Military Police

Motor Vehicle
Traffic Supervision

Department of the Army
the Navy, the Air Force
and the Defense
Logistics Agency
Washington DC
8 July 1985
SUMMARY OF CHANGE

AR 190-5/OPNAVINST 11200.5C/AFR 125-14/
MCO 5110.1C/DLAR 5720.1

Motor Vehicle Traffic Supervision

This revision--

Mandates immediate suspension of installation driving privileges for intoxicated driving incidents pending resolution of charges (chap 2).

Mandates the revocation of installation driving privileges for 1 year based on a finding of guilty for intoxicated driving (chap 2).

Mandates the referral of drunk drivers to the Service-sponsored alcohol and drug evaluation and rehabilitation program as a condition to reinstatement of installation driving privileges (chap 2).

Retains the mandatory general officer reprimand, administrative in nature, for active duty Army officers and noncommissioned officers (including corporals), but permits optional written reprimand for soldiers in the grade of E-4 and below (chap 2).

Prescribes DD Form 2220 as the standard vehicle registration decal for the Services and DLA (chap 3).

Mandates the assimilation of host State traffic codes for DOD installations (chap 4).


Permits involuntary extraction of blood under revised Military Rules of Evidence in intoxicated driving incidents (chap 4).

Establishes traffic points for seat belt and child restraint device violations (chap 5).

Prescribes new DD forms and procedures for impounding vehicles (chap 6).
This UPDATE printing publishes a revision that is effective 8 July 1988. Because the structure of the entire revised text has been reorganized, no attempt has been made to highlight changes from the earlier regulation dated 1 August 1973.

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Summary. This regulation covers motor vehicle traffic supervision. It outlines policy on vehicle registration; permits involuntary extraction of blood under revised Military Rules of Evidence in traffic accident cases where intoxicated driving is suspected; provides policy on towing, storing, and impounding vehicles; adopts the National Highway Traffic Safety Administration technical standards for breathalyzer equipment; establishes traffic points for seat belt and child restraint device violations; and requires that new safety requirements be included in the installation traffic code. It implements DOD Directive 1010.7, 10 Aug 83, DOD Directive 5525.4, 2 Nov 81, and DOD Instruction 6055.4, 19 Dec 85. It also implements portions of DOD Directive 1000.3, 29 Mar 79 that apply to motor vehicle operation.

Applicability. This regulation applies to persons who are
(1) Serving in, or employed by, the military Services and the Defense Logistics Agency, or
(2) Subject to the motor vehicle registration requirements in chapter 3.

This regulation also applies to Reserve Component personnel of all the Services who operate privately owned motor vehicles on military installations. Administrative actions outlined in paragraph 2-7 apply to U.S. Army Reserve personnel on active duty, active duty for training, and in an inactive duty training status.

c. This regulation does not apply to State-operated Army installations. State adjutants general may use this regulation as a guide to establish motor vehicle traffic supervision programs for their installations.

Impact on New Manning System. This regulation does not contain information that affects the Army's New Manning System. Internal control systems. This regulation is subject to the requirements of AR 11-2. It contains internal control provisions but does not contain checklists for conducting internal control reviews. These checklists are being developed and will be published at a later date. (For Army users only.)

Supplementation. Supplementation of this regulation and establishment of command and local forms are prohibited without prior approval of HQDA (DAMO-ODL), WASH, DC 20310-0400. (For Army users only.)

Interim changes. Interim changes to this regulation are not official unless they are authenticated by the Administrative Assistant to the Secretary of the Army. Users will destroy interim changes on their expiration dates unless sooner superseded or rescinded.

*This regulation supersedes AR 190-5/OPNAVINST 11200.5B/AFR 125-14/MCO 5110.1B/DSAR 5720.1, 1 August 1973.
Suggested Improvements. The Army office of primary interest in this joint publication is the Office of the Deputy Chief of Staff for Operations and Plans. Army users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to HQDA (DAMO-ODL), WASH DC 20310-0440. The headquarters Marine Corps Staff agency of primary interest is the Deputy Chief of Staff, Plans, Policies, and Operations. Marine Corps users are invited to send comments and suggested improvements to the Commandant of the Marine Corps (POS-40), WASH DC 20380. The Navy office of primary interest is the Naval Security and Investigative Command. Navy users are invited to send comments and suggested improvements to the Command, Naval Security and Investigative Command, WASH DC 22304-6100. The Air Force office of primary interest is the Office of Security Police. Air Force users are invited to send comments and suggested improvements to the attention of Security Police Operations, Kirtland Air Force Base, Albuquerque, New Mexico 87117-6001. The DLA office of primary interest is the Command Security Office. DLA users are invited to send comments and suggested improvements to Director, Office of Command Security (DLA-IP), Cameron Station, Alexandria, Virginia 22304-6100.

Forms: The forms contained in this regulation are listed in appendix A. Navy forms may be ordered from the Navy Publications and Forms Center: CO, NAVPUB FORMCEN, 5801 Tabor Ave, Philadelphia, PA 19120-5099.

Reports: The Navy reporting requirements contained in this regulation are exempt from reports control by OPNAVINST 5214.7.

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Chapter 1

Introduction

1-1. Purpose

a. This regulation sets policy, responsibilities, and procedures for motor vehicle traffic supervision on military installations in the continental United States (CONUS) and overseas areas. This includes but is not limited to the following:

(1) Granting, suspending, or revoking the privilege to operate a privately owned vehicle (POV).
(2) Registration of POVs.
(3) Administration of vehicle registration and driver performance records.
(4) Driver improvement programs.
(5) Police traffic supervision.
(6) Off-installation traffic activities.

b. Commanders in overseas areas are authorized to modify these policies and procedures in the following instances:

(1) When dictated by host nation relationships, treaties, and agreements.
(2) When traffic operations under military supervision necessitate measures to maintain the morale, discipline, and good order in the Services.

1-2. References

Required and related publications and prescribed and referenced forms are listed in appendix A.

1-3. Explanation of abbreviations and terms

Abbreviations and special terms used in this regulation are explained in the glossary.

1-4. Responsibilities

a. Departmental. The Deputy Chief of Staff for Operations and Plans, Headquarters, Department of the Army (HQDA); Commander, Naval Security and Investigative Command U.S. Navy (USN); Chief of Air Force Office of Security Police, Headquarters, U.S. Air Force (USAF); Deputy Chief of Staff, for Plans, Policies, and Operations, Headquarters, U.S. Marine Corps (USMC); and Staff Director, Office of Command Security, Headquarters, Defense Logistics Agency (DLA), will--

(1) Direct traffic supervision over programs for motor vehicle traffic supervision.
(2) Develop standard policies and procedures.
(3) Maintain liaison with interested staff agencies and other military departments on traffic supervision and establish working groups and staff directorates.
(4) Maintain liaison with departmental safety personnel on traffic safety and accident reporting systems.
(5) Coordinate with national, regional, and State traffic officials and agencies, and actively participate in conferences and workshops sponsored by Government or private groups at the national level.
(6) Help organize and monitor police traffic supervision training.
(7) Maintain liaison with the Department of Transportation (DOT) and other Federal departments and agencies on the National Highway Safety Program Standards (NHSPS) and programs that apply to U.S. military traffic supervision.
(8) Participate in the national effort to reduce intoxicated driving.

b. All major commanders. Major commanders of the Army, Navy, Air Force, Marine Corps, and DLA will--

(1) Manage traffic supervision in their commands.
(2) Cooperate with the support programs of State and regional highway traffic safety organizations.
(3) Monitor agreements between installation authorities and other major military commanders in assigned geographic areas of responsibility.
(4) Monitor agreements between installation authorities for reciprocal reporting of suspension and revocation of driving privileges.
(5) Establish and coordinate traffic supervision activities with other major military commanders in assigned geographic areas of responsibility.
(6) Off-installation traffic supervision.

