

1/08/2026 rev

**National Park Service  
Wright Brothers National Memorial  
U.S. Department of the Interior  
Superintendent's Compendium**

1401 National Park Drive  
Manteo, NC 27954

Approved:

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David Hallac, Superintendent

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Date

In accordance with applicable law and policy, and pursuant to the delegated authorities provided in Title 36, Code of Federal Regulations, Chapter 1 (“36CFR), the following compendium actions apply to all lands and water administered by the National Park Service (NPS) within the boundaries of Wright Brothers National Memorial. This document is the written compilation of designations, closures, permit requirements and other restrictions imposed under the discretionary authority of the Superintendent, as required by 36 CFR 1.7(b). Violating any provision in this Compendium may result in criminal penalties under 36 CFR 1.3.

The compendium actions in this document apply in addition to all other laws that apply to lands and water administered by the NPS within the boundaries of Fort Raleigh National Historic Site. These include:

- Regulations in 36 CFR and other CFR titles such as Title 43, which contains regulations that apply on public lands administered by the Department of Interior. The current version of the CFR can be found at [www.ecfr.gov](http://www.ecfr.gov). Click on “Title 36” and then “Chapter 1” to access 36 CFR.
- Statutes codified in U.S. Code, in particular provisions in Title 16 and 54.

The compendium is organized by the sections of 36 CFR that give the Superintendent discretionary authority to take the compendium action. Written determinations that explain why each compendium action is necessary appear in this document under justification.

The Compendium is reviewed annually and revised as necessary. The park welcomes any questions or comments about the Superintendent's Compendium.

Written questions or comments on the Compendium may be submitted to:

Superintendent  
Wright Brothers National Memorial  
1401 National Park Road  
Manteo, NC 27954

Copies of the Compendium are available at Park Headquarters located at: 1401 National Park Drive, Manteo, NC 27954

It may also be found at [Laws & Policies - Wright Brothers National Memorial \(U.S. National Park Service\) \(nps.gov\)](http://www.nps.gov)

NPS regulations in 36 CFR 1.4 define certain terms that are used in 36 CFR. Other sections in 36 CFR may define terms that are used in those sections. To the extent any terms defined in the CFR are used in this Compendium, those definitions apply. In addition to terms defined in the CFR, the following terms used in this Compendium are defined as follows:

Day Use Area: Any area consisting of or adjacent to paved parking lots, buildings, or toilet facilities that are open to the general public.

Uncrewed aircraft: A device that is used or intended to be used for flight without the possibility of direct human intervention from within or on the device, and the associated operational elements and components that are required for the pilot or system operator in command to operate or control the device (such as cameras, sensors, communication links). This term includes all types of devices that meet this definition (e.g., model airplanes, quadcopters, and drones) that are used for any purpose, including for recreational or commerce.

Walkway: Sidewalks, paths, trails, or hard-surfaced areas that are closed to the use of bicycles and motorized vehicles.

## **36 CFR 1.5 – CLOSURE AND PUBLIC USE LIMIT**

36 CFR 1.5(a)(1) - Visiting hours, public use limit and closures.

### Visiting Hours

#### *Park Grounds*

Park grounds are open to pedestrians 24 hours a day. The park gates are closed to motor vehicles from 5pm – 9am nightly.

#### *Airport Operations*

Aircraft operations are prohibited from  $\frac{1}{2}$  hour after sunset to  $\frac{1}{2}$  hour before sunrise.

*Justification*: The airstrip is not lighted and subsequently cannot be used safely after daylight hours.

36 CFR 1.5(a)(2) – Designated areas, conditions or restrictions on a use or activity.

### Conditions or restrictions on a Use or Activity

#### *Aircraft Operations*

- Aircraft maintenance and refueling are prohibited unless in emergency circumstances.
- Unauthorized vehicles and pedestrians are not permitted on the airstrip tarmac or runways.

*Justification:* The facilities at First Flight Airport do not allow for a proper response to a hazardous materials spill. Prohibiting vehicles and pedestrians on the aircraft parking ramps and runways increases the safety of both pilots and visitors.

