following-described areas are closed to fishing with nets or seines, except cast nets, bully nets, or shrimp nets.

(i) All inland lakes, bays, canals, rivers and other bodies of water being 1/2 of a mile inland from the nearest recognizable mainland shoreline from the intersection of the northern park boundary with the Gulf of Mexico shore line southward to East Cape Sable excluding First Bay and including the area of Ponce de Leon Bay lying east of 81 degrees 08 minutes west longitude.

(ii) All inland lakes, bays, canals, rivers, and other bodies lying inland from the north shore of Florida Bay and Joe Bay and, in addition, the area north of a line drawn from Christian Point north of Joe Kemp Key to Shark Point and thence to Mosquito Point, including Otter Key. Entrances to such of the areas mentioned in this subparagraph as open on Florida Bay or the Gulf of Mexico will be posted with warning signs.

(2) The following-described area in the vicinity of Royal Palm Ranger Station is closed to all fishing: Township 58 south, range 37 east, sections 10 to 15, inclusive.

(3) The following described area bordering the Seven Mile Road (also known as the Humble Oil Well Road) from Tamiami Trail South, is closed to fishing: Township 54 South, range 36 east, sections 19, 30 and 31; township 55 south, range 36 east, sections 6, 7, 18, 19 and 30.

(c) *Protection of turtles.* The killing, wounding, capturing, molesting, or attempting to kill, wound, or capture any sea turtle or terrapin, or the disturbance of the nests or eggs thereof at any time is prohibited. The unauthorized possession within the park of the dead body or any part thereof, or of the eggs of any sea turtle or terrapin shall be prima facie evidence that the person or persons having such possession are guilty of violating this regulation.

(d) *Use of park roads.* The use of federally owned roads within Everglades National Park by trucks or other conveyances for hauling out of the park for commercial purposes, fish, shrimp, prawn, silver mullet, or other bait or edible products of the park waters, is prohibited except when such hauling is done by persons who own land within the park, or by their employees.

(e) *Prohibited conveyances.* No vehicle or conveyance, including conveyances commonly referred to as "glade buggies" or "airboats," designed to operate in, on, or over waters, swamps, or land areas, may be operated upon or across federally owned lands, including swamps and watered areas, unless prior authorization has been obtained from the Superintendent. This restriction shall not apply, however, to boats operated by oars, sails, or underwater propellers.

(f) *Applicability of State law.* Except as otherwise provided in this section and by § 1.4 of this chapter, all fishing in the waters of Everglades National Park shall be done in accordance with the laws of Florida and the regulations made pursuant thereto by the Game and Fresh Water Fish Commission and the State Board of Conservation.

(g) *Fishing; bait.* The placing or depositing of fish eggs, fish roe, food, or other substance in any inland lake, bay, canal, river or other body of water being 1/2 of a mile inland from the nearest recognizable shoreline, for the purpose of attracting, collecting, or feeding fish, is prohibited.

(h) *Feeding of animals.* The feeding, touching, teasing or molesting of any crocodile or alligator is prohibited.

(i) *Speed.* Except where different speed limits are indicated by posted signs or markers, speed of automobiles and other vehicles, except ambulances and Government cars on emergency trips, shall not exceed 45 miles per hour on park roadways.

(j) *Mining—(1) Scope.* The regulations in this paragraph are made, prescribed, and published to govern the exploration, development, extraction, and removal of oil, gas, or other minerals on lands acquired for Everglades National Park subject to the reservation of the oil, gas, or mineral rights therein as authorized pursuant to the act of October 10, 1949 (63 Stat. 733).

(2) *Coordination of activities.* The paramount purpose of the Government in creating national parks and acquiring lands therefor is to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations. The act of October 10, 1949 (63 Stat. 733), provides in part that the mineral rights reserved pursuant to that act in lands acquired for Everglades National Park shall be exercised by the owners subject to reasonable rules and regulations which the Secretary of the Interior may prescribe for the protection of the Park; and further provides that all operations in the exercise of such rights shall be carried on under such regulations as the Secretary may prescribe to protect the lands and areas for park purposes. Accordingly, all parties in interest under mineral reservations are required to conform to, and be governed by, the regulations in this paragraph pertaining to mineral operations and to all other regulations applicable to Everglades National Park: *Provided*, That such regulations shall not prevent the parties in interest from exercising their right to explore for, develop, extract, and remove the oil, gas, and other minerals from the Park area in accordance with sound conservation practices.

(3) *Operator.* As used in this paragraph, an operator shall mean anyone having the right (whether as owner of a reserved mineral interest, lessee, holder of operating rights, or otherwise) to prospect or explore for, develop, produce, or remove oil, gas, or other minerals under a mineral reservation pursuant to the act of October 10, 1949 (63 Stat. 733).

(4) *Registration.* Before entering the Park for the purpose of conducting any operations under a reserved mineral interest, the operator shall register with the Superintendent. Such registration shall show the operator's name and address, the name and address of operator's local agent in charge of operations, the



approximate location where operations are to be conducted, a brief description of the proposed operations and of the type of equipment to be used, and reference or citation to the lease, operating agreement or other instrument upon which the operator's right to conduct operations is based.

(5) *Surface use restrictions.* The surface use of land within the Park shall be restricted to purposes of mineral exploration, development, and production. The operator shall take such reasonable steps as may be needed to prevent operations from unnecessarily causing or contributing to damage to any forage or timber growth or pollution of the waters of the Park; and, to the extent not inconsistent with the terms of the reserved mineral interest, shall conduct operations in such manner as to safeguard and protect the wildlife, scenic features, and recreational values and improvements. The operator shall secure approval of the Superintendent as to the location and purpose of any surface structures or buildings to be erected. The operator shall take such reasonable steps as may be needed to prevent and suppress forest, brush, or grass fires. Upon termination of operations, or at any time prior thereto as required by the Superintendent as to unneeded facilities, the operator shall fill any sump holes, ditches, and other excavations, remove structures and debris or cover same so as to restore the surface of the land to its former condition in a manner satisfactory to the Superintendent. The right to explore for or extract gas, oil, or other minerals from lands upon which there are mineral reservations shall be exercised in such manner that surface operations therefor will at no time come within 500 feet of any structure, road, or facility used for park purposes.

(6) *Access ways.* Access ways by water, or for roads, vehicle trails, or pipelines, shall be over routes approved by the Superintendent and subject to such reasonable restrictions as may be imposed by the Superintendent for protection of the Park. Each application for an access way shall be accompanied by a map showing the location of the property to be served and the location of the proposed water route, road, vehicle trail, or pipeline.

(k) *Unattended property.* No person shall leave unattended for more than 30 days any boat, airboat, houseboat, barge, or other floating property, or fish net, bait trap, crab trap, or other device used in catching products of the sea.

(l) *Reckless operation of boats.* The operation of any boat on waters of Everglades National Park in a careless or heedless manner, in willful or wanton disregard of the rights or safety of others, or without due caution and at speed or in a manner so as to endanger or be likely to endanger any person or property is prohibited.

(1) *Speed of boats.* Except where different speed limits are indicated by posted signs or markers, speed of boats shall not exceed 40 miles per hour in the waters of the Park.

(m) *Lessee under a mining lease.* A lessee under a mining lease which was granted by the State of Florida prior to the enactment of the act of October 10, 1949 (63 Stat. 733), and which is still in force, being an operator having the right to prospect or explore for, develop, produce, or remove oil, gas, or other minerals, shall comply with the regulations contained in paragraph (j) (4), (5), and (6) of this section.

#### § 20.46 Katmai National Monument.

(a) *Fishing.*—(1) *Limit of catch and in possession.* The limit of catch per person per day shall not exceed two red salmon, and 10 fish or ten pounds and one fish of any other species. Possession of more than one day's limit of fish by any one person at any one time is prohibited.

(2) *Restrictions on use of bait and lures.* Fishing is permitted only with artificial lures. Each such artificial lure may consist of not more than two flies or not more than one plug, spoon, or spinner, to which may be attached not more than one treble hook; except that in Brooks River, other than in the area from the mouth of the river to a point approximately 880 feet upstream (as designated by National Park Service posted signs), the lures shall be restricted to not more than two flies. In said posted area, from the mouth of the river to a point approximately 880 feet upstream, plugs, spoons, and spinners with not more than one barbless treble hook and not more than one attractor blade may be used.

(3) *Closed waters.* Fishing is prohibited within 100 yards above and within 100 yards below the weir in Brooks River. Fishing from the fish ladder over Brooks Falls is also prohibited.

(4) *Natives.* Notwithstanding the above restrictions, native Aleuts and Eskimos residing in the region may take fish for personal use as food from August 20 to the end of each year.

#### § 20.47 Carlsbad Caverns National Park.

(a) *Cave entry.* No person or persons may enter any undeveloped cave or cavern within Carlsbad Caverns National Park without prior approval in writing by the Superintendent.

(b) *Speed.* Speed limits in the Park, except in emergencies as provided in § 1.42 are as follows:

(1) The maximum speed of all vehicles on Walnut Canyon Entrance Road, also designated as New Mexico Highway No. 7, from the boundary line to the bottom of the Big Hill, four and one-half miles (4.5), is limited to 35 miles per hour as posted.

(2) From the point four and one-half miles (4.5) from the boundary line of the above road (1) to the parking areas, 30 miles per hour, as posted.

#### § 20.48 Lake Mead National Recreation Area.

(a) *Speed.* The maximum speed of automobiles and other vehicles, except ambulances and Government cars on emergency trips, shall not exceed the following prescribed limits:

(1) In the immediate vicinity of camp grounds, picnic areas, swimming

beaches, boat landings, and congested areas, where the roads are so posted, 20 miles per hour.