(1) Exercise overall staff responsibility for directing, regulating, and controlling traffic, and enforcing laws pertaining to traffic control.
(2) Cooperate with civil police agencies and other local government agencies for traffic programs and host State organizations concerned with traffic supervision.
(3) Ensure that traffic supervision is integrated in the overall installation traffic safety program.
(4) Actively participate in Alcohol Safety Action Projects (ASAP) in neighboring communities.
(5) Installation or activity law enforcement officer. The installation or activity law enforcement officer will--

(1) Direct traffic control activities in coordination with the law enforcement officer.
(2) Maintain permanent traffic and parking control devices in coordination with the law enforcement officer and safety officer.
(3) Effectively integrate traffic safety and accident reporting systems.
(4) Conduct formal traffic safety educational studies.
(5) Collect traffic accident data and provide accident investigations.
(6) Ensure that traffic signs, signals, and pavement markings are in conformance to the standards in the current Manual on Uniform Traffic Control Devices for Streets and Highways.
(7) Enforce traffic safety and accident reporting programs.

1-5. Program objectives

The objectives of motor vehicle traffic supervision are to assure--

(1) Perform that phase of engineering concerned with the planning, design, construction, and maintenance of streets, highways, and abutting lands.
(2) Select, determine appropriate design, procure, construct, install, and maintain permanent traffic and parking control devices.
(3) Ensure that traffic signs, signals, and pavement markings conform to the standards in the current Manual on Uniform Traffic Control Devices for Streets and Highways.
(4) Ensure that planning, design, construction, and maintenance of streets and highways conform to the NHSPS as implemented by the Services.
(5) Traffic engineer. The traffic engineer, in close coordination with the law enforcement officer, will--

(1) Conduct formal traffic engineering studies.
(2) Maintain permanent traffic and parking control devices, to reduce the number and severity of traffic accidents. (If there is no installation traffic engineer, installation commanders may request these services through channels from the Commanding General, Military Traffic Management Command, 5611 Columbia Pike, Falls Church, VA 22041-5050.)
(3) Army Alcohol and Drug Control Office (ADCO). The ADCO will provide treatment and education services to personnel with alcohol or drug abuse problems.
(4) Provide remedial/motivational education for all persons identified as alcohol or drug abusers who are either found to be dependent on alcohol or drugs and who have been referred to Level One rehabilitation by their commanders.
(5) Marine Corps Substance Abuse Program Office. This office will provide alcohol/drug rehabilitation services to personnel with alcohol or drug abuse problems.
(6) DLA Employee Assistance Program Office. This office will provide alcohol/drug counseling and referral services to identified personnel with alcohol/drug abuse problems in accordance with procedures prescribed by the Chief, Staffing, Labor, and Employment Division, Office of Civilian Personnel, HQ DLA.
Chapter 2
Driving Privileges

2-1. Requirements for driving privileges

a. Driving a Government vehicle or POV on a military installation is a privilege granted by the installation commander. Persons who accept the privilege must:
(1) Comply with laws and regulations governing motor vehicle operations on the installation.
(2) Comply with installation registration requirements in chapter 3 if applicable.
(3) Possess, while operating a motor vehicle and produce on demand to law enforcement personnel, the following:
   (a) Proof of vehicle ownership or State registration if required by the issuing State.
   (b) A valid State, overseas command, host nation, or international driver’s license and/or OF 346 (U.S. Government Motor Vehicle Operator’s Identification Card), as applicable, supported by a DD Form 2A (U.S. Armed Forces Identification Card) or other identification for non-Department of Defense (DOD) civilians.
   (c) A valid record of motor vehicle safety inspection if required.

b. Operators of Government motor vehicles must have proof of authorization to operate the vehicle.

2-2. Stopping and Inspecting personnel or vehicles

a. Military vehicles may be stopped by law enforcement personnel on military installations based on the installation commander's policy.
(1) In overseas areas, military vehicles may be stopped on or off installations as determined by host nation agreement and command policy.
(2) Stops and inspections of vehicles at installation gates or entry points and in restricted areas will be conducted according to separate service policy.
(3) Stops and inspections of POVs within the military installation, other than at restricted areas or at an installation gate, are authorized only when there is a reasonable basis to believe the stop/inspection is necessary to enforce a traffic regulation or the stop is based on suspicion of criminal activity.
   (Army users, see AR 210-10. Marine Corps users, pending publication of a specific Marine Corps order, will be guided by Military Rules of evidence 311-316 and local command regulations. DLA users, see DLR 56-1-2.)

b. At the time of stop, the driver and occupants may be required to display all pertinent documents, including but not limited to:
(1) DD Form 2A (U.S. Government Motor Vehicle Operator’s Identification Card), DA Form 1602 (Civilian Identification), AF Form 354 (Civilian Identification Card), DLA Form 2254, DLA Form 5700.7, DLA Form 1486 (Applicant for Identification Card), post pass, or national identity card.
(2) Proper POV registration documents.
(3) Host nation vehicle registration documents if applicable.
(4) Authorization to operate a U.S. Government vehicle if applicable.
(5) Drivers license or OF 346 valid for the particular vehicle and area of operation.

2-3. Implied consent to blood, breath, or urine tests

Persons accepting installation driving privileges and/or the privilege are deemed to have given their consent to evidential tests for alcohol or other drug content of their blood, breath and/or urine if lawfully stopped, apprehended, or cited for any offense allegedly committed while driving or in physical control of a motor vehicle on the installation while under the influence of intoxicants.

2-4. Implied consent to impoundment

Any person granted the privilege of operating a motor vehicle on an installation shall be deemed to have given his or her consent for the removal and temporary impoundment of the POV when it is parked illegally for unreasonable periods, interfering with operations, creating a safety hazard, disabled by accident, left unattended in a restricted or controlled area, or abandoned. Such person further agrees to reimburse the United States for the cost of towing and storage should their motor vehicle be removed or impounded. Existence of the conditions described above will be determined by the installation commander or designee.

2-5. Suspension or revocation of driving privileges

The installation commander (or designee not assigned primarily to law enforcement duties) may, for cause, administratively suspend or revoke driving privileges on the installation. The suspension or revocation of installation driving privileges or POV registrations, for lawful reasons unrelated to traffic violations or safe vehicle operation, is not limited or restricted by this regulation.

a. Suspension.
(1) Driving privileges are usually suspended when other measures have failed to improve a driver’s performance. Such measures may include counseling, remedial driving training, and rehabilitation programs. Driving privileges may also be suspended for up to 6 months if a driver continually violates installation parking regulations. The installation commander is authorized to withdraw the authorization of active duty military personnel, DOD civilian employees, and nonappropriated fund (NAF) employees to operate U.S. Government vehicles.
(2) Immediate suspension of installation or overseas command POV driving privileges pending resolution of the行政处罚 or criminal charge. Suspension is authorized for non-DOD affiliated civilians only with respect to incidents occurring on the installation or in areas subject to military traffic jurisdiction.

b. Revocation.
(1) The revocation of installation or overseas command POV driving privileges is a severe administrative measure to be exercised for serious moving violations or when other available corrective actions fail to produce the desired driver improvement. Revocation of the driving privilege will be for a specific period, but never less than 6 months, applies at all military installations, and remains in effect on reassignment.
(2) Driving privileges are subject to revocation when an individual fails to comply with any of the conditions requisite to the granting of the privilege. (See para 2-1.) Revocation of installation driving and registration privileges is authorized for military
2-6. Administrative due process for suspensions and revocations

a. Individual Services will promulgate regulations for establishing administrative due process procedures for suspension or revocation of driving privileges. The procedures in paragraphs b and c below apply to actions taken by Army commanders with respect to Army military personnel and family members and to civilian personnel operating motor vehicles on Army installations. For Marine Corps users, the provisions of this paragraph apply pending publication of a Marine Corps order addressing administrative due process.

b. For offenses other than intoxicated driving, suspension or revocation of the installation commander or designee notifies the affected person and offers that person an opportunity for a hearing. Suspension or revocation will take place 10 days after this written notice is received unless an application for a hearing is made by the affected person within 10 days. Such application will stay the pending suspension or revocation for a period of 10 days.