*Sidewalks, Foot Trails, and Bicycle Routes*

- Automobiles, motorcycles, bicycles or other vehicles shall not be operated on the sidewalks and foot trails of Wright Brothers National Memorial except as authorized by the Superintendent.
- The Wright Brothers bike path parallel to Colington Road connecting Colington Road and 1<sup>st</sup> Street and the paved trail connecting Colington Road to Memorial Road adjacent to the airstrip parking is a designated bicycle route.

*Justification:* Limiting bicycles to paved roads and designated bicycle paths/routes enhances visitor safety in congested pedestrian areas.

*Filming, still photography, and audio recording*

- Filming, still photography, and audio recording activity may require a permit, consistent with 54U.S.C. 100905.
  - Filming, still photography, and audio recording activity that occurs in closed areas, requires exclusive use of a site or area, or involves a set or staging equipment other than handheld equipment (such as a tripod, monopod, and handheld lighting equipment) requires a permit, unless the activity is affiliated with an activity or event that has been allowed under a written authorization, such as a special use permit.
  - Filming, still photography, and audio recording that involves more than eight individuals requires a permit, unless the NPS has specifically notified an individual or group that a permit is not required, or if the activity is affiliated with an activity or event that has been allowed under a written authorization, such as a special use permit.
  - If a permit is required for the reasons stated above, or if the NPS otherwise determines and then notifies an individual or group that a permit is required for a filming, still photography, or audio recording activity, then engaging in that activity without a permit is prohibited. Violating a term or condition of a permit issued by the NPS for a filming, still photography, or audio recording activity is prohibited, and may result in the suspension or revocation of the permit, in addition to any penalties that may apply under 36 CFR 1.3.

*Justification:* Federal law at 54 U.S.C. 100905 states that permits and fees are not required for filming, still photography, or audio recording in park areas if certain requirements are met. These requirements address various topics, including, but not limited to, group size, location, equipment, potential impacts to resources and visitors, and the likelihood that the NPS will incur

related administrative costs. If any of these requirements are not met, the law allows the Secretary of the Interior, acting through the NPS, to require a permit for the subject activity. Permit requirements are imposed by the superintendent under discretionary authority provided by 36 CFR 1.5(a)(2), which allows the superintendent to impose conditions or restrictions on a use or activity, consistent with applicable legislation, to implement management responsibilities. The general regulations for permits in 36 CFR 1.6 do not apply to permits issued for filming, still photography, and audio recording, which instead are governed by the statutory provisions in 54 U.S.C. 100905. The imposition of permit requirements, on a case-by-case basis, for filming, still photography, or audio recording does not require rulemaking under 36 CFR 1.5(b). Requiring a permit with reasonable terms and conditions in accordance with statutory requirements at 54 U.S.C. 100905 is not highly controversial, will not result in a significant alteration in the public use pattern of the System unit, will not adversely affect the System unit's natural, aesthetic, scenic or cultural values, or require a long-term or significant modification in the resource management objectives of the System unit, because the permit requirement is limited in time and scope to the specific activities authorized by the permit, which contain terms and conditions that protect the values, resources, and visitors of the System unit, and implements federal law.

#### *Uncrewed Aircraft*

- Launching, landing, or operating an uncrewed or remotely piloted aircraft from or on lands and waters administered by the NPS within the boundaries of Wright Brothers National Memorial is prohibited except as approved in writing by the superintendent.
- In limited cases the following activities may be considered acceptable use of UAS systems and subject to approval by the superintendent.
  - Administrative use includes the use of uncrewed aircraft by:
    - NPS personnel as operators
    - Cooperators such as government agencies and universities.
    - For Scientific Research that benefits the preservation of natural and cultural resources.

*Justification:* This restriction is necessary to prevent unacceptable impacts to park resources and values from the use of uncrewed aircraft. Potential impacts include harming visitors, interfering with rescue operations, causing excessive noise, impacting view sheds, and disturbing wildlife. This restriction is required by Reference Manual 60 (Aviation Management) chapter 12 Uncrewed Aircraft Systems.