(2) On all other roads maintained for recreational area purposes, 50 miles per hour, except as dangerous sections may be posted to provide a lower limit.

(3) The regulations in this section shall not apply to highways designated as U. S. 93-466, east of Hoover Dam and that portion of the same route west of Boulder City, nor to Arizona State Highway 68 east of Davis Dam in Arizona, nor to Nevada State Highway 77 west of Davis Dam in Nevada.

(b) *Fishing.* Fishing from or within 200 feet of any public boat dock or any public raft or float designated for water sports is prohibited.

#### § 20.49 Oregon Caves National Monument.

(a) *Admission to caves.* No person or persons shall be permitted to enter Oregon Caves unless accompanied by a guide. Children under the age of six will not be permitted to enter the caves. Competent guide service and a nursery for children too young to make the trip are provided by the Park Concessioner for which fees are charged in accordance with the schedule of rates approved by the Secretary of the Interior.

#### § 20.50 Theodore Roosevelt National Memorial Park.

(a) *Speed.* Speed limits in the Park, except in emergencies as provided in § 1.42(b) of this chapter are as follows:

(1) 15 miles per hour:  
(i) In public campgrounds including approach and exit roads to campgrounds so posted.

(ii) Headquarters areas including approach and exit roads so posted.

(2) 25 miles per hour:  
(i) On the Burning Coal Vein Road.

(3) 35 miles per hour:  
(i) On all other public roads in the Park, except that vehicles shall be operated at safe driving speeds as provided in § 1.42(a) of this chapter.

#### § 20.51 Vicksburg National Military Park.

(a) *Speed.* Except where different speed limits are indicated by posted signs or markers, speed of automobiles and other vehicles except ambulances and Government cars on emergency trips, shall not exceed 30 miles per hour on park roadways.

#### § 20.52 Devils Tower National Monument.

(a) *Speed.* The maximum speed of automobiles and other vehicles, except ambulances and Government cars on emergency trips, is limited to 35 miles per hour, except where different speed limits are indicated.

#### § 20.53 Scotts Bluff National Monument.

(a) *Speed.* Speed of automobiles and other vehicles, except ambulances and Government cars on emergency trips, shall not exceed 25 miles per hour on any of the Monument roads unless different speed limits are indicated by posted signs or markers.



### § 20.54 Colorado National Monument.

(a) *Speed.* Speed of automobiles and other vehicles in the Monument, except in emergencies as provided in § 1.42(b) of this chapter, is limited to 35 miles per hour.

### § 20.55 Acadia National Park.

(a) *Limitations on speed.* The speed of automobiles and other vehicles, except ambulances and government vehicles on emergency trips, is limited to 35 miles per hour.

(b) *Boats.* Boats shall not be launched or beached in designated swimming areas except to effect rescue. The provisions of this section shall not apply to boats operated for official use by any Federal or State agency.

### § 20.56 Petersburg National Military Park.

(a) *Speed.* Speed limits in the Park, except in emergencies as provided in § 1.42(b) of this chapter, are as follows:

- (1) 35 miles per hour:
- (i) On the Flank, Defense, and Siege Roads, except that vehicles shall be operated at safe driving speeds as provided in § 1.42 (a) of this chapter.
- (2) 25 miles per hour:
- (i) On the Prince George Courthouse Road and Attack Road.
- (ii) On the Loop Road in the Battery 5 area.
- (iii) Except that vehicles shall be operated at safe driving speeds as provided in § 1.42(a) of this chapter.

### § 20.58 Cape Hatteras National Seashore Recreational Area; hunting.

(a) Lands within the Seashore on which hunting is legally permitted are designated as follows:

- (1) Ocracoke Island, except Ocracoke village.
- (2) Hatteras Island, 500 acres, in three disconnected strips 250 feet wide measuring eastward from mean high water mark on Pamlico Sound between villages of Salvo and Avon and Buxton, and between Frisco and Hatteras.
- (3) Bodie Island, 1,500 acres, between high water mark of Roanoke Sound and a line 2,000 feet west of and parallel to U. S. Highway 158, and from the north dike of the Goosewing Club property on the north to the north boundary of the Dare County tract on the south.
- (b) Seashore lands on which hunting is not permitted will be posted accordingly.

(c) This hunting plan will be administered and enforced by the National Park Service, through the Service's authorized local representative, the Superintendent of the Seashore, hereinafter referred to as the Superintendent.

(d) The State of North Carolina will assist in the enforcement of applicable State and Federal hunting laws and otherwise in carrying out this plan.

(e) Hunting will be restricted to waterfowl, and more specifically to Canada geese, ducks and coot.

(f) Hunting privileges will be free for all hunters possessing a North Carolina State hunting license and Federal migratory bird hunting stamp.

(g) Permanent blinds will be constructed exclusively by the Seashore and

these will be built only on Bodie Island. Setting up and use of temporary or portable blinds by hunters will be permitted on Hatteras and Ocracoke Islands.

(h) Minimum distance between blinds on Seashore land and ponds within the designated hunting areas will be 300 yards unless other conditions, such as natural screening, justify a shorter distance.

(i) Hunting on Ocracoke Island will be permitted and managed in the same manner as Hatteras Island.

(j) "Jump shooting" of waterfowl will be permitted only on Hatteras and Ocracoke Islands and is prohibited within 300 yards of any blind.

(k) Properly licensed and authorized guides may provide hunting guide service within the designated hunting areas in the Seashore. They will not be permitted to solicit business within the boundaries of the Seashore and all arrangements with hunters must be made outside of those boundaries. Guides will be required to possess a North Carolina State guide license and to fulfill all requirements and conditions imposed by that license. Fees charged by guides must be approved in advance by the Superintendent. Each guide must also possess a permit issued by the Superintendent which authorizes him to guide hunters within the Seashore and the amount of the fees which he may charge.

(l) Guides shall have no permanent or seasonal blind rights within the Seashore and no special privileges other than those specified in this section.

(m) At 7:00 p. m. each evening preceding the day of hunting a drawing for blind assignments will be conducted at Seashore headquarters for Bodie Island. Advance reservations for permission to draw will be accepted through the United States mail only. Reservations postmarked prior to midnight September 25 will not be accepted. The postmark date and hour will establish and govern the priority of drawing. Maximum reservation for any individual, party or member of a party shall be two (2) consecutive days in any week, Monday through Saturday, and limited to a total of six (6) days during the season. Reservations shall have priority over non-reservations at drawing time. In the event a reservation is to be canceled, the Superintendent shall be informed by the party prior to drawing time for the date or dates of the reservation.

(n) Blinds may be reassigned by the responsible Seashore officer for use by others later the same day, after previously assigned party has vacated the blind. Vacating parties must check out and furnish information regarding their take at the checking station on Bodie Island located near the north boundary of the hunting area.

(o) Hunters and guides shall provide their own decoys and are required to leave the blind which they used in a clean, sanitary and undamaged condition.

(p) All hunters taking banded fowl shall turn in the bands at the check-out station.

(q) Details of this plan, interpretations and further information regarding

it will be published in local newspapers and issued in circular form free to all interested persons.

(r) Access to blinds will be by designated foot trails. Vehicles will not be permitted to drive to the blind sites.

(s) Trained dogs will be permitted for retrieving providing they are kept under restraint by the hunter.

(t) Blinds will be limited to two persons without a guide and three including the guide. Only two guns will be permitted in each blind.

(u) All other regulations will be in accordance with the North Carolina State and Federal migratory bird hunting laws.

## PART 21—HOT SPRINGS NATIONAL PARK; BATHHOUSE REGULATIONS

Sec.	Definitions.
21.1	Use and waste of water.
21.2	Transfers of stock or interest in bathhouses.
21.3	Federal Registration Board, officers.
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21.28	Badges for bath attendants.
21.29	Accidents.
21.30	Losses.

**AUTHORITY:** §§ 21.1 to 21.31 issued under sec. 3, 39 Stat. 535, as amended; 16 U. S. C. 3. Interpret or apply 20 Stat. 258, as amended, sec. 3, 26 Stat. 843, as amended, sec. 1, 41 Stat. 918, as amended; 16 U. S. C. 361, 363, 369.

### § 21.1 Definitions.

When used in the regulations in this part:

(a) The term "Secretary" means the Secretary of the Interior or his duly authorized representative.

(b) The term "Director" means the Director of the National Park Service and the Regional Director, Region Three.

(c) The term "Superintendent" means the Superintendent of Hot Springs National Park, Arkansas.

(d) The term "concessioner" means any individual, trustee, partnership, corporation, or other business entity operating a bathhouse receiving water from Hot Springs National Park under lease or contract authorization by the Secretary.

(e) The term "physician" means a physician or surgeon, or any person publicly professing to cure or heal.

(f) The term "registered physician" means a physician registered at the of-



office of the Superintendent as authorized to prescribe the waters of Hot Springs National Park.

(g) The term "technician" means any person certified and licensed by the Superintendent to perform special duties pertaining to services rendered in the bathhouses.

(h) The term "employee" means any employee of a bathhouse concessioner whose duties include any part of the operation of a bathhouse or rendering bathing or special services to the public, and includes technicians.

#### § 21.2 Use and waste of water.

(a) The use of hot mineral waters of Hot Springs National Park for other than bathing or other therapeutic purposes is prohibited.

(b) The wasting of the hot mineral waters of Hot Springs National Park is prohibited.

(c) The heating, reheating, or otherwise increasing the temperature of the hot mineral waters of Hot Springs National Park is prohibited.

(d) The introduction of any substance, chemical, or other material or solution into the hot mineral waters of Hot Springs National Park, except as may be directed by a registered physician, is prohibited.