(1) If, due to action by the Government, a hearing is not held within 10 days, the suspension will not take place until such time as the person is granted a hearing and is notified of the time and place of the hearing. The installation commander or designee, however, if the affected person requests that the hearing be continuing within 10 days of the request, the suspension or revocation will become effective immediately on receipt of notice that the request for a hearing has been entertained.

(2) If it is determined as the result of a hearing to suspend or revoke the affected person's driving privilege, the suspension or revocation will become effective when the person receives the written notification of such action. In the event that written notification of suspension or revocation is not mailed or delivered to the person within 10 days of the decision, the suspension or revocation will become effective if the document is not available, the suspending officer may have been notified of such conviction is required as the basis for revocation.

(3) When temporary suspensions under paragraph 2-5b are followed by revocations, the period of revocation is computed beginning from the date the original suspension was imposed, exclusive of any period during which the person has been lawfully apprehended for intoxicated driving refused to submit to or complete a test to measure the alcohol content in the blood, or detected the presence of any other drug, as required by the law of the jurisdiction, installation traffic code, or by Service directive.

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(b) The person was lawfully cited or apprehended for an intoxicated driving offense.

(c) The person was lawfully requested to submit to a test for alcohol or other drug content of blood, breath, or urine and was informed of the consequences of refusal to take or complete such test.

(d) The person refused to submit to the test for alcohol or other drug content of blood, breath, or urine; failed to complete the test; or submitted to the test and the result was 0.10 percent or higher blood alcohol content, or showed results indicating the presence of other drugs for an on-post apprehension or in violation of laws for an off-post apprehension.

(e) The testing methods used were valid and reliable, and the results accurately evaluated.

(1) For revocation actions under paragraph 2-5b(3) for intoxicated driving, the revocation is mandatory on conviction or other findings that confirm the charges. (Pleas of nolo contendere are considered equivalent to guilty pleas.)

(a) Revocations are effective as of the date of conviction or other findings that confirm the charges.

(b) The notice that revocation is automatic may be placed in the suspension letter. If it does not appear in the suspension letter, a separate letter must be sent and revocation is not effective until receipt of the written notice.

(c) Revocation may deny full or restricted driving privileges that may have been restored during suspension and the resolution of the charges. Requests for restoration of full driving privileges are not authorized.

2-7. Army administrative actions against intoxicated drivers

(a) Commanders may take appropriate action against intoxicated drivers. These actions will include the following:

1. A general officer reprimand, administrative in nature, will be issued to active duty Army officers, commissioned and warrant, and noncommissioned officers, to include soldiers in the grade of E-4 appointed on official orders to corporal, in the cases described below. This reprimand may be issued by an officer flocked to the grade of brigadier general. The subsequent filing of the reprimand will be in accordance with the provisions of AR 600-37. A conviction of intoxicated driving or driving under the influence of alcohol or other drugs either on or off the installation.

2. Refusal to take or failure to complete a lawfully requested test to measure alcohol or drug content of the blood, breath, or urine, either on or off the installation, when there is reasonable belief of driving under the influence of alcohol or drugs.

3. Driving or being in physical control of a motor vehicle on post when the blood alcohol content is 0.10 percent or higher, irrespective of other charges, or off post when the blood alcohol content is in violation of State laws, irrespective of other charges.

4. Driving or being in physical control of a motor vehicle, either on or off the installation, when lawfully requested chemical tests reflect the presence of illegal drugs.

5. A written reprimand, administrative in nature, may be issued by a general officer or other appropriate official to active duty soldiers in the grade of E-4 (except corporals) and below in cases described in 2-7a above.

(a) Review by commanders of the service records of active duty soldiers apprehended for offenses described in subsection (b) to determine if the individuals warrant—

(1) Administrative reduction per AR 600-200.

(2) Reprimand for issuance per AR 601-280.

(3) Administrative discharge per AR 635-200.

2-8. Remedial driver training programs

(a) Navy activities will comply with OPNAVINST 5100.12B, Air Force activities with AFR 30-2, and Marine Corps activities with MCO 5100.19C.

(b) Installation commanders may establish a remedial driver training program to instruct and educate military personnel requiring remedial driver training. This program will be based on the conditions of the training record. The curriculum should provide the necessary instruction to improve driving performance and compliance with traffic laws.

(c) Installation commanders may schedule periodic courses if courses on a continuing basis are not practical. If civil authorities conduct such courses, commanders may arrange for installation personnel to attend these courses in lieu of on base courses or on or by the installation.

(d) Civilian personnel employed on the installation, contractor employees, and employees of military personnel may voluntarily attend these or similar courses.

2-9. Alcohol and drug abuse programs

(a) Commanders will refer military personnel suspected of drug or alcohol abuse for evaluation in the following circumstances:

1. Criminal behavior indicative of alcohol or drug abuse.

2. Continued inability to drive a motor vehicle safely because of alcohol or drug abuse.

3. The assistance program will ensure military personnel are referred to the installation alcohol and drug abuse program or other comparable facilities when they are convicted of, or receive a nonjudicial administrative action for, any offense involving intoxicated driving. A first offender may be referred if there is more evidence of substance abuse exists than merely the offense of intoxicated driving. The provisions of this paragraph do not limit the commander to other actions that may be taken against offenders under separate service policies. (Army, see AR 600-85; Marine Corps, see MCO PS300.12.)

(b) Active duty Army personnel apprehended for drunk driving, on or off the installation, will be referred to the Alcohol and Drug Abuse Prevention and Control Program (ADAPCP) for evaluation within 10 days to determine if the person is dependent on alcohol or other drugs which will result in enrollment in Track I or other level of treatment in accordance with AR 600-85.

(c) Active duty Navy personnel apprehended for drunk driving, on or off the installation, will be screened by the respective CAAC facility within 10 days to determine if the person is dependent on alcohol or other drugs. Active duty Marines apprehended for intoxicated driving, on or off the installation, will be referred for evaluation to a Level III substance abuse counselor within 10 days for evaluation and determination of the appropriate level of treatment required. Subsequent to this evaluation, the Marine will be assigned to the appropriate treatment program as prescribed by MCO P5300.12.

(d) The Services may develop preventive and rehabilitative programs for civilian employees with alcohol-related problems section 4561, title 42, U.S. Code (42 USC 4561).

(e) Supervisors of civilian employees apprehended for drunk driving will advise employees of ADAPCP services available. Army civilians employed on the installation for intoxicated driving while on duty will be referred to the ADAPCP for evaluation in accordance with AR 600-85. Army commanders will ensure that supervisors encourage family members apprehended for drunk driving to seek ADAPCP evaluation and assistance.

(f) Navy and DLA civilian personnel charged with intoxicated driving will be referred to the Civilian Employee Assistance Program for evaluation in accordance with FPM Supplement 792-2. Such referral does not exempt the employee from appropriate administrative or disciplinary actions under civilian personnel regulations.