#### *Ground disturbing tools*

- All instruments that may be used to dig, disturb, or penetrate the ground (including but not limited to shovels, trowels, probes, axes, picks, etc.) are prohibited to possess while within the boundaries of Wright Brothers National Memorial.

*Justification:* Recent illegal activity associated with these instruments has occurred and caused significant damage to the park resources. The mere possession of these items represents the owner's intent to potentially use them. **This does not apply to instruments secured in a vehicle while visiting Wright Brothers National Memorial.**

## 36 CFR 1.6 – ACTIVITIES THAT REQUIRE A PERMIT

26 CFR 1.6(f) The following is a compilation of those activities for which a permit from the superintendent is required. A permit may be requested by contacting Park Headquarters at 252-473-2111. <https://www.nps.gov/caha/planyourvisit/permitsandreservations.htm>

Permits are required for the following activities:

- Non-commercial soliciting (Section 2.37)
- Special events (Section 2.50)
- Public assemblies/meetings (Section 2.51) Designated First Amendment areas are identified in attached maps.
- Some filming, still photography, and audio recording (depends upon the facts and circumstances; contact the park for more information). 36 CFR 1.5(a)(2) and 54 U.S.C. 100905
- Sale/distribution of printed matter (Section 2.52)
- Scattering of ashes (Section 2.62(b))
- Business operations (Section 5.3)

## 36 CFR 1.7 PUBLIC NOTICE

In accordance with National Park Service Law Enforcement Reference Manual 9 (RM-9), notice is hereby given that **Wright Brother National Memorial** uses Closed Circuit Television (CCTV) security camera monitoring.

The park's use of Closed-Circuit Television (CCTV) for law enforcement and security purposes will only be to visually monitor public park areas and public activities where no constitutionally protected reasonable expectation of privacy exists. Such CCTV use – which will have adequate privacy and First Amendment safeguards – will be to help ensure public safety and security, facilitate the detection, investigation, prevention, and deterrence of terrorist attack and crime; help ensure the safety of citizens and officers; help assist in the proper allocation and deployment of law enforcement and public safety resources; and help facilitate the protection of the innocent and the apprehension and prosecution of criminals. (RM-9, 26.1)

This policy does not restrict the official use of CCTV in government administrative areas, including administrative buildings, jail holding facilities (RM-9, 26.3.7), revenue collection sites, etc., where the government may record/monitor its facilities. For example, the government may perform unrestricted video/audio recording at revenue collection points (entrance stations, visitor center counters, etc.). This policy does not restrict the use of an Audio/Visual Recording Device (AVRD) in patrol vehicles or officer-worn recording devices used by commissioned rangers.

(RM-9, 26.1).

Operation of CCTV cameras, maintenance of recorded images and use of recorded images will be in accordance with NPS and Department policy and applicable laws and regulations. (RM-9, 26.1-26.4) No person will be targeted or monitored merely because of race, religion, gender, sex, disability, national origin, or political affiliation or views. (RM-9, 26.4.2)

Nothing in this policy statement is intended to create any rights, privileges, or benefits not otherwise recognized by law.

## **36 CFR 2.2 - WILDLIFE PROTECTION**

36 CFR 2.2(e) All areas within the park are closed to viewing wildlife with any type of artificial light.

*Justification:* Prohibiting the use of artificial lights minimizes the potential for the illegal taking of wildlife.

## **36 CFR 2.15 – PETS**

Service animals are not subject to the park's pet policies and when accompanying an individual with a disability, they are allowed wherever visitors are allowed. A service animal means any dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.

36 CFR(a)(5) Failing to comply with pet excrement disposal conditions which may be established by the superintendent.

- Pet excrement must be immediately picked up and properly disposed.

## **36 CFR 2.16 – HORSES AND PACK ANIMALS**

36 CFR21.6(b) The use of horses or pack animals outside of trails, routes or areas designated for their use is prohibited.

- Horseback riding is prohibited within Wright Brothers National Memorial

*Justification:* All existing roads and trails within Wright Brothers National Memorial are designed either for motor vehicles or pedestrian use. The mixing of horseback riding in those areas with the present volume of vehicle and pedestrian use would present a greater potential for resource damage or personal injury.