#### § 21.3 Transfers of stock or interest in bathhouses.

All proposed transfers of stock in bathhouses receiving hot water from Hot Springs National Park must receive approval, in writing of the Director, before the transfer is consummated. Transfers of stock or interest in bathhouses will not be valid unless approved in this manner.

#### § 21.4 Federal Registration Board, officers.

(a) An advisory and examining board, designated as "The Hot Springs National Park Federal Registration Board," shall be appointed by the Secretary. The board shall consist of six members, five of whom shall be members of the Garland County Hot Springs Medical Society, and one the Superintendent of Hot Springs National Park. The Superintendent shall act as secretary of the board. The functions of the board shall be to advise the Superintendent concerning the use of the waters of Hot Springs National Park and to examine and approve, in proper cases, applicants for registration.

(b) There shall be a president elected by the board, who shall serve one year and until his successor is elected and qualified. Such election shall be at the annual meeting, which shall be the first meeting of the board after the personnel thereof for the ensuing year has been determined by the Secretary of the Interior. Should a vacancy occur in the office of the president by death, resignation, or otherwise, such vacancy shall be filled by the board at its first regular meeting next succeeding the date the vacancy occurs, or at a special meeting of the board called for that purpose.

#### § 21.5 Quorum.

Three members of the board shall constitute a quorum, with full authority to

transact any and all business that may come before the board.

#### § 21.6 Meetings.

(a) Regular bimonthly meetings shall be established by the board and special meetings may be held as the president of the board deems necessary, prior notice thereof having been duly announced: *Provided, however,* That the president may waive regular meetings when no appropriate business exists for consideration by the board.

(b) All routine business shall be filed with the secretary of the board at least 24 hours before the designated meeting time. Matters for consideration not filed as indicated above for the meeting will be held for consideration at the next regular or special meeting.

(c) The order for the transaction of business before the board shall be as follows:

- (1) Reading and approval of the minutes of the preceding meeting.
- (2) Consideration of unfinished business.
- (3) Consideration of new business.
- (4) Consideration of applicants for registration.
- (5) Miscellaneous business.

#### § 21.7 Minutes.

Minutes of all business transacted by the board shall be reduced to writing and be copied in a record provided for the purpose, and at the next regular or special meeting, the minutes of the previous meeting shall be read and approved, with such corrections, if any, as the board may consider proper to make.

#### § 21.8 Examinations.

Examinations of applicants for registration shall be held quarterly on a date to be fixed by the board. Any registered physician hereafter dropped from the list of registered physicians will not be restored until after he successfully passes the regular examination prescribed by the board for original registration, nor shall any such physician be eligible for examination for a period of five years from the date on which his name was dropped from the registered list: *Provided,* That the Secretary of the Interior may, in his discretion, authorize the examination of such physician at any time after one year from said date.

#### § 21.9 Fees.

Applicants for examination, preliminary to registration, will be required to pay the sum of \$10 to the Superintendent as an examination fee prior to admittance to examination. Persons having complied with the requirements for registration will be required to pay the sum of \$15 to the Superintendent as a registration fee prior to their names being placed on the list of registered physicians. The fees prescribed by this section are payable in advance in the form of postal money order or certified or cashier's check in net amount of the fee, drawn to the order of the Treasurer of the United States, or in legal tender, and are not subject to refund, either in whole or in part.

#### § 21.10 Registration of physicians.

Physicians desiring to prescribe the waters of the hot springs, either internally or through the medium of baths, must first be registered at the office of the Superintendent, and shall use only such uniform form of bathing directions as meets with the approval of the Superintendent. Registration will be accorded only to such physicians as are found to have proper professional qualifications and character. No physician who shall be convicted of any offense involving moral turpitude against the laws of the United States or any State, or who shall violate any regulation of the Arkansas State Board of Health, or who shall engage in unprofessional, disreputable, or dishonest conduct, or who is addicted to the drug or other habit which disqualifies him for the performance of his professional duties, shall be or remain registered.

#### § 21.11 Removal from register.

If a charge is made to the Superintendent in writing, under oath, supported by the affidavits of two or more reputable witnesses, that a registered physician has violated any of the laws or regulations pertaining to the government of the bathhouses receiving hot water from said Park, such registered physician shall be immediately notified by the Superintendent of the fact that affidavits have been made against him and, in the presence of the Superintendent, be accorded an opportunity to cross-examine the witnesses on the subject thereof; and if in the judgment of the Superintendent the facts warrant such action, he will cite such registered physician to appear before him on a day to be named within not exceeding 5 days from the date of notice to show cause why his name should not be stricken from the register of physicians authorized to prescribe the waters of said springs; and pending the investigation and final action upon the charges, the right of such registered physician to prescribe the hot waters may be suspended by the Secretary of the Interior. The registered physician, against whom such complaint is made, shall have the right to cross-examine said affiants and any witnesses who may appear before the Superintendent, or to file written interrogatories pertinent to the issue, addressed to such complainants or witnesses, to be answered by them under oath, and may submit within 5 days thereafter counter-affidavits in answer to the charges made in the affidavits of the witnesses. The complainants or witnesses may file rebuttal affidavits within 5 days after service upon them of said counter-affidavits. The hearing of said charges shall be had on the record as so made, and the recommendation of the Superintendent in the premises forwarded to the Secretary of the Interior through the Federal Registration Board, which board, after reviewing the record and the recommendation of the Superintendent, shall thereafter promptly submit its findings as a board of review, together with such supplemental recommendations as to it may appear proper, to the Secretary of the Interior.



**§ 21.12 Removal from register; appeal.**

An appeal from the recommendation of the Superintendent upon said record may be taken to the Secretary of the Interior within 5 days from the date of service by the Superintendent of a copy of his recommendation on the accused. If upon consideration of the complaint the charge is not sustained by the Secretary, the accused will be advised at once and the charges dismissed. If, however, such charge is sustained, the name of the registered physician shall be stricken from the registered list.

**§ 21.13 Applicants.**

The following rules shall govern applicants for registration:

(a) To be entitled to registration, applicants must be citizens of the United States of America and be graduates of a reputable medical school or of a reputable school of osteopathy, and must have complied with the laws of the State of Arkansas relating to the admission of physicians to the practice of medicine and surgery, or either, within said State.

(b) Applicants will be required to furnish, in writing, such evidence as the board may desire, touching their personal history and moral character and standing during the 5 years next preceding the date of their applications, such evidence to be placed in the hands of the secretary of the board not later than 10 days prior to the regular date for examination of applicants. Applicants will also be required to submit to such examination as the board may consider proper, concerning their knowledge of medicine and surgery and their qualifications to prescribe the hot waters.

(c) Physicians who have successfully passed the examination of the National Board of Medical Examiners shall not be required to submit to an examination by the Federal Registration Board: *Provided*, That the board shall be assured through examination of the candidate or through evidence acceptable to the board that the candidate has a suitable knowledge and ability in the use of hydrotherapy: *And further provided*, That his moral and ethical qualifications are satisfactory upon investigation by the board.

(d) An applicant who twice fails in his examination before the Federal Registration Board shall not be permitted to again take the examination prescribed by the board until after the lapse of one year from the date of his last failure.

**§ 21.14 Conduct of registered physicians.**

(a) No registered physician shall be permitted to associate himself in practice looking to the prescribing of the waters of the Hot Springs with a non-registered physician, under penalty of having his name removed from the registered list. Before any assistant is employed by a registered physician, his name must be submitted to the Superintendent, together with such other information as may be called for by the Superintendent. Registered physicians must also notify the Superintendent of any contemplated absence from Hot Springs and give the name of the person in charge of his office during such absence. Registered physicians will be

held strictly accountable for the actions of their assistants, and any violation of the regulations in this part by the registered physician or his assistant or assistants will be deemed sufficient cause for the removal of the name of such registered physician from the registered list. The name of any registered physician who shall give bath directions for the patient of a nonregistered physician shall be removed from the registered list, but this shall not apply to the prescribing of the waters of the Hot Springs for the patient of another practitioner who, while legally licensed by the State of Arkansas to treat ailments of the human system, is not eligible for registration under § 21.12 (a): *Provided*, That in all such cases the registered physician so prescribing shall deal directly with the patient and shall receive no fee, commission, or other compensation, either directly or indirectly, from such other practitioner under penalty of having his name removed from the registered list: *And provided further*, That the name of such other practitioner treating such patient shall be given on the bath directions.

(b) No registered physician, upon removal of his offices from one location to another, may publish in any newspaper, or other periodical, notice to that effect for a longer period than 3 days. Notices of return from an absence may not be published for a longer period than 3 days or for any absence of less than 10 consecutive days. Such notices shall be simple in form and free of advertising elements, such as office hours, telephone numbers, specialties, and prices for consultation.

(c) Registered physicians, occupying offices formerly occupied by physicians who have died, retired, or have been placed on the nonactive list of registered physicians, are required to have the names of such nonactive physicians removed without delay from signs, windows, and directories in the building in which such physicians formerly practiced, and upon noncompliance with this provision within 10 days may be suspended by the Secretary of the Interior until the delinquencies have been remedied.

(d) The provisions of this section shall not apply to physicians stationed at the Army and Navy General Hospital not doing outside practice.

(e) Any registered physician desiring to change his residence from Hot Springs or to retire from active practice longer than one year, and during such absence retain his registration, shall file application, in writing, with the Superintendent to be placed upon the nonresident list. If such registered physician whose name has been placed upon the nonresident list should desire to return to active practice at Hot Springs and have his name again placed upon the list of registered physicians, he may so apply in writing, stating his residence and occupation during the time he has been on the nonresident list, and shall give three references who can vouch for his conduct. The Federal Registration Board shall require an endorsement by the Garland County Hot Springs Medical Society of any registered physician

whose name has been placed upon the nonresident list requesting his name to be restored to the active list of registered physicians and upon restoration such registered physician shall be governed by all the rules applying to registered physicians.