(g) Marine commanders will ensure that supervisors encourage family members apprehended for drunk driving to seek ADAPCP evaluation and assistance.

(h) Army, DLA, and Marine Corps employees charged with intoxicated driving, on or off the installation, will be referred to the Employee Assistance Program as prescribed by MCO PS300.12. Active dependents charged with intoxicated driving, on or off the installation, will be provided assistance as addressed in MCO P5300.12. Such referral and assistance does not exempt the individual from appropriate administrative or disciplinary action under current civilian personnel regulations or State laws. Army, DLA, and Marine Corps, installation driving privileges of any person who refuses to submit to or fails to complete chemical testing for alcohol content when apprehended for intoxicated driving, or convicted of intoxicated driving, will not be reinstated unless the person successfully completes either an alcohol education and
2-10. Restoration of driving privileges on acquittal

When an official report pertaining to drunk driving or driving while incapacitated by alcohol’s effect is not guilty, that the charges have been dismissed or reduced to an offense not amounting to intoxicated driving, or that an equivalent determination has been made in a nonjudicial punishment proceeding or military or civilian administrative action, the suspension of driving privileges will be vacated except in cases where:

a. The preliminary suspension was based on refusal to take a BAC test.

b. The preliminary suspension resulted from a BAC test (unless disposition of the charges was based on invalidity of the BAC test). When a valid BAC test is involved, the suspension of driving privileges pending completion of a hearing. In such instances, the individual will be notified in writing of the continuation of the preliminary suspension and the opportunity to request a hearing within 10 working days. At the hearing the arrest report, the commander’s report of official disposition, information presented by the individual, and such other information as the hearing officer may deem appropriate will be considered. If the hearing officer determines beyond a reasonable doubt that the individual was engaged in intoxicated driving, the revocation will be for 1 year from the date of the original preliminary suspension.

c. The person was driving or in physical control of a motor vehicle while under a preliminary suspension or revocation.

d. An administrative determination has been made by the State or host nation licensing authority to suspend or revoke driving privileges based on local law or pertinent regulations.

e. The individual has failed to complete a formally directed substance abuse or driver’s training program.

2-11. Restricted driving privileges or probation

For the Navy, Air Force, Marine Corps, and DLA, the installation commander may modify a suspension or revocation of driving privileges in certain cases after a BAC test of 0.08 percent or higher.

a. Army requests for restricted driving privileges subsequent to suspension or revocation of driving privileges will be referred to the installation commander or designee for determination under criteria of d below, except for intoxicated driving cases, which must be referred to the General Court Martial Convening Authority. Withdrawal of restricted driving privileges is within the installation’s discretion.

c. Probation or restricted driving privileges will not be granted to any person whose driver's license is under suspension or revocation by a State, Federal, or host nation licensing authority.

d. Aside from any other provisions of this regulation, the installation commander or designee may, in their discretion, revoke restricted driving privileges or probation on a case-by-case basis to accommodate any of the following reasons, provided the person’s driver license is under suspension or revocation.

(1) Mission requirements.

(2) Unusual personal or family hardships.

(3) Delays exceeding 90 days, not attributed to the person concerned, in the formal disposition of an apprehension or charges that are the basis for any type of suspension or revocation.

(4) When there is no reasonably available alternate means of transportation to officially assigned duties, unless a limited exception can be granted for the sole purpose of driving directly to and from the place of duty.

e. The limitations on a restricted driver’s privilege (for example, an authorization to drive to and from place of employment or duty, selected installation facilities such as hospital and commissary, or other facilities authorized in writing and provided to the individual concerned. Persons found to be in violation of the restricted privilege are subject to revocation action as prescribed in paragraph 2-5b. For good cause, the appropriate authority may withdraw the restricted driving privilege and continue the suspension or revocation period (for example, driver at fault in a traffic accident, or driver cited for a moving traffic violation).

f. The conditions and terms of probation will be specified in writing and provided to the individual concerned. The original suspension or revocation term in its entirety may be activated to commence from the date of the restoration of driving privilege. In addition, separate action may be initiated based on the commission of any traffic, criminal, or military offense that constitutes a probation violation.

g. DOD employees of the Services or DLA, who can demonstrate that the commission of an offense would constructively remove them from employment, may be given a limited suspension/revocation that restricts driving privileges on or off the installation. This does not preclude a commander from imposing such prohibition for a first offense, or for such other reasons as may be authorized.

c. Commanders may extend a suspension or revocation of the installation driving privileges of military personnel until completion of an approved remedial driver training course or alcohol or drug counseling program.

d. Commanders may extend a suspension or revocation of the installation driving privileges of civilian personnel convicted of intoxicated driving on the installation until successful completion of a State or installation approved alcohol or drug rehabilitation program.

2-12. Extensions of suspensions and revocations

Since driving in violation of a suspension or revocation imposed under this regulation will result in the original period of suspension or revocation being increased by 2 years. In addition, administrative action may also be initiated based on the commission of any traffic, criminal, or military offense (for example, active duty military personnel). The individual will be referred to the installation in violation of an order not do so).

b. For each subsequent determination within a 5-year period that revocation is authorized under paragraph 2-5b, military personnel, DOD civilians, and NAF employees will be prohibited from obtaining or using an OF 346 for 6 months for each such incident. A determination whether DOD civilian personnel should be prohibited from obtaining or using an OF 346 will be made under FPM 930, and other laws and regulations applicable to civilian personnel. This does not preclude a commander from imposing such prohibition for a first offense, or for such other reasons as may be authorized.

c. Commanders may extend a suspension or revocation of the installation driving privileges of military personnel until completion of an approved remedial driver training course or alcohol or drug counseling program.

d. Commanders may extend a suspension or revocation of the installation driving privileges of civilian personnel convicted of intoxicated driving on the installation until successful completion of a State or installation approved alcohol or drug rehabilitation program.

2-13. Reciprocal State-military action

The services recognize the interests of the States in matters of POF administration and driver licensing. The following procedures will apply:

a. Statutory authority may exist within some host nations or States for reciprocal suspension and revocation of driving privileges. If so, the installation commander or designee will honor the reciprocal agreements with State or host nation driver licensing authorities. On receipt of written notice, the receiving party may suspend or revoke any driver’s license issued to personnel driving privileges would not be extended to personnel driving privileges. This does not preclude a commander from imposing such prohibition for a first offense, or for such other reasons as may be authorized.

b. If statutory authority does not exist within the State for formal military-personnel, the procedures below will be used.

(1) Where military reciprocity has not been established by State law, commanders will act on reports of suspensions or revocations received from state authorities where the installation is located. When any State authority suspends or revokes a person’s driver license, the installation’s driving privilege will be automatically terminated.
Administrative actions (suspension, revocation, or point assessment) for moving traffic violations from the installation reported by State authorities should not be less than that required for similar offenses on the installation. When notified by a State of a suspension or revocation, the installation commander may suspend or revoke the person's OF 346 permit. (2) In CONUS, the appropriate State licensing authority will be notified when a person's installation driving privileges are revoked for a period of one year or more. The final adjudication of an intoxicated condition will be sent to the installation commander. The notification will include the basis for the revocation and the blood alcohol concentration.