## **36 CFR 2.20 – SKATING, SKATEBOARDS, AND SIMILAR DEVICES**

Using roller skates, skateboards, roller skis, coasting vehicles, or similar devices are prohibited, except in designated areas.

The following area and times are designated for use by the items identified above.

- Wright Brothers bike path.

No artificial ramps or jumps are permitted.

*Justification:* Prohibiting said use on sidewalks and foot trails prevents the unsafe mix of pedestrians and vehicles on the foot trails. The sidewalks up the 90 foot plus stabilized dune, on which the granite pylon is erected, tempts certain visitors to use skateboards, wagons, bicycles, and other wheeled devices to utilize the sidewalks for high speed downhill runs endangering pedestrians and themselves. The Wright Brothers bike path adjacent to and perpendicular to Colington Road is

conducive to bicycles and is a designated bicycle trail.

## **36 CFR 2.21 – SMOKING**

36 CFR 2.21(a) The superintendent may designate a portion of a park area, or all or a portion of a building, structure or facility as closed to smoking when necessary to protect park resources, reduce the risk of fire, or prevent conflicts among visitor use activities.

- Smoking is prohibited in the following areas: All government buildings.

*Justification:* Pursuant to Executive Order 13058, “Protecting Federal Employees and the Public From Exposure to Tobacco Smoke in the Federal Workplace” (3 CFR, 1997 Comp., p.216), it is the policy of the executive branch to establish a smoke-free environment for Federal employees and members of the public visiting or using Federal facilities. The smoking of tobacco products is prohibited in all interior space owned, rented or leased by the executive branch of the Federal Government.

## **36 CFR 2.35 - ALCOHOLIC BEVERAGES AND CONTROLLED SUBSTANCES**

36 CFR 2.35(a)(3)(i) Closures to alcohol. The superintendent may close all or a portion of a public use area or public facility within a park area to the consumption of alcoholic beverages and/or to the possession of a bottle, can or other receptacle containing an alcoholic beverage that is open, or that has been opened, or whose seal is broken or the contents of which have been partially removed.

- Possession and consumption of alcoholic beverages is prohibited in all visitor centers, museums, government offices and buildings, unless authorized by a Special Use Permit.

*Justification:* The consumption and possession of alcoholic beverages in visitor centers, museums, and government offices and buildings is not conducive to the purpose of the facilities.

## **36 CFR 2.51 DEMONSTRATIONS**

36 CFR 2.51(c)(2) The superintendent must designate on a map, which must be available in the office of the superintendent and by public notice under 1.7 of this chapter, the locations designated as available for demonstrations and the sale or distribution of printed matter.

- The following first amendment assembly areas are designated on a map in the Office of the Superintendent for Public Assemblies:

See attached map for:  
Wright Brothers Assembly Area #1  
Wright Brothers Assembly Area #2

## **36 CFR 4.21 SPEED LIMITS**

36 CFR 4.21(b) The superintendent may designate a different speed limit upon any park road when a speed limit set forth in paragraph (a) of this section is determined to be unreasonable, unsafe or inconsistent with the purposes for which the park area was established.

- Unless otherwise posted, the speed limit within Wright Brothers National Memorial is 15 mph.

*Justification:* Most of the vehicle roads within Wright Brothers National Memorial are adjacent to or within parking lots and there are several directional signs which cause first time visitors to travel at slow speed attempting to find out where they are; therefore, 15 mph is considered to be the maximum safe speed on park roads.

## **36 CFR 4.30 BICYCLES**

36 CFR 4.30(i) Electric bicycles.

The use of an electric bicycle may be allowed on park roads, parking areas, and administrative roads and trails that are otherwise open to bicycles. The Superintendent will designate the areas open to electric bicycles, or specific classes of electric bicycles, and notify the public pursuant to 36 CFR 1.7

- The following areas are open to all classes of electric bicycles:
  - All areas where bicycles are allowed.

*Justification:* Electronic bicycle shall be treated the same as a traditional bicycle and allowed for use where traditional bicycles may be used.