(f) The board, by action at a regular meeting, shall have the power to remove the names of registered physicians from the registered list who have ceased to practice medicine in Hot Springs National Park, Arkansas, and have departed without informing the board or the Superintendent of their intentions to be placed upon the inactive list or to have their names removed from the registered list.

(g) The provisions of this section are subject to amendment at any regular meeting of the board on the giving of 30 days' notice in writing of the proposed amendment, subject, however, to the approval of the Secretary of the Interior.

**§ 21.15 Examining Board for Technicians.**

(a) An Examining Board for Technicians shall be appointed by the Superintendent, subject to the approval of the Director, to consist of the following members:

(1) One registered physician, to be nominated by the Federal Registration Board.

(2) One registered physiotherapist-hydrotherapist.

(3) One registered masseur.

(4) One registered bath attendant, preferably a head attendant.

(5) One member of the Superintendent's staff, who shall also be the executive secretary of the board.

(b) The board at its first meeting shall elect a president from among its members, excluding the representative of the Superintendent's staff who shall always be ineligible for any other position than executive secretary.

(c) Three members present shall constitute a quorum. Any member undergoing disciplinary action or in suspension from duty shall not remain a member of the board.

(d) The board shall meet on the third Friday in January of each year and from time to time throughout the year, subject to the call of the president, to transact such business as shall be properly presented by the executive secretary.

(e) The board will recommend to the Superintendent any necessary replacements of personnel of the board to fill vacancies.

(f) The board shall prescribe the requirements and will conduct the written examinations for all applicants seeking to be registered physiotherapists, hydrotherapists, masseurs, and bath attendants in the bathhouses.

(g) The board shall have the power to determine the qualifications of individuals seeking to be registered as qualified beauticians and chiropodists in the bathhouses.

(h) The board shall recommend to the Superintendent the granting of certificates to applicants who shall successfully pass the written or practical examinations required of all candidates coming before it.



**§ 21.16 Suspension of certificate.**

The certificate of qualification of a technician discharged for cause shall be suspended by the Superintendent, and the said person shall not be employed in any capacity in any bathhouse without recertification, which may be made only after a period of six months.

**§ 21.17 Hours of operation.**

The hours for operation of all departments of bathhouses receiving hot water from Hot Springs National Park shall be those expressly designated by the Superintendent.

**§ 21.18 Requirements for bathing.**

(a) No bathhouse concessioner shall bathe (1) any applicant for baths who is under medical treatment unless said applicant presents satisfactory evidence that he or she is the patient of a registered physician, or (2) any applicant for baths not under the care of a physician unless said applicant shall make a certificate to be filed with the bathhouse concessioner that he or she is not under the care of any physician. The violation of this paragraph by the concessioner, manager, or any employee of a bathhouse, will result in the cutting off of the water from the bathhouse or the cancelling of the contract, as the Secretary of the Interior may determine.

(b) Should any person not under the care of a physician at the commencement of baths, as permitted under paragraph (a) (2) of this section, subsequently employ, consult, or take treatment from any physician, then in such case, he or she shall immediately file with the bathhouse concessioner evidence thereof as required under paragraph (a) of this section.

**§ 21.19 Changes in bathing directions; standard bath directions.**

Baths shall be administered to patrons who do not have registered physicians' bathing directions in accordance with the standard bath directions prescribed by the Superintendent. Baths shall be administered to persons having registered physicians' bathing directions only in accordance with the instructions given therein.

**§ 21.20 Supervision of treatments.**

Treatments, manipulations, or exercises shall be given only by or under the direct supervision of a technician.

**§ 21.21 Use of pools.**

No person shall use the pools except on presenting a prescription describing the treatment from a registered physician. A period of two weeks must have elapsed since the subsidence of abnormal temperature in persons who have had any acute infectious disease or acute respiratory disease before they may be permitted to enter the pools. A period of one month must have elapsed since the subsidence of acute features in acute anterior poliomyelitis before the patient may be permitted to enter the pools.

**§ 21.22 Persons excluded from the pools.**

The following persons are excluded from and will not be given treatments in the pools:

(a) Persons with acute or infectious lesions on any part of the body, particularly of the skin, throat, or genitalia.

(b) Persons with a discharge from the eyes, nose, mouth, ears, or genitalia.

(c) Persons showing abnormal temperature or marked cough.

(d) Persons without complete control of the bladder or rectum.

**§ 21.23 Transfer and redemption of tickets.**

Tickets for baths and other services are not transferable by the purchaser thereof. Unused tickets may be redeemed by the purchaser within three years from the date of purchase, according to the redemption scale approved by the Secretary of the Interior.

**§ 21.24 Lost tickets.**

A patron who loses his ticket may continue to receive service, without additional charge, for the number of units remaining in the ticket. Records of lost tickets, and of service given thereunder, shall be maintained as required by the Superintendent. Lost tickets shall have no redemption value.

**§ 21.25 Physical examinations.**

No technician or other employee who comes in direct personal contact with bathers will be permitted to enter on duty without first undergoing physical examinations, or remain in such employment without undergoing periodic physical examinations, as required by the Superintendent, and being found free from any infectious or communicable diseases.

CROSS REFERENCE: For list of communicable diseases included in the regulations of the United States Public Health Service, see 42 CFR 72.2.

**§ 21.26 Solicitation by employees.**

Soliciting by employees for any purpose, including soliciting for gratuities, commonly called "tips," is prohibited in all bathhouses.

**§ 21.27 Prescriptions and use of medical instruments.**

No technician may prescribe diets or waters, make diagnoses of ailments, or use in his work a clinical thermometer, stethoscope, or any other medical instrument employed by a physician.

**§ 21.28 Fees.**

Technicians shall charge for their services the rates provided and approved for them by the Secretary, which fees shall be collected and accounted for to them by the bathhouse management.

**§ 21.29 Badges for bath attendants.**

Bath attendants, when granted certificates of qualification, shall obtain a numbered badge, to be furnished at cost by the Superintendent, which shall be worn at all times when such attendants are on duty.

**§ 21.30 Accidents.**

A bathhouse manager shall report, in writing, all accidents which occur in bathhouses to the office of the Superintendent. In case circumstances preclude a written report being submitted immediately, an oral report must be made

immediately which must be substantiated by a written report at the earliest possible time.

**§ 21.31 Losses.**

A bathhouse concessioner receiving deposits of jewelry, money, or other valuables from bathers shall provide means for the safekeeping thereof, satisfactory to the Superintendent. It is understood, however, that the Government assumes no responsibility in the premises. All losses must be reported, in writing, to the Superintendent promptly by the bathhouse manager. Any losses or thefts, no matter how small, should be reported immediately in order that proper action can be taken for the benefit of the bathhouse and the public.

**PART 22—GLACIER NATIONAL PARK; TIMBER DISPOSAL REGULATIONS****Sec.**

22.1 Disposal of fuel wood, forest products; cutting of timber.

22.2 Deadwood operations.

22.3 Brush disposal.

22.4 Minimum price list for poles, posts, lumber, etc., cut from dead or down timber in Glacier National Park.

22.5 Concessioners.

AUTHORITY: §§ 22.1 to 22.5 issued under sec. 3, 39 Stat. 535, as amended; 16 U. S. C. 3. Interpret or apply sec. 2, 36 Stat. 354, sec. 3, 39 Stat. 1122; 16 U. S. C. 162, 167.

**§ 22.1 Disposal of fuel wood, forest products; cutting of timber.**

The disposal of fuel wood, poles, and other forest products in Glacier National Park by sale to individuals is permitted only where such disposal will be of benefit to the stand of timber through the reduction of existing fire hazards. In no instance will the cutting of green timber be permitted for use by the public excepting on road right-of-way clearing projects where such timber may be made available.

**§ 22.2 Deadwood operations.**

(a) All deadwood permits shall be issued and approved in writing through the superintendent's office prior to the initiation of any cutting activities. Application for such permits should be made to the district rangers.

(b) All wood cut shall be utilized to a 4-inch diameter unless rotten. All butt logs shall be utilized by the permittee regardless of size.

(c) Stump heights shall not exceed 12 inches on any side for trees 12 inches and over in diameter. The stump height shall not exceed the diameter of the tree for trees under 12 inches in diameter. This section applies in all instances with the exception of operations being conducted within sight of roadways, trails used by the public or fishing streams, where all stumps shall be cut even with the ground.

(d) No cutting of dead topped or other partially green trees will be permitted unless marked by the district ranger.

(e) Damage resulting to forest reproduction from deadwood operations shall be kept at a minimum. Any unnecessary damage to forest reproduction or green trees or any violation of the regulations in this part will, at the discretion of the



superintendent, result in the cancellation of the permit and the forfeiture of all bonds given to guarantee the fulfillment of the contract, and all moneys theretofore paid by the permittee, as part of the purchase price or otherwise, shall be retained as liquidated damages.

(f) When products are susceptible of being classed at different prices they shall be paid for at the highest price.

(g) In every instance where trees are cut into more than one pole the butt pole shall be of the longest commercial length.

(h) When cedar trees cut for poles have butts which are not suitable for inclusion in the poles but are suitable for posts, such butt materials shall be worked into posts.

(i) All cedar timber cut for shakes shall be measured in board feet, using the Scribner "Decimal C" log rule.

(j) All sawlogs will be measured in board feet, using the Scribner "Decimal C" log rule.

(k) All fuel wood will be measured in cords.

(l) Brush disposal will be made in accordance with the provisions of § 22.3.

(m) Forest material obtained on a free permit must not be sold. The permittee must sign a statement to the effect that such forest material will not be sold to anyone and that it will not be used for the construction of buildings or other improvements on privately owned lands in Glacier National Park.