Chapter 3
Motor Vehicle Registration

3-1. Registration policy
a. Motor vehicles will be registered according to guidance in this regulation and in policies of each Service and DLA. Unless otherwise specified by this regulation or other competent authority, a person who lives or works on a military installation or the law of the host nation concerning reciprocal suspension and revocation. To the extent an agreement concerning reciprocity may be permitted at a particular overseas installation, the installation commander must have prior authorization to negotiate and conclude such an international agreement with other nations and/or the host nation. Unless otherwise required or specified on a separate tab (as applicable), DD Form 2220 is produced in single copy for registration of POVs on Army, Navy, Air Force, Marine Corps, and DLA installations or facilities. The form is produced in single copy for placement on the front of the vehicle only.

b. Specifications
(1) Each Service and DLA will procure the normal expiration term for registration on Army installations only.
(2) DD Form 2220 and installation expiration tabs will be removed from POVs when the registration expires or is terminated.
(3) The normal expiration term for registration on Army installations will be 4 years.
(4) The decal, installation tab, and expiration tab will be used to register POVs on Army, Navy, Air Force, Marine Corps, and DLA installations or facilities. The form is produced in single copy for placement on the front of the vehicle only.
(1) Each Service and DLA will procure its own forms and installation and expiration tabs. DD Form 2220 will be registered according to guidance in this regulation and in policies of each Service and DLA. Unless otherwise specified by this regulation or other competent authority, a person who lives or works on a military installation or the law of the host nation concerning reciprocal suspension and revocation. To the extent an agreement concerning reciprocity may be permitted at a particular overseas installation, the installation commander must have prior authorization to negotiate and conclude such an international agreement with other nations and/or the host nation. Unless otherwise required or specified on a separate tab (as applicable), DD Form 2220 is produced in single copy for registration of POVs on Army, Navy, Air Force, Marine Corps, and DLA installations or facilities. The form is produced in single copy for placement on the front of the vehicle only.

3-2. Registration requirements
Systems for registration of POVs on military installations within the United States and its territories and in overseas areas will include the requirements specified below (Registration in overseas commands may be modified in accordance with international agreements or military necessity).

a. Possession of a valid State, overseas command, host nation, or international driver's license (as applicable), supported by DD Form 2 (U.S. Armed Forces Retired Identification Card), or other appropriate identification for DOD civilian employees.

b. Possession of a certificate of State registration as required by the state in which the vehicle is registered.

Continuing compliance with the minimum requirements of the automobile insurance laws or regulations of the State or host nation. In overseas commands where host nation laws do not require minimum personal injury and property damage liability insurance, the major overseas commander may set reasonable liability insurance requirements for registration and operation of POVs within the confines of military installations and areas. Prior to inspection, notification, vehicle inspections in host nations should be formally coordinated with the appropriate host nation agency.

d. Satisfactory completion of a safety inspection by State or jurisdiction in which the vehicle is licensed or located. If neither State nor local jurisdiction requires a periodic safety inspection, the installation commander may require and conduct an annual POV safety inspection; however, inspection facilities must be reasonably accessible to those requiring use. Inspections will meet minimum standards established by the National Highway Traffic Safety Administration (NHTSA) in sections 570.1 through 570.10, part 570, chapter V, title 49, Code of Federal Regulations (CFR).

3-3. Specifications for DD Form 2220

a. Use. DD Form 2220 will be used to register POVs on Army, Navy, Air Force, Marine Corps, and DLA installations or facilities. The form is produced in single copy for placement on the front of the vehicle only.
(1) Each Service and DLA will procure its own forms and installation and expiration tabs. (2) DD Form 2220 will be used to register POVs on Army, Navy, Air Force, Marine Corps, and DLA installations or facilities. The form is produced in single copy for placement on the front of the vehicle only.
(1) Each Service and DLA will procure its own forms and installation and expiration tabs. DD Form 2220 will be used to register POVs on Army, Navy, Air Force, Marine Corps, and DLA installations or facilities. The form is produced in single copy for placement on the front of the vehicle only.

b. Specifications
(1) DD Form 2220 will consist of international blue borders and printing on a white background as shown in figure 3-1. Printer information will include the following:
(a) Form title (Department of Defense Registered Vehicle).
(b) Alphanumeric individual form identification number.
(c) DOD seal.
(2) Name of the installation will be specified on a separate tab (as shown on fig 3-1). The tab color will be black--contractor personnel and other civilians employed on the installation.
(3) A expiration tab identifying month and year ("6-97") or simply the year ("97") will be abutted to the decal as shown in figure 3-1. For identification purposes, the date of expiration will be shown in bold block numbers on a lighter contrasting background such as traffic yellow, lime, or orange.
(4) The decal, installation tab, and expiration tab will be theft-resistant when applied to glass, metal, painted, or rubberized surfaces after full adhesion had developed

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and will be manufactured to "tare" or "self destruct" when any attempt to remove it is made with a sharp instrument or chemical.

On Army installations, a single decal with tabs will be prominently affixed to the front windshield or bumper of registered vehicles. Local policy will specify the exact placement. Some States prohibit or restrict placement of decals on windshields. In such cases, State law will be compiled with.

Sample Vehicle Registration Decal

DEPARTMENT OF DEFENSE

TYE 229

BOLLING AFB

(DD Form 2220)

1. Tab identifying installation where vehicle is currently registered.

2. Tab showing year registration expires.

3-4. Termination or denial of registration

Installation commanders or their designated representatives will terminate POV registration or deny initial registration under the following conditions (decal and tabs will be removed from the vehicle when registration is terminated):

a. The owner fails to comply with the registration requirements (See para 3-2.)

b. The owner sells or disposes of the POV, is released from active duty, is separated from the Service, is transferred to a new duty station, or terminates civilian employment with a military Service or DOD agency.

c. The owner is other than an active duty military or civilian employee and discontinue regular operation of the POV on the installation.

d. The owner's State, overseas command, or host nation driver's license has been suspended or revoked, or the installation driving privilege has been revoked. Where vehicle registration is terminated in conjunction with the revocation of installation driving privileges, the affected person must apply to reregister the POV after lawful revocation expires. Registration should not be terminated if other family members having installation driving privileges require use of the vehicle.

3-5. Specified consent to impoundment

Personnel registering POVs on Service or DLA installations must consent to the impoundment policy. POV registration forms will contain or have appended to them a certificate with the following statement:

"I am aware that (insert number and title of separate Service or DLA directive) and the installation traffic code provide for the removal and temporary impoundment of privately owned motor vehicles that are either parked illegally for unreasonable periods, interfering with military operations, creating a safety hazard, of which circumstances, be removed and impounded."

Chapter 4
Traffic Supervision

Section I
Traffic Planning and Codes

4-1. Traffic planning

a. Safe and efficient movement of traffic on an installation requires traffic supervision. A traffic supervision program includes traffic circulation planning, supervision, and control of motor vehicle traffic; publication and enforcement of traffic laws and regulations; and investigation of motor vehicle accidents.

b. Installation commanders will develop traffic circulation plans that provide safe and efficient use of primary and secondary roads. Circulation planning should be a major part of all long-range master planning at installations. The traffic circulation plan is developed by the installation law enforcement officer, engineer, safety officer, and other key State or local officials.

Highway engineering representatives from adjacent civil communities must be consulted to ensure the installation plan is compatible with the plan of the community. The plan should include the following:

1. Normal and peak load routing based on traffic control studies.
2. Effective control of traffic using planned direction, including measures for special events and adverse road or weather conditions.
3. Point control at congested locations by enforcement personnel or designated traffic directors or wardens, including trained school-crossing guards.
4. Use of traffic control signs and devices.
5. Efficient use of available parking facilities.

