

**§ 935.128 Citation in place of arrest.**

In any case in which a peace officer may make an arrest without a warrant, he may issue and serve a citation if he considers that the public interest does not require an arrest. The citation must briefly describe the offense charged and direct the accused to appear before the Wake Island Court at a designated time and place.

**Subpart N—Motor Vehicle Code****§ 935.130 Applicability.**

This subpart applies to self-propelled motor vehicles (except aircraft), including attached trailers.

**§ 935.131 Right-hand side of the road.**

Each person driving a motor vehicle on Wake Island shall drive on the right-hand side of the road, except where necessary to pass or where a sign declaring one-way traffic is posted.

**§ 935.132 Speed limits.**

Each person operating a motor vehicle on Wake Island shall operate it at a speed—

- (a) That is reasonable, safe, and proper, considering road and weather conditions, the kind of motor vehicle, and the proximity to persons or buildings, or both; and
- (b) That does not exceed 40 miles an hour or such lesser speed limit as may be posted.

**§ 935.133 Right-of-way.**

(a) A pedestrian has the right-of-way over vehicular traffic when in the vicinity of a building, school, or residential area.

(b) In any case in which two motor vehicles have entered an intersection at the same time, the vehicle on the right has the right-of-way.

(c) If the driver of a motor vehicle enters an intersection with the intent of making a left turn, he shall yield the right-of-way to any other motor vehicle that has previously entered the intersection or is within hazardous proximity.

(d) When being overtaken by another motor vehicle, the driver of the slower vehicle shall move it to the right to allow safe passing.

(e) Each driver of a motor vehicle shall yield the right-of-way to an emergency vehicle on an emergency run.

**§ 935.134 Arm signals.**

(a) A signal for a turn or stop is made by fully extending the left arm as follows:

- (1) Left turn—extend left arm horizontally.
- (2) Right turn—extend left arm upward.
- (3) Stop or decrease speed—extend left arm downward.

(b) A signal light or other device may be used in place of an arm signal prescribed in paragraph (a) of this section if it is visible and intelligible.

**§ 935.135 Turns.**

(a) Each person making a right turn in a motor vehicle shall make the approach and turn as close as practicable to the right-hand curb or road edge.

(b) Each person making a left turn in a motor vehicle shall make the approach and turn immediately to the right of the center of the road, except that on multi-lane roads of one-way traffic flow he may make the turn only from the left lane.

(c) No person may make a U-turn in a motor vehicle if he cannot be seen by the driver of each approaching vehicle within a distance of 500 feet.

(d) No person may place a vehicle in motion from a stopped position, or change from or merge into a lane of traffic, until he can safely make that movement.

**§ 935.136 General operating rules.**

No person may, while on Wake Island—

- (a) Operate a motor vehicle in a careless or reckless manner;
- (b) Operate or occupy a motor vehicle while he is under the influence of a drug or intoxicant;
- (c) Consume an alcoholic beverage (including beer, ale, or wine) while he is in a motor vehicle;
- (d) Operate a motor vehicle that is overloaded or is carrying more passengers than it was designed to carry;
- (e) Ride on the running board, step, or outside of the body of a moving motor vehicle;

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(f) Ride a moving motor vehicle with his arm or leg protruding;

(g) Operate a motor vehicle in a speed contest or drag race; except in areas designated for the purpose by the Commander and under safety precautions approved by him;

(h) Park a motor vehicle for a period longer than the posted time limit;

(i) Stop, park, or operate a motor vehicle in a manner that impedes or blocks traffic;

(j) Park a motor vehicle in an unposted area, except adjacent to the right-hand curb or edge of the road;

(k) Park a motor vehicle in a reserved or restricted parking area that is not assigned to him;

(l) Sound the horn of a motor vehicle, except as a warning signal;

(m) Operate a tracked or cleated vehicle in a manner that damages a paved or compacted surface;

(n) Operate any motor vehicle contrary to a posted traffic sign;

(o) Operate a motor vehicle as to follow any other vehicle closer than is safe under the circumstances;

(p) Operate a motor vehicle off of established roads, or in a cross-country manner, except when necessary in conducting business; or

(q) Operate a motor vehicle at night on the traveled part of a street or road, without using operating headlights.

**§ 935.137 Operating requirements.**

(a) Each person operating a motor vehicle on Wake Island shall—

(1) Dim the headlights of his vehicle when approaching an oncoming vehicle at night; and

(2) Comply with any special traffic instruction given by an authorized person.

**§ 935.138 Motor bus operation.**

Each person operating a motor bus on Wake Island shall—

(a) Keep its doors closed while the bus is moving with passengers on board; and

(b) Refuse to allow any person to board or alight the bus while it is moving.

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**§ 935.139 Motor vehicle operator qualifications.**

(a) No person may operate a privately owned motor vehicle on Wake Island unless he has an island operator's permit.

(b) The Commander may issue—

(1) A student operator's permit to any person who is at least 14 years of age, to be exercised only when the holder is accompanied by a qualified operator who assumes full responsibility for operating the vehicle; and

(2) An unlimited operator's permit to any person who is at least 16 years of age and satisfactorily demonstrates safe-driving knowledge, ability, and physical fitness.

(c) No person may operate, on Wake Island, a motor vehicle owned by the United States unless he holds a current operator's permit issued by the United States.

(d) Each person operating a motor vehicle on Wake Island shall present his operator's permit to any peace officer, for inspection, upon request.

**§ 935.139a Motor vehicle maintenance and equipment.**

(a) Each person who has custody of a motor vehicle on Wake Island shall present that vehicle for periodic safety inspection, as required by the Commander.

(b) No person may operate a motor vehicle on Wake Island unless it is in a condition that the Commander considers to be safe and operable.

(c) No person may operate a motor vehicle on Wake Island unless it is equipped with an adequate and properly functioning—

(1) Horn;

(2) Wiper, for any windshield;

(3) Rear vision mirror;

(4) Headlights and taillights;

(5) Muffler; and

(6) Spark or ignition noise suppressors.

(d) No person may operate a motor vehicle on Wake Island if that vehicle is equipped with a straight exhaust or muffler cutoff, except as may be authorized pursuant to § 935.136(g).