(n) Free permits will be issued for deadwood included in designated clean-up and fire hazard reduction areas where such operations will not interfere with National Park Service activities and will not adversely affect the vegetation or protection of the area.

(o) Permittees are subject to charge, in accordance with the approved price lists at the time of issuance of permits, for all wood obtained outside designated clean-up and fire hazard reduction areas.

(p) All wood cutting permits may be suspended when weather conditions, such as heavy snows or the sudden occurrence of periods of fire danger, or other conditions or considerations, make wood cutting operations undesirable for the best interests of the Government.

(q) All permittees are subject to the rules and regulations governing the use of Glacier National Park.

#### § 22.3 Brush disposal.

(a) In no case will anyone attempt to burn brush without first securing a permit in writing from the district ranger in whose district the burning is to be done.

(b) All brush resulting from cutting of dead timber in green stands will be lopped and scattered so as to lie flat on the ground unless such disposal shall, in the judgment of the park officer in charge, increase the fire hazard, in which case such brush shall be piled and burned.

(c) All brush resulting from dead timber operations in old burns shall be piled and burned with care taken to avoid injury to reproduction. In some instances, upon the approval of the Chief Ranger or his representative, the disposal of such

brush may be made by lopping and scattering.

(d) The piling of brush in large piles will be avoided, where possible, unless such piles are made in large openings in the forest cover.

(e) Piles to be burned in place, unless located in large openings in the forest cover, should not exceed 6 feet in diameter nor 5 feet in height. Windrow piling and burning shall be avoided and in no instance permitted without the approval of the Park Forester.

(f) Piles which are not to be burned in place shall be placed where they are readily accessible for moving.

(g) No piling shall be done on shoulders of roads or in ditches or along banks immediately adjacent to roads.

(h) All permittees will be required to furnish men to burn the brush and clean up the area at such a time as will be designated by the National Park Service.

(i) All permittees will be held accountable for their acts or the acts of their agents where regulations are disregarded.

(j) Permits issued for either green timber or deadwood products on road right-of-way clearing shall not be subject to brush-disposal regulations.

#### § 22.4 Minimum price list for poles, posts, lumber, etc., cut from dead or down timber in Glacier National Park.

##### (a) Cedar products:

Cedar poles, 25 feet or less....	1/2¢ per lineal ft.
Cedar poles, 30 feet or over....	1¢ per lineal ft.
Cedar posts.....	\$0.004 each.
Cedar stubs.....	1¢ per lineal ft.
Cedar shakes.....	\$2 per M. B. M.
Cedar saw timber.....	\$1 per M. B. M.

##### (b) Other products:

Cord wood.....	0.50¢ per cord.
Split posts (other species), 7-foot....	\$0.002 each.
Poles (other than cedar)....	1/4¢ per lineal ft.
Saw timber, western white pine....	\$2 per M. B. M.
Saw timber, other species....	\$1 per M. B. M.

#### § 22.5 Concessioners.

All concessioners operating under existing agreements with the Secretary of the Interior will be subjected to the clauses covering the use of timber as provided in their respective agreements.

### PART 25—NATIONAL MILITARY PARKS; LICENSED GUIDE SERVICE REGULATIONS

#### Sec.

- 25.1 Scope.
- 25.2 License.
- 25.3 Supervision; suspensions.
- 25.4 Schedule of rates.
- 25.5 Badges and uniforms.

**AUTHORITY:** §§ 25.1 to 25.5 issued under sec. 3, 39 Stat. 535, as amended; 16 U. S. C. 3. Interpret or apply sec. 1, 47 Stat. 1420; 16 U. S. C. 9a.

#### § 25.1 Scope.

The regulations in this part are made, prescribed and published for the regulation and maintenance of licensed guide service at all national military parks where such service has been established, or hereafter may be authorized in the discretion of the Secretary of the Interior

upon the recommendation of the Director of the National Park Service.

#### § 25.2 License.

(a) No person shall be permitted to offer his services or to act as a guide unless licensed for that purpose by the superintendent. Any person desiring to become a licensed guide shall make application to the superintendent in writing for authority to take the examination for a license as guide.

(b) Guides shall be of good character, in good physical condition, honest, intelligent, tactful, and of good repute. They must be thoroughly familiar with the history of the events which the park commemorates and with the location of all memorials. It is their duty to escort visitors to the various parts of the park and point out different historical features. The story of the guides shall be limited to the historical outlines approved by the superintendent and shall be free from praise or censure.

(c) Examinations will be held at parks where a licensed guide service is authorized, at times to be designated by the Director of the National Park Service, for the purpose of securing a list of eligibles for such service. The examination will consist of an investigation of the character, reputation, intelligence, and ability of the applicants, and of questions designed to test their knowledge of the history of the battle, or features of historical interest, the markings of the park, the rules and regulations promulgated for the government of the park, and the regulations governing the guide service. Examination questions will be prepared under the direction of the Director of the National Park Service, who will likewise supervise the marking of examination papers and the rating of applicants.

(d) The names of applicants who successfully pass the examination will be placed on a list of eligibles and selected in accordance with their relative standing.

(e) Each person licensed to act as guide will be issued a license in the following form:

(Place)

(Date)

....., having successfully passed the examination prescribed for license, is hereby licensed to offer his service as a guide to visitors. This license is issued subject to the condition that the licensee shall comply with all the rules and regulations prescribed for guide service by the Secretary of the Interior and with the prescribed schedule of rates, copies of all of which have been furnished to him.

This license will be renewed at the expiration of one year from the date of issue, provided the rules above-mentioned have been fully complied with and services rendered satisfactorily.

Failure to act as a guide for any period exceeding 30 days between June 1 and August 31 automatically suspends this license. Renewal under these conditions will only be made following proper application to and approval by the park superintendent. During other times of heavy visitation, and especially on week ends and holidays, any and all guides are subject to call for duty unless excused by the park superintendent or his representative.

Superintendent

National Military Park.



(f) Before being issued a license to act as a guide, each applicant will be required to subscribe to the following agreement:

-----  
(Place)  
-----  
(Date)

To Superintendent, ----- National Military Park.

For and in consideration of the issuance to me a license to act as guide, I hereby accept and agree to observe fully the following conditions:

1. To abide by and observe the laws and all rules and regulations promulgated for the government of the park and for the regulation of guide service.

2. In case of difference of opinion as to the interpretation of any law, rule, or regulation, to accept the decision of the superintendent.

3. To accord proper respect to the park rangers in their enforcement of the rules and regulations.

4. To require drivers of all vehicles, while under my conduct, to observe the park rules and regulations.

5. To be watchful to prevent damage to, or destruction of, park property or acts of vandalism affecting monuments, buildings, fences, or natural features of the park; to report any such damage, destruction, or vandalism which I may observe to the nearest available ranger without delay, and to furnish him with all information in my possession tending to identify the offenders and assist in their apprehension and punishment.

6. To demand of visitors nor more than the authorized fees for guide service and, when employed, to render service to the best of my ability.

7. To advise visitors who employ me, in advance, the length of time needed for a trip and its cost and, if visitors desire a shortened tour, to arrange for such service as may suit their convenience.

8. (a) Not to operate for hire any passenger vehicle or other vehicle of any kind, while pursuing the vocation of guide or wearing a guide's badge or uniform.

(b) Not to operate a visitor's motor vehicle unless I hold a valid motor vehicle operator's license issued by the State in which the national military park is located.

(c) Not to charge an extra fee for operating a visitor's motor vehicle.

9. In the event my license should be suspended or revoked by the superintendent, to refrain from offering my services or pursuing the vocation of guide, pending appeal to and decision of the Director of the National Park Service.

10. To return the license and official badge without delay to the superintendent should my license be revoked or suspended for more than 5 days or upon abandoning the occupation of guide.

11. While wearing the badge of a guide or any uniform or part of a uniform indicating me to be a guide, I will not act as agent, solicitor, representative, or runner for any business or enterprise whatever (except in offering my services as a guide to visitors), nor solicit nor accept from any person, firm, association, or corporation any fee, commission, or gratuity for recommending their goods, wares, or services.

(Signed) -----

### § 25.3 Supervision; suspensions.

(a) The guide service will operate under the direction of the superintendent or his designated representative. Records will be kept of the efficiency of the guides and of all matters pertaining to the service.

(b) Superintendents are authorized to suspend any guide for violation of the regulations or for conduct prejudicial to

the interests of the Government. A full report of the facts attending each suspension will be made to the Director of the National Park Service. The license of a guide who has been suspended indefinitely will not be renewed without the approval of the Director of the National Park Service.

### § 25.4 Schedule of rates.

As the conditions of each park differ with respect to the proper charge for the service rendered to the public, the schedule of rates for observance by the licensed guides at each separate park will be submitted to the Director of the National Park Service for approval. The superintendent will prepare itineraries arranged so as best to observe the different features of the battlefield and submit them with recommendations as to schedule of rates to the Director of the National Park Service for approval.

### § 25.5 Badges and uniforms.

Licensed guides will be furnished with official badges as evidence of their authority, which shall remain the property of the Government and be returned to the superintendent upon relinquishment or revocation of the license as a guide. Where conditions warrant it and its purchase would not prove a hardship on the guides, they may be required to adopt a standard uniform, to be procured at their own expense.

## PART 26—OLYMPIC NATIONAL PARK; TIMBER DISPOSAL REGULATIONS

### Sec.

26.1 Disposal of logs, fuel wood, etc.; cutting of green timber.

26.2 Permits.

26.3 Timber disposal operations.

26.4 Prevention and suppression of forest fires.

26.5 Brush and debris disposal.

26.6 Minimum prices for logs, poles, etc.

26.7 Concessioners.

AUTHORITY: §§ 26.1 to 26.7 issued under sec. 3, 39 Stat. 535, as amended; 16 U. S. C. 3.