6. Efficient use of mass transportation.

Traffic control studies will provide factual data on existing roads, traffic density and flow patterns, and points of congestion. The installation law enforcement officer and traffic engineer usually conduct coordinated traffic control studies to obtain the data. Accurate data will help determine major and minor routes, location of traffic control devices, and conditions requiring engineering or enforcement services.

d. The Military Traffic Management and Transportation Engineering Agency (MTMCTEA) will help installation commanders solve complex highway traffic engineering problems. MTMCTEA traffic engineering services include--

1. Traffic studies of limited areas and situations.
2. Complete studies of traffic operations of entire installations. (This can include long-range planning for future development of installation roads, public highways, and related facilities.)
3. Assistance in complying with established traffic engineering standards.

e. Installation commanders should submit traffic for traffic engineering services in accordance with AR 55-80/OPNAVINST 11210.1B/AFR 75-88/MCO 11210.2C/DLAR 4500.19.

4-2. Installation traffic codes

a. Installation or activity commanders will establish a traffic code for operation of motor vehicles on the installation. Commanders in overseas areas will establish a traffic code, under provisions of this regulation, to the extent military authority is empowered to regulate traffic on the installation under applicable law. These codes will contain the rules of the road (parking violations, towing instructions, safety equipment, and other key provisions). These codes will also contain the provisions of the Uniform Vehicle Code and Model Traffic Ordinance published by the National Committee on Uniform Traffic Laws and Ordinances (23 CFR 1200).

b. The installation traffic code will contain policies and procedures for the towing, searching, impounding, and impoundment of POVs. These provisions should be well publicized and contain the following:

1. Specific violations and conditions under which the POV will be impounded.
2. Procedures to immediately notify the vehicle owner.
4. Actions to dispose of the vehicle after lawful impoundment.

c. Installation traffic codes will also contain the provisions discussed below. (Army users, see AR 5-3-10 Traffic.)

1. Motorcycles and mopeds. For motorcycles and other self-propelled, open, two-wheel, three-wheel, and four-wheel vehicles powered by a motorcycle-type engine, the following traffic rules apply:

a. Headlights will be on at all times when in operation.

b. A rear view mirror will be attached to each side of the handle bars.

c. Approved protective helmets, eye protection, and highly reflective clothing or vests will be worn by operators and passengers when in operation.

(34x528 to 195x622)
Section II  Traffic Law Enforcement

4-3. Traffic law enforcement principles

a. Traffic law enforcement should motivate drivers to operate vehicles safely within traffic laws and regulations and maintain an effective and efficient flow of traffic. Traffic law enforcement should emphasize voluntary compliance by drivers and can be achieved by the following actions:

(1) Publishing a realistic traffic code well known by all personnel.
(2) Adopting standard signs, markings, and signals in accordance with NHSSP and the Manual on Uniform Traffic Control Devices for Streets and Highways.
(3) Ensuring enforcement personnel establish courteous, personal contact with drivers and act promptly when driving behavior is improper or a defective vehicle is observed in operation.
(4) Maintaining an aggressive program to detect and apprehend persons who drive while privileges are suspended or revoked.
(5) Using sound discretion and judgment against intoxicated driving will apprehend, issue citations, or warn the offender.

b. Selective enforcement will be used when practical. Selective enforcement deters traffic violations and reduces accidents by the presence or suggested presence of law enforcement personnel at places where violations, congestion, or accidents frequently occur. Selective enforcement applies proper enforcement measures to traffic conditions, time periods, conditions, and violations that cause accidents. The military services use selective enforcement because it is the most effective use of resources.

c. Enforcement activities against intoxicated driving will include:

(1) Detecting, apprehending, and testing persons suspected of driving under the influence of alcohol or drugs.
(2) Training law enforcement personnel in special enforcement techniques.
(3) Enforcing blood-alcohol concentration standards. (See para 4-11.)
(4) Denying installation driving privileges to persons whose use of alcohol or other drugs prevents safe operation of a motor vehicle.

d. Installation officials will formally evaluate traffic enforcement at least once a year. That evaluation will examine procedures to determine if the following elements of the program are effective in reducing traffic accidents and deaths:

(1) Selective enforcement measures.
(2) Suspension and revocation actions.
(3) Chemical breath-testing programs.

4-4. Speed-measuring devices

Speed-measuring devices will be used in traffic control studies and enforcement programs. Signs may be posted to indicate speed-measuring devices are being used.

a. Equipment purchases.

Installations located in States having a formal training and certification program will purchase the same brand and model of equipment used by the State and will ensure operators attend an appropriate training program. Otherwise, equipment used under a Service or DLA table of allowances will be used.

b. Training and certification standards.

(1) The commander of each installation using traffic radar will ensure that personnel selected as operators of such devices meet training and certification requirements prescribed by the State in which the installation is located. Specific information on course dates, costs, and prerequisites for attending may be obtained by contacting the State agency responsible for traffic radar training.

(2) Installation commanders located in States or overseas areas where no formal training program exists, or where the military personnel are unable or ineligible to participate in police traffic radar training programs, may implement their own training program or use a selected civilian institution or manufacturer’s course.

(3) The objective of the civilian or manufacturer-sponsored course is to provide the least amount of speed enforcement through the proper and efficient use of speed-measurement radar. On successful completion, the course graduate must be able to:

(a) Describe the association between excessive speed and accidents, deaths, and injuries, and describe the traffic safety benefits of effective speed enforcement.

(b) Describe the basic principles of radar speed measurement.

(c) Identify and describe the Service’s policies and procedures affecting radar speed measurement and speed enforcement.

(d) Identify the specific radar instrument used and describe the instrument’s major components and functions.

(e) Demonstrate basic skills in calibrating and operating the specific radar instrument(s).

(f) Demonstrate basic skills in preparing and presenting records and courtroom testimony relating to radar speed measurement and enforcement.

c. Recertification.

Recertification of operators will occur every 3 years.

4-5. Traffic accident investigation

Traffic law enforcement personnel must make detailed investigations of accidents described below.

a. Accidents involving Government vehicles or Government property on the installation involving a fatality, personal injury, or property damage in the amount established by separate Service/DLA policy. (Minimum damage limits are:
4-6. Traffic accident investigation reports. 
a. Accidents requiring immediate reports. The accident involving any vehicle involved in an accident, as described in paragraph 4-5, on the installation, must immediately notify the installation law enforcement official of the accident. Reporting these cases is provided in paragraph 4-5, on the installation, must immediately notify the installation law enforcement official of the accident. Reporting these cases is provided in paragraph 4-5, on the installation, must immediately notify the installation law enforcement official. These officers provide the following information pertaining to accidents investigated by military police that resulted in a fatality, personal injury, or estimated damage to Government vehicles or property in excess of $1,000.

b. Investigation requirements. Investigation law enforcement officials will record traffic accident investigations on Service/DLA forms. Information will be released according to Service/DLA policy, AR 385-40, and the Freedom of Information Act.

c. Army law enforcement officers. These officers provide the local Safety Office copies of traffic accident investigation reports. Information pertaining to accidents investigated by military police that resulted in a fatality, personal injury, or estimated damage to Government vehicles or property in excess of $1,000.

d. POV accidents not addressed in paragraph 4-5. Guidance for investigating these cases is provided below:

(1) Drivers owners of POVs will be required to submit a written report to the installation law enforcement official within 72 hours of an accident in the following cases:

(a) The accident occurs on the installation.
(b) The accident involves no personal injury.
(c) The accident involves only minor damage to the POV and the vehicle can be safely and normally driven from the scene.

