

§ 7.100

at least 500 feet to the front and with a red light or reflector visible from at least 200 feet to the rear.

[38 FR 32931, Nov. 29, 1973, as amended at 49 FR 18452, Apr. 30, 1984; 57 FR 58716, Dec. 11, 1992]

§ 7.100 Appalachian National Scenic Trail.

(a) The use of bicycles, motorcycles, snowmobiles, or other motor vehicles is prohibited.

(b) The use of horses or pack animals is prohibited, except in locations designated for their use.

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

[48 FR 30291, June 30, 1983, as amended at 61 FR 28506, June 5, 1996]

PART 8—LABOR STANDARDS APPLICABLE TO EMPLOYEES OF NATIONAL PARK SERVICE CONCESSIONERS

Sec.

- 8.1 Definitions.
- 8.2 Basis and purpose.
- 8.3 Applicability.
- 8.4 Federal and State labor laws.
- 8.5 Access for investigators.
- 8.6 Complaints; appeal.
- 8.7 Record keeping.
- 8.8 Filing of labor agreements.
- 8.9 Posting of regulations.

AUTHORITY: 16 U.S.C. 1, 3, 9a, 462(k).

SOURCE: 24 FR 11053, Dec. 30, 1959, unless otherwise noted.

§ 8.1 Definitions.

As used in this part:

(a) *National park* includes a national monument or other area under the administrative jurisdiction of the National Park Service of the Department of the Interior.

(b) *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.

36 CFR Ch. I (7–1–99 Edition)

(c) *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.

(d) *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.

(e) *State* means any State, Territory, possession, or the District of Columbia.

[24 FR 11053, Dec. 30, 1959, as amended at 62 FR 30234, June 3, 1997]

§ 8.2 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.

§ 8.3 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