### § 26.1 Disposal of logs, fuel wood, etc.; cutting of green timber.

The disposal of logs, fuel wood, poles, and other forest products in Olympic National Park by timber disposal permits is permitted only where such disposal will be of benefit to the forest stand through the reduction of existing fire hazards, such as are caused by dead, down, or blowdown timber. In no instance will the cutting of green timber be permitted for private use except on road right-of-way clearing projects or in blowdown clearing projects where such timber may be made available.

### § 26.2 Permits.

(a) All timber disposal permits shall be issued and approved in writing by the superintendent's office prior to the initiation of any cutting activities. Such permits shall include a map designating the area to be cut. Application for such permits should be made to the superintendent.

(b) All timber disposal permits may be suspended when weather conditions

or other considerations make timber disposal operations undesirable for the best interests of the Government.

(c) Permittees and their employees and agents shall at all times conform to all laws and regulations applicable to Olympic National Park.

### § 26.3 Timber disposal operations.

(a) All Douglas fir, Sitka spruce, and western white pine logs are considered merchantable which are not less than 20 feet long, at least 12 inches in diameter inside bark at small end, and after deductions for visible indications of defect scale 33 1/3 percent of their gross scale.

(b) All western red cedar logs, chunks, and slabs are considered merchantable which are not less than 20 feet long; such logs to be at least 12 inches in diameter inside bark at small end and chunks and slabs to be at least 12 inches minimum end measurement, which logs, chunks, and slabs, after deductions for visible indications of defects, scale 33 1/3 percent of their gross scale in material which will make shingles of any merchantable grade.

(c) Logs of other species are considered merchantable which are not less than 20 feet long, 12 inches in diameter inside bark at small end, and scale 50 percent or more of their gross scale.

(d) All cordwood shall be utilized to a minimum diameter of 6 inches unless rotten.

(e) Stump heights under ordinary circumstances shall not exceed 24 inches on the side adjacent to the highest ground.

(f) No cutting of dead-topped or other partially green trees, except in windfalls, shall be permitted unless marked for cutting by the superintendent or his representative.

(g) Poles and piling shall be measured in lineal feet to the nearest 2-foot length.

(h) All cedar timber cut for shakes may be measured in board feet, using the Scribner "Decimal C" log rule, or may be measured by the number of shakes cut.

(i) All saw logs shall be scaled by the Scribner "Decimal C" log rule. The maximum scaling length for saw logs shall be 40 feet. Greater lengths shall be scaled as two or more logs. Eight inches shall be allowed for trimming, and on logs over 40 feet in length an additional 2 inches shall be allowed for each 10 feet in length or fraction thereof in excess of 40 feet.

(j) Fuel wood and split pulpwood shall be measured in cords.

(k) Damage resulting to forest reproduction or remaining trees shall be kept to a minimum in all timber disposal operations. Any unnecessary damage to forest reproduction, remaining timber, or other ground cover, or the violation of any provision of the regulations in this part will, at the discretion of the superintendent, result in the cancellation of the permit. In the event of cancellation of the permit, all bonds given to guarantee the fulfillment of the terms of the permit shall be forfeited, and all moneys theretofore paid by the permittee as a part of the purchase price or otherwise may be retained as liquidated damages.



### § 26.4 Prevention and suppression of forest fires.

(a) Permittee shall independently do all in his power to prevent and suppress forest fires on the timber disposal area and its vicinity, and shall also require his employees and agents to do likewise. The permittee and his employees and agents shall, so long as the timber disposal permit remains effective, fight forest fires which may occur within the timber disposal permit area, or occur elsewhere as a result of the permittee's operations, independently or under the direction of a park officer, without recompense from the Government.

(b) During periods of fire danger, as designated by the superintendent, the permittee shall prohibit smoking and the building of fires by his employees and agents.

(c) Fire fighting tools and equipment as specified by the superintendent at the time of the issuance of the permit shall be kept in suitable caches by the permittee at points designated by the superintendent, and shall be used only for the suppression of forest fires within or threatening the timber disposal area.

### § 26.5 Brush and debris disposal.

(a) In no case will anyone attempt to burn brush or other debris without first obtaining a permit in writing from the superintendent.

(b) All debris resulting from cutting dead timber in green stands will be lopped or scattered so as to lie flat on the ground unless such disposal will, in the judgment of the superintendent, constitute a serious fire hazard, in which case such debris shall be piled and burned.

(c) All debris resulting from timber operations in old burns shall be piled and burned, with care taken to avoid injury to reproduction. In some instances, upon approval of the superintendent or his representative, the disposal of such debris may be made by lopping and scattering.

(d) The piling of debris in large piles shall be avoided, where possible, unless such piles are made in large openings in the forest cover.

(e) Piles of debris to be burned in place, unless located in large openings in the forest cover, shall not exceed 6 feet in diameter and 5 feet in height.

(f) Burning other than in piles may be permitted by the superintendent where, in his judgment, other methods are the most practicable.

(g) Piles which are not to be burned in place shall be placed where they are readily accessible for moving.

(h) No piling shall be done on shoulders of roads or in ditches or along banks immediately adjacent to roads.

(i) All permittees will be required to furnish men to burn brush or logging slash and clean up the area to the satisfaction of and at a time designated by the superintendent.

(j) Permits issued either for green timber or deadwood products on road rights-of-way clearing projects may, in the discretion of the superintendent, be exempted from the provisions of this section.

### § 26.6 Minimum prices for logs, poles, etc.

#### (a) Saw timber:

	Per M. B. F.
Douglas fir.....	\$0.50
Sitka spruce.....	.50
Western red cedar.....	.50
Western white pine.....	.50
Western hemlock.....	.25
Silver fir.....	.25
Other species.....	.25

#### (b) Other products:

Douglas fir piling....	\$0.0025 per lineal foot.
Western red cedar poles.....	\$0.0025 per lineal foot.
Western red cedar shakes.....	\$0.50 per M shake.
Fuel wood.....	\$0.25 per cord.
Split pulpwood, hemlock.....	\$0.25 per cord.
Split pulpwood, spruce.....	\$0.25 per cord.

Provided, That free permits may be issued for timber included in designated cleanup and fire hazard reduction areas where such operations will not interfere with National Park Service activities and will not adversely affect the vegetation or protection of the area. Such permittees are, however, subject to charge at double the minimum rates in effect at the time of issuance of the permits for all wood obtained outside designated cleanup and fire hazard reduction areas. Such charge will be considered as the price of the wood and also as liquidated damages.

(c) All forest products sold by the Government will be measured or scaled by a park officer or individual designated by the superintendent, either on the site of the cutting operations or at some other point designated by the superintendent.

(d) Forest products obtained on a free permit shall not be sold. The permittee must sign a statement to the effect that such products will not be sold to anyone and will not be used for the construction of buildings or other improvements on privately owned lands in Olympic National Park.

### § 26.7 Concessioners.

All concessioners operating under agreements with the Secretary of the Interior will be governed by the clauses covering the use of timber as provided in their respective agreements.

## PART 27—MOUNT RAINIER NATIONAL PARK; TIMBER DISPOSAL REGULATIONS

### Sec.

27.1 Disposal of logs, fuel wood, etc.; cutting of green timber.

27.2 Permits.

27.3 Timber disposal operations.

27.4 Prevention and suppression of forest fires.

27.5 Brush and debris disposal.

27.6 Minimum prices for logs, poles, etc.

27.7 Concessioners.

AUTHORITY: §§ 27.1 to 27.7 issued under sec. 3, 39 Stat. 535, as amended; 16 U. S. C. 3.

### § 27.1 Disposal of logs, fuel wood, etc.; cutting of green timber.

The disposal of logs, fuel wood, poles, and other forest products in Mount Rainier National Park by timber disposal

permits is permitted only where such disposal will be of benefit to the forest stand through reduction of existing fire hazards, such as are caused by dead, down, or blowdown timber, or where in the judgment of the superintendent the neighboring forest is endangered by tree disease or insect infestation. In no instance will the cutting of green timber be permitted for private use except on road right-of-way clearing projects or in blowdown clearing projects where such timber may be made available.

### § 27.2 Permits.

(a) All timber disposal permits shall be issued and approved in writing by the superintendent's office prior to the initiation of any cutting activities. Such permits shall include a map designating the area to be cut. Application for such permits should be made to the superintendent.

(b) All timber disposal permits may be suspended when weather conditions or other considerations make timber disposal operations undesirable for the best interests of the Government.

(c) Permittees and their employees and agents shall at all times conform to all laws and regulations applicable to Mount Rainier National Park.

### § 27.3 Timber disposal operations.

(a) All Douglas fir and western white pine logs are considered merchantable which are not less than 20 feet long, at least 12 inches in diameter inside bark at small end, and after deductions for visible indications of defect scale 33 1/3 per cent of their gross scale.

(b) All western red cedar logs, chunks, and slabs are considered merchantable which are not less than 20 feet long; such logs to be at least 12 inches in diameter inside bark at small end, and chunks and slabs to be at least 12 inches minimum end measurement, which logs, chunks, and slabs, after deductions for visible indications of defects, scale 33 1/3 per cent of their gross scale in material which will make shingles of any merchantable grade.

(c) Logs of other species are considered merchantable which are not less than 20 feet long, 12 inches in diameter inside bark at small end, and scale 50 per cent or more of their gross scale.

(d) All cordwood shall be utilized to a minimum diameter of 6 inches unless rotten.

(e) Stump heights under ordinary circumstances shall not exceed 24 inches on the side adjacent to the highest ground.

(f) No cutting of dead-topped or other partially green trees, except in windfalls, shall be permitted unless marked for cutting by the superintendent or his representative.