(2) Information in the written report cannot be used in criminal proceedings against the person submitting it. Within the United States, the installation law enforcement official may require such reporting on Service forms or forms of the State jurisdiction. Reports required in d(1) above will include the following about the accident:

(a) Location, date, and time.
(b) Identification of all drivers, pedestrians, and passengers involved.
(c) Identification of vehicles involved.
(d) Speed and direction of travel of each vehicle involved, including a sketch of the collision and roadway with street names and north arrow.
(e) Property damage involved.
(f) Environmental conditions at the time of the incident (weather, visibility, surface condition, and other factors).
(g) A narrative description of the events and circumstances concerning the accident.

4-7. Use of traffic accident investigation reports data. 

a. Data derived from traffic accident investigation reports and vehicle accident reports will be analyzed to determine probable causes of accidents. When frequent accidents occur at a given location with the same general circumstances, the accident location and the types of accident (collision diagram) will be examined.

b. Law enforcement personnel and others who prepare traffic accident investigation reports will indicate whether or not seat restraint devices were being used at the time of the accident.

c. When accidents warrant, an installation commander may establish a traffic accident review board. The board will consist of law enforcement, engineering, safety, medical, personnel, and transportation officers. The board will determine principal factors leading to the accident and recommend measures to reduce the number and severity of accidents on an installation.

d. The Army will use Traffic Safety Coordinating Groups. The Navy will use Traffic Safety Councils and OPNAVINST 5100.12D.

e. Army traffic accident investigation reports will be provided to Army Centralized Accident Reporting and Accident (CAIG) boards on request. The CAIG boards are under the control of the Commander, U.S. Army Safety Center, Fort Rucker, Alabama 36362-5363. These boards investigate Class A, on-duty, non-POV accidents and other selected accidents Army-wide. (See AR 385-40.) Local commanders provide additional board members as required to complete a timely and accurate investigation. Normally, additional board members are senior equipment operators, maintenance officer, and medical officer. However, specific qualifications of the additional board members may be dictated by the nature of the accident.

f. The CAIG program is not intended to interfere with, impede, or delay law enforcement agencies in the execution of regulatory responsibilities that apply to the investigation for a determination of criminal intent or criminal acts. Criminal investigations have priority.

g. Army law enforcement agencies will maintain a line of cooperation with CAIG boards. Such cooperation, particularly with respect to interviews of victims and others who can provide assistance in the reconstruction of the events and circumstances of the accident, will be carried out to the extent permitted by the law enforcement personnel of the local civilian law enforcement agency.

h. The local law enforcement agency will maintain close liaison and cooperation with the CAIG program in regard to accident investigations on Service/DLA policy.

4-8. Parking. 
a. Most traffic violations occurring on DOD installations (within the United States or its territories) should be referred to the proper U.S. Magistrate. (See AR 190-29; DLA, see DLAR 5720.4; and Air Force, see AFR 110-15.) However, violations are not referred when--

(1) The operator is driving a Government vehicle at the time of the violation.
(2) A Federal Magistrate is either not available or lacks jurisdiction to hear the matter because the violation occurred in an area where the possession of Government has only proprietary legislative jurisdiction.
(3) Mission requirements make referral of offenders impractical.

b. Investigation records. Investigation records, including records of any Government vehicle involved in a traffic accident on an installation, must immediately notify the installation law enforcement official. The operator of any Government vehicle involved in a similar accident off the installation must immediately notify the local civilian law enforcement agency having jurisdiction as well as law enforcement personnel of the nearest military installation.

c. Investigation requirements. Investigation law enforcement officials will record traffic accident investigations on Service/DLA forms. Information will be released according to Service/DLA policy, AR 385-40, and the Freedom of Information Act.

d. Law enforcement personnel and others who prepare traffic accident investigation reports will indicate whether or not seat restraint devices were being used at the time of the accident.

4-9. Traffic violation reports. 

a. Most traffic violations occurring on DOD installations (within the United States or its territories) should be referred to the proper U.S. Magistrate. (Army, see AR 190-29; DLA, see DLAR 5720.4; and Air Force, see AFR 110-15.) However, violations are not referred when--

(1) The operator is driving a Government vehicle at the time of the violation.
(2) A Federal Magistrate is either not available or lacks jurisdiction to hear the matter because the violation occurred in an area where the possession of Government has only proprietary legislative jurisdiction.
(3) Mission requirements make referral of offenders impractical.

b. Investigation records. Investigation records, including records of any Government vehicle involved in a similar accident off the installation must immediately notify the installation law enforcement official. The operator of any Government vehicle involved in a similar accident off the installation must immediately notify the local civilian law enforcement agency having jurisdiction as well as law enforcement personnel of the nearest military installation.

c. Investigation requirements. Investigation law enforcement officials will record traffic accident investigations on Service/DLA forms. Information will be released according to Service/DLA policy, AR 385-40, and the Freedom of Information Act.

d. Law enforcement personnel and others who prepare traffic accident investigation reports will indicate whether or not seat restraint devices were being used at the time of the accident.

e. When accidents warrant, an installation commander may establish a traffic accident review board. The board will consist of law enforcement, engineer, safety, medical, personnel, and transportation officers. The board will determine principal factors leading to the accident and recommend measures to reduce the number and severity of accidents on an installation.

f. The Army will use Traffic Safety Coordinating Groups. The Navy will use Traffic Safety Councils and OPNAVINST 5100.12D.

g. Army traffic accident investigation reports will be provided to Army Centralized Accident Reporting and Accident (CAIG) boards on request. The CAIG boards are under the control of the Commander, U.S. Army Safety Center, Fort Rucker, Alabama 36362-5363. These boards investigate Class A, on-duty, non-POV accidents and other selected accidents Army-wide. (See AR 385-40.) Local commanders provide additional board members as required to complete a timely and accurate investigation. Normally, additional board members are senior equipment operators, maintenance officer, and medical officer. However, specific qualifications of the additional board members may be dictated by the nature of the accident.

h. The CAIG program is not intended to interfere with, impede, or delay law enforcement agencies in the execution of regulatory responsibilities that apply to the investigation for a determination of criminal intent or criminal acts. Criminal investigations have priority.

g. Army law enforcement agencies will maintain a line of cooperation with CAIG boards. Such cooperation, particularly with respect to interviews of victims and others who can provide assistance in the reconstruction of the events and circumstances of the accident, will be carried out to the extent permitted by the law enforcement personnel of the local civilian law enforcement agency.

h. The local law enforcement agency will maintain close liaison and cooperation with the CAIG program in regard to accident investigations on Service/DLA policy.

4-8. Parking. 

a. Most traffic violations occurring on DOD installations (within the United States or its territories) should be referred to the proper U.S. Magistrate. (Army, see AR 190-29; DLA, see DLAR 5720.4; and Air Force, see AFR 110-15.) However, violations are not referred when--

(1) The operator is driving a Government vehicle at the time of the violation.
(2) A Federal Magistrate is either not available or lacks jurisdiction to hear the matter because the violation occurred in an area where the possession of Government has only proprietary legislative jurisdiction.
(3) Mission requirements make referral of offenders impractical.

b. Investigation records. Investigation records, including records of any Government vehicle involved in a similar accident off the installation must immediately notify the installation law enforcement official. The operator of any Government vehicle involved in a similar accident off the installation must immediately notify the local civilian law enforcement agency having jurisdiction as well as law enforcement personnel of the nearest military installation.

c. Investigation requirements. Investigation law enforcement officials will record traffic accident investigations on Service/DLA forms. Information will be released according to Service/DLA policy, AR 385-40, and the Freedom of Information Act.

d. Law enforcement personnel and others who prepare traffic accident investigation reports will indicate whether or not seat restraint devices were being used at the time of the accident.