(g) Poles and piling shall be measured in lineal feet to the nearest 2-foot length.

(h) All cedar timber cut for shakes may be measured in board feet, using the Scribner "Decimal C" log rule, or may be measured by the number of shakes cut.

(i) All saw logs shall be scaled by the Scribner "Decimal C" log rule. The maximum scaling length for saw logs



shall be 40 feet. Greater lengths shall be scaled as two or more logs. Eight inches shall be allowed for trimming, and on logs over 40 feet in length an additional 2 inches shall be allowed for each 10 feet in length or fraction thereof in excess of 40 feet.

(j) Fuel wood and split pulpwood shall be measured in cords.

(k) Damage resulting to forest reproduction or remaining trees shall be kept to a minimum in all timber disposal operations. Any unnecessary damage to forest reproduction, remaining timber, or other ground cover, or the violation of any provision of the regulations in this part will, at the discretion of the superintendent, result in the cancellation of the permit. In the event of cancellation of the permit, all bonds given to guarantee the fulfillment of the terms of the permit shall be forfeited, and all moneys theretofore paid by the permittee as a part of the purchase price or otherwise may be retained as liquidated damages.

#### § 27.4 Prevention and suppression of forest fires.

(a) Permittee shall independently do all in his power to prevent and suppress forest fires on the timber disposal area and its vicinity, and shall also require his employees and agents to do likewise. The permittee and his employees and agents shall, so long as the timber disposal permit remains effective, fight forest fires which may occur within the timber disposal permit area, or occur elsewhere as a result of the permittee's operations, independently or under the direction of a park officer, without recompense from the Government.

(b) During periods of fire danger, as designated by the superintendent, the permittee shall prohibit smoking and the building of fires by his employees and agents.

(c) Fire fighting tools and equipment as specified by the superintendent at the time of the issuance of the permit shall be kept in suitable caches by the permittee at points designated by the superintendent, and shall be used only for the suppression of forest fires within or threatening the timber disposal area.

#### § 27.5 Brush and debris disposal.

(a) In no case will anyone attempt to burn brush or other debris without first obtaining a permit in writing from the superintendent.

(b) All debris resulting from cutting dead timber in green stands will be lopped or scattered so as to lie flat on the ground unless such disposal will, in the judgment of the superintendent, constitute a serious fire hazard, in which case such debris shall be piled and burned.

(c) All debris resulting from timber operations in old burns shall be piled and burned, with care taken to avoid injury to reproduction. In some instances, upon approval of the superintendent or his representative, the disposal of such debris may be made by lopping and scattering.

(d) The piling of debris in large piles shall be avoided, where possible, unless such piles are made in large openings in the forest cover.

(e) Piles of debris to be burned in place, unless located in large openings in the forest cover, shall not exceed 6 feet in diameter and 5 feet in height.

(f) Burning other than in piles may be permitted by the superintendent where, in his judgment, other methods are the most practicable.

(g) Piles which are not to be burned in place shall be placed where they are readily accessible for moving.

(h) No piling shall be done on shoulders of roads or in ditches or along banks immediately adjacent to roads.

(i) All permittees will be required to furnish men to burn brush or logging slash and clean up the area to the satisfaction of and at a time designated by the superintendent.

(j) Permits issued either for green timber or deadwood products on road rights-of-way clearing projects may, in the discretion of the superintendent, be exempt from the provisions of this section.

#### § 27.6 Minimum prices for logs, poles, etc.

(a) Saw timber:

	Per M. B. F.
Douglas fir	\$0.50
Western red cedar	.50
Western white pine	.50
Western hemlock	.25
Silver fir	.25
Other species	.25

(b) Other products:

Douglas fir piling	\$0.0025 per lineal foot.
Western red cedar poles	\$0.0025 per lineal foot.
Western red cedar shakes	\$0.50 per M shake.
Fuel wood	\$0.25 per cord.
Split pulpwood, hemlock	\$0.25 per cord.

Provided, That free permits may be issued for timber included in designated clean-up and fire hazard reduction areas where such operations will not interfere with National Park Service activities and will not adversely affect the vegetation or protection of the area. Such permittees are, however, subject to charge at double the minimum rates in effect at the time of issuance of the permits for all wood obtained outside designated cleanup and fire hazard reduction areas. Such charge will be considered as the price of the wood and also as liquidated damages.

(c) All forest products sold by the Government will be measured or scaled by a park officer or individual designated by the superintendent, either on the site of the cutting operations or at some other point designated by the superintendent.

(d) Forest products obtained on a free permit shall not be sold. The permittee must sign a statement to the effect that such products will not be sold to anyone and will not be used for the construction of buildings or other improvements on privately-owned lands in Mount Rainier National Park.

#### § 27.7 Concessioners.

All concessioners operating under agreements with the Secretary of the Interior will be governed by the clauses covering the use of timber as provided in their respective agreements.

### PART 28—LABOR STANDARDS APPLICABLE TO EMPLOYEES OF NATIONAL PARK SERVICE CONCESSIONERS

Sec.	Definitions.
28.1	Basis and purpose.
28.2	Applicability.
28.3	Child labor.
28.4	Wages and overtime compensation.
28.5	State labor laws.
28.6	Access for investigators.
28.7	Complaints.
28.8	Record keeping.
28.9	Filing of labor agreements.
28.10	Posting of regulations.
28.11	

AUTHORITY: §§ 28.1 to 28.11 issued under sec. 3, 39 Stat. 535, as amended; 16 U. S. C. 3. Interpret or apply sec. 3, 26 Stat. 843, as amended; 16 U. S. C. 363.

#### § 28.1 Definitions.

As used in this part:

(a) "Secretary" means the Secretary of the Interior, the Under Secretary, an Assistant Secretary, or such other officer or employee of the Department of the Interior as the Secretary may designate.

(b) "Director" means the Director of the National Park Service.

(c) "Superintendent" includes a custodian, caretaker, manager, or other person in charge of a national park.

(d) "National park" includes a national monument or other area under the administrative jurisdiction of the National Park Service of the Department of the Interior.

(e) "Concessioner" includes any individual, partnership, corporation, or other business entity engaged in operating facilities within or without a national park for the accommodation of visitors to the park under a contract with or permit from the Secretary or the Director.

(f) "Employee" includes any individual employed by a concessioner in connection with operations covered by a contract with or permit from the Secretary or the Director.

(g) "Executive or department head" includes any employee whose primary duty is the management of the business of the concessioner, or a customarily recognized department thereof, and who customarily and regularly directs the work of other employees with authority to employ and discharge other employees, or whose suggestions and recommendations as to the employment, discharge, advancement, or promotion of such employees will be given particular weight by the concessioner, and who customarily and regularly exercises discretionary powers.

(h) "State" means any State, Territory, possession, or the District of Columbia.

#### § 28.2 Basis and purpose.

The public using the national parks is better served when the employees of the concessioners enjoy the benefits of fair labor standards and when, in this respect, they are treated at least as well as those employed in similar occupations outside such areas, but within the same State. This principle is the basis of the regulations in this part and their purpose is its implementation.



**§ 28.3 Applicability.**

This part shall not apply to:

- (a) Concessioners providing and operating medical services.
- (b) Personal servants.
- (c) Employees engaged in agricultural activities, including the care, handling, and feeding of livestock.
- (d) Detectives, watchmen, guards, and caretakers.
- (e) Bona fide executives or department heads.
- (f) Solicitors or outside salesmen whose compensation is chiefly on a commission basis.
- (g) Professional sports instructors and entertainers.

(h) The following employees, when approved by the Director: Employees for whom relief is clearly impracticable because of peculiar conditions arising from the fact that operations are carried on in areas having no resident population or are located at long distances from a supply of available labor; employees whose employment requires special or technical training or skill, where no person capable of providing relief is available within a reasonable distance; employees in small units accessible only by trail or remote from centers of activity, or operating on a small volume of business primarily for the convenience of the public.

**§ 28.4 Child labor.**

No person under 16 years of age may be employed by a concessioner in any occupation. No person under 18 years of age may be employed for more than 8 hours a day, 6 days a week or between the hours of 10 p. m. and 6 a. m. No person under 18 years of age may be employed in any occupation in which the employment of such a minor is prohibited by the laws of the United States or of the State in which he is employed, even though, but for the provisions of this section, compliance with such laws would not be compulsory. For the purpose of proving age under this regulation a State employment or age certificate or the corresponding Federal certificate of age shall be accepted as conclusive proof of the minor's age.

**§ 28.5 Wages and overtime compensation.**

(a) No employee shall be paid less than 40 cents an hour.

(b) (1) On and after May 1, 1950, no less than one and one-half times the regular rate of pay at which the employee is employed shall be paid for all hours worked in excess of 48 per week.

(2) This paragraph shall not, however, apply to employees of motor bus carriers with respect to whom the Interstate Commerce Commission has established maximum hours regulations pursuant to section 204 of the Interstate Commerce Act, as amended (49 U. S. C. 304).

(c) Charges for board and lodging furnished by a concessioner to his employees may not exceed the reasonable cost thereof, or the maximum allowed by or pursuant to the law of the State of employment, whichever is lower. Charges may not be made for tools, equipment, uniforms, or other articles or

services primarily provided for the benefit of the concessioner.

**§ 28.6 State labor laws.**

Concessioners shall comply with the standards established, from time to time, by or pursuant to the labor laws of the State of employment, such as those concerning minimum wages, child labor, hours of work, and safety, which would apply to the employees of the concessioner if his establishment were not located in a national park. If the standards so established are lower than those established by §§ 28.4 and 28.5, concessioners shall comply with the latter sections.

**§ 28.7 Access for investigators.**

Concessioners shall permit representatives of this Department and, when appropriate and authorized representatives of other Federal or State agencies, access to any of their places of employment for the purpose of examining pay rolls and other records and otherwise to ascertain the facts with respect to compliance with the regulations in this part and State labor laws. The report of any investigation concerning a violation of the regulations in this part shall be submitted to the superintendent of the national park involved.

**§ 28.8 Complaints.**

Any question pertaining to the interpretation or application of or compliance with this part which cannot be satisfactorily settled between a concessioner and his employee, employees, or employee representative may be referred to the Director for review by either one or both of the parties concerned. Any party adversely affected by the decision of the Director may request the Secretary to consider the issues involved. The Secretary shall thereupon take such action as he deems appropriate.

**§ 28.9 Record keeping.**

Concessioners shall for a period of 3 years keep records of the name, age, address, and occupation of each of their employees, the rate of pay and the amount paid to each employee each pay, amount paid to each employee each pay day, the hours worked each day and each work week by each employee and such other information concerning employees as the Director may require.

**§ 28.10 Filing of labor agreements.**

Within 60 days after the effective date of the regulations in this part (January 1, 1949), concessioners shall file with the Director of the National Park Service a copy of each labor agreement in effect on the effective date of the regulations in this part, covering rates of pay, hours of work, and conditions of employment duly negotiated with their employees as a whole or by class, craft, or other appropriate unit. Thereafter, on July 1 of each year concessioners shall file copies of all such agreements then in effect with the Director of the National Park Service.

**§ 28.11 Posting of regulations.**

Concessioners shall post in a conspicuous place easily accessible to all em-

ployees copies of the regulations in this part in such form as the Director may approve.

## PART 31—PROCEDURE AND BUSINESS OF THE NATIONAL PARK TRUST FUND BOARD

**Sec.**

31.1 Definition.

31.2 Officers.

31.3 Meetings; duties of officers.

31.4 Donations.

31.5 Acceptance of donations.

**AUTHORITY:** §§ 31.1 to 31.5 issued under sec. 1, 49 Stat. 477; 16 U. S. C. 19.

**§ 31.1 Definition.**

As used in the regulations in this part, the term "Board" means the National Park Trust Fund Board.

**§ 31.2 Officers.**

The Secretary of the Interior shall be the Chairman of the Board, and the Director of the National Park Service shall be the Secretary.

**§ 31.3 Meetings; duties of officers.**

(a) The Chairman may call meetings of the Board at such times and places as he may determine upon due notice to all members. The Chairman shall preside at the meetings, and in the temporary absence or disability of the Chairman the members present shall select a temporary Chairman to act in his stead.

(b) The Secretary shall keep a complete and accurate record of all meetings of the Board, and shall be the custodian of the records of the Board and of its seal. It shall be the duty of the Secretary to attest under the seal of the Board all certified copies of the official records of the Board that may be required. The Secretary shall prepare and submit to the Congress on behalf of the Board an annual report of the moneys or securities received and held by the Board and of its activities.

**§ 31.4 Donations.**

Trust funds in the form of money, securities, or other personal property may be given or bequeathed to the Board in form substantially as follows: "To the National Park Trust Fund Board, to be expendable, principal and interest, for the benefit of, or in connection with, the National Park Service, its activities, or its services, as may be approved by the Board." The donor may specify a particular purpose or purposes for which the gift or bequest is made: *Provided, however,* That the Board may reject any gift or bequest which entails any terms or conditions unacceptable to the Board.

**§ 31.5 Acceptance of donations.**

(a) Gifts or bequests may be accepted on behalf of the Board upon the written approval of three of its members.

(b) The Director of the National Park Service may, as a member and Secretary of the Board, accept on behalf of the Board any gift or bequest which does not specify any particular purpose or purposes and shall notify the Board of his action.

(c) Upon the acceptance of any gift or bequest, it shall be the duty of the Secretary to record the same in the rec-



ords of the Board, showing the nature and amount thereof, and the name of the donor. The Secretary shall advise the donor or his representative of the Board's acceptance of the gift or bequest.

## PART 32—DISPOSAL OF CERTAIN WILD ANIMALS

- Sec.  
32.1 Animals available.  
32.2 Charges.  
32.3 Application; requirements.  
32.4 Shipment.

**AUTHORITY:** §§ 32.1 to 32.4 issued under sec. 3, 39 Stat. 535, as amended; 16 U. S. C. 3. Interpret or apply 42 Stat. 1214, 45 Stat. 1644, 52 Stat. 708; 16 U. S. C. 36, 36a, 141c.

### § 32.1 Animals available

From time to time there are surplus live elk, buffaloes and bears in Yellowstone National Park, and live buffaloes in Wind Cave National Park which the Secretary may, in his discretion, dispose of to Federal, State, county and municipal authorities for preserves, zoos, zoological gardens, and parks. When surplus live elk and buffaloes are available from these national parks, the Secretary may, in his discretion, dispose of these to individuals and private institutions.

### § 32.2 Charges.

No charge will be made for the animals, but the receiver will be required to make a deposit with the appropriate superintendent to defray the expense of capturing, crating, and transporting them to the point of shipment. The receiver may also be required to pay for the services of a veterinarian for testing, vaccinating, and treating the animals at the park for communicable diseases and parasites. Estimates of such expenses will be furnished by the appropriate superintendent upon request.

### § 32.3 Application; requirements.

(a) Applications for animals should be directed to the appropriate superintendent, stating the kind, number, age, and sex of animals desired. The post office address for Yellowstone National Park is Yellowstone Park, Wyoming, and for Wind Cave National Park is Hot Springs, South Dakota.

(b) Applicants desiring animals which are to be held in enclosures must show that they have suitable facilities for the care of the animals. Operators of game farms or private preserves must submit evidence of their authority to engage in such operations.

(c) When any animals are desired for liberation on private lands, the application must be accompanied by the written concurrence of the State agency having jurisdiction over wildlife. When any animals are desired for liberation on

lands in the vicinity of lands owned or controlled by the Federal Government, the application must be accompanied by the written concurrence of the agency or agencies having jurisdiction over the Federally owned or controlled lands.

(d) Applications will not be granted when the animals are to be slaughtered, or are to be released without adequate protection from premature hunting.

### § 32.4 Shipment.

(a) Elk, buffaloes, and bears may be obtained at the Park and be removed by truck. Elk and buffaloes, when not transported by truck, must be crated individually for rail shipment in less than carload lots. Bears must be crated individually regardless of the number furnished or the character of the conveyance.

(b) The receiver must furnish shipping crates constructed in accordance with National Park Service specifications.

## PART 34—ISLE ROYALE NATIONAL PARK; COMMERCIAL FISHING

- Sec.  
34.1 Definitions.  
34.2 Permits; conditions.  
34.3 Maximum number of permittees.  
34.4 Revocation of permits; appeal.

**AUTHORITY:** §§ 34.1 to 34.4 issued under sec. 3, 39 Stat. 535, as amended; 16 U. S. C. 3. Interpret or apply sec. 3, 56 Stat. 133; 16 U. S. C. 408k.

### § 34.1 Definitions.

As used in this part:

(a) "Secretary" means the Secretary of the Interior.

(b) "Director" means the Director of the National Park Service.

(c) "Regional Director" means the Regional Director, Region Two, of the National Park Service.

(d) "Park" means Isle Royale National Park.

(e) "Permittee" includes all persons engaged in commercial fishing from bases in the Park, except those life lessees who were engaged in such occupation at the date of the issuance of their leases.

### § 34.2 Permits; conditions.

Annual, revocable special use permits authorizing the use of Government-owned structures and facilities in the Park as bases for commercial fishing in the waters contiguous to the Park may be granted by the Director of the National Park Service, or the Regional Director if authorized by the Director, to bona fide commercial fishermen, where such structures and facilities were used for this purpose during the period from April 1, 1937, to December 31, 1939, inclusive, subject to the following conditions.

(a) Permittees will be required to pay an annual fee of \$25.00.

(b) Permittees shall personally reside at their Park bases during the fishing season.

(c) Permittees shall secure and possess at all times such commercial fishing license as may be required by the State of Michigan.

(d) Permittees shall comply with all Michigan laws, and related regulations prescribed by the Michigan Department of Conservation, governing commercial fishing in the waters contiguous to the Park.

(e) Permittees shall use the bases covered by the permit for commercial fishing only. No permittee shall furnish boat or guide service to the public unless expressly authorized to do so by the Secretary or the Director.

(f) Permittees shall maintain at their own expense, in accordance with reasonable standards of repair, safety, and sanitation, all Government-owned structures and facilities embraced in the permits.

(g) The size, type and location of nets and gear and the number of men engaged in the operation of the fishing base of the permittee shall be prescribed in the permit. Only nets and gear approved by the Michigan Department of Conservation shall be used.

### § 34.3 Maximum number of permittees.

Commercial fishermen to whom the annual revocable permits may be granted shall not exceed the maximum number of persons conducting commercial fishing operations from bases in the area comprising the Park at any one time during the period from April 1, 1937 to December 31, 1939, inclusive.

### § 34.4 Revocation of permits; appeal.

The Director may, by notification in writing, revoke the permit of any permittee found by him to have violated any Federal statute, or the provisions of these or any other regulations of the Secretary, relating to the Park. A permittee, however, shall have the right to appeal to the Secretary from a decision of the Director revoking his permit, but such appeal shall not be entitled to review unless it is received by the Secretary within the period of 20 days following the date the Director's notification, together with a copy of the regulations in this part, is served upon the permittee by the Superintendent of the Park, or his duly authorized agent.

Dated: June 12, 1959.

HILLORY A. TOLSON,  
Acting Director,  
National Park Service.

[F.R. Doc. 59-5176; Filed, June 19, 1959;  
8:52 a.m.]