4-9. Traffic violation reports. 

a. Most traffic violations occurring on DOD installations (within the United States or its territories) should be referred to the proper U.S. Magistrate. (Army, see AR 190-29; DLA, see DLAR 5720.4; and Air Force, see AFR 110-15.) However, violations are not referred when--

(1) The operator is driving a Government vehicle at the time of the violation.
(2) A Federal Magistrate is either not available or lacks jurisdiction to hear the matter because the violation occurred in an area where the possession of Government has only proprietary legislative jurisdiction.
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(3) Mission requirements make referral of offenders impractical.
4-10. Training of law enforcement personnel

a. As a minimum, installation law enforcement personnel will be trained to do the following:
   (1) Recognize signs of alcohol and/or drug impairment in persons operating motor vehicles.
   (2) Prepare DD Form 1920 (Alcohol Influence Report).
   (3) Perform the three field tests of the Improved Sobriety testing techniques (para 4-13b).
   (4) Determine when a person appears intoxicated but is actually physically or mentally ill and requires prompt medical attention.
   (5) Understand the operation of breath-testing devices.
   (6) Each installation using breath-testing device must ensure that operators of these devices—
        (1) Are chosen for integrity, maturity, and sound judgment.
        (2) Meet certification requirements of the State where the installation is located.
   c. Breath-testing devices must be listed on the approved NHTSA conforming products list published in the Federal Register. (See para 4-10.)
   d. Procedures established by the State or host nation have not established procedures for use of breath-testing devices approved by the State or host nation is used. For Army and Marine Corps, the device must also be listed on the NHTSA conforming products list published in the Federal Register. (See para 4-10.)

4-11. Blood alcohol concentration standards

a. Administrative revocation of driving privileges and other enforcement measures will be applied uniformly to offenders driving under the influence of alcohol or drugs. When a person is tested per paragraph 2-3, the results of the test will be evaluated as follows:
   (1) If the percentage of alcohol in the person's blood is less than 0.05 percent, presume the person is not under the influence of alcohol.
   (2) If the percentage is 0.05 percent or more, or if tests reflect the presence of illegal drugs, the person was driving while intoxicated.

b. If the percentage of alcohol in the person's blood is 0.05 percent or more, or if tests reflect the presence of illegal drugs, the person was driving while intoxicated.
fluids, eat, smoke, chew tobacco, or ingest any substance.

(b) Verify calibration and proper operation of the instrument by using a control sample immediately before the test.

(c) Comply with operational procedures in the manufacturer's current instruction manual.

(d) Perform preventive maintenance as required by the instruction manual.

(e) Chemical tests of personnel involved in fatal accidents.

1) Installation medical authorities will immediately notify the installation law enforcement officer of--
(a) The death of any person involved in a traffic accident.
(b) The circumstances surrounding such an accident, based on information available at the time of admission or receipt of the body of the victim.

2) Medical authorities will examine the bodies of those persons killed in a motor vehicle accident to include drivers, passengers, and pedestrians subject to military jurisdiction, and other pedestrians (16 years or older with sponsor's consent only). Tests for the presence and concentration of alcohol or other drugs in the person's blood, bodily fluids, or tissues will be made as soon as possible and where practical within 8 hours of death. The test results will be included in the medical reports.

3) As provided by law and medical conditions permitting, a blood or breath sample will be obtained from any surviving witness where the vehicle is involved in a fatal accident.

4-13. Detection, apprehension, and testing of intoxicated drivers

a. Law enforcement personnel usually detect drivers under the influence of alcohol or other drugs by observing unusual or abnormal driving behavior. The presence and concentration of alcohol or other drugs in the person's blood, bodily fluids, or tissues will be made as soon as possible and where practical within 8 hours of death. The test results will be included in the medical reports.

4-14. Voluntary breath and bodily fluid testing based on implied consent

a. Implied consent policy is explained in paragraph 2-3.

b. Tests may be administered only if the following conditions are met:
(1) The person was lawfully stopped while driving, operating, or in actual physical control of a motor vehicle.
(2) Reasonable suspicion exists to believe that the person was driving under the influence of alcohol or drugs.
(3) A request was made to the person to consent to the tests combined with a warning that failure to submit to or complete a chemical test of bodily fluids or breath will result in the revocation of driving privileges.

b. As stated in paragraphs a and b above, the law enforcement official relying on implied consent will warn the person that driving privileges will be revoked if the person fails to voluntarily submit to or complete a chemical test.

c. Installation commanders will prescribe the type or types of chemical tests to be used. Testing will follow policies and procedures outlined herein pertain only to the operation of a motor vehicle, including blood and urine, only in accordance with the following procedures:

(1) An individual subject to the UCMJ who was driving a motor vehicle involved in an accident resulting in death, personal injury, or serious property damage may be subjected to a nonconsensual bodily fluid extraction to test for the presence of intoxicants only when there is a probable cause to believe that such an individual was driving or in control of a vehicle while under the influence of an intoxicant.

(2) A search authorization is not required under such circumstances when there is a clear indication that evidence sought will be found and there is reason to believe that the delay necessary to obtain a search authorization would result in the loss or destruction of the evidence sought.

(c) Because warrantless searches are subject to close scrutiny by the courts, obtaining an authorization is highly preferable. Warrantless searches generally should be conducted only after coordination with the servicing staff judge advocate or legal officer, and attempts to obtain authorization from an appropriate official prove unsuccessful due to the unavailability of a commander or military magistrate.

(2) If authorization from the military magistrate or commander proves unsuccessful due to the unavailability of such officials, the commanding general of a facility may authorize an involuntary extraction, a search, or a confiscation of a facility as provided by Rule 315(d), Military Rules of Evidence, to authorize such extraction from an individual located in the facility at the time the authorization is sought.

(a) Before authorizing the involuntary extraction, the commander of the medical facility shall, if circumstances permit, coordinate with the servicing staff judge advocate or legal officer.

(b) The medical facility commander authorizing the extraction under Rule 315(d) need not be on duty as the attending physician at the facility where the extraction is to be performed and the actual extraction may be at the direction of other qualified medical personnel.

(c) The authorizing official may consider his or her own observations of the individual in determining probable cause.

(d) Role of medical personnel. Authorization for the nonconsensual extraction of blood samples for evidentiary purposes by qualified medical personnel is independent of, and not limited by, provisions defining
medical care, such as the provision for nonconsensual medical care pursuant to AR 600-20, section IV.
(1) Extraction of blood will be accomplished by qualified medical personnel. (See Military Rules of Evidence 312(g).)
(a) In performing this duty, medical personnel are expected to use only that amount of force that is reasonable and necessary to administer the extraction.
(b) Any force necessary to overcome an individual’s resistance to the extraction normally will be provided by law enforcement personnel or by personnel acting under orders from the member’s unit commander.
(c) Life endangering force will not be used in an attempt to effect nonconsensual extractions.
(d) All law enforcement and medical personnel will keep in mind the possibility that the individual may require medical attention for possible disease or injury.
(2) Nonconsensual extractions of blood will be done in a manner that will not interfere with or delay proper medical attention. Medical personnel will determine the priority to be given involuntary blood extractions when other medical treatment is required.

4-16. Testing at the request of the apprehended person
a. A person subject to tests under paragraph 2-3 may request that an additional test be done privately. The person may choose a doctor, qualified technician, chemist, registered nurse, or other qualified person to do the test. The person must pay the cost of the test. The test must be a chemical test approved by the State or host nation in an overseas command. All tests will be medical attention as soon as possible, with any delay being noted on the results.
(b) If the person requests this test, the apprehending police officer may assist the suspect in making arrangements. If the police official fails to or cannot obtain the additional test, the results of the tests done at the direction of a law enforcement official are not invalid and may still be used to support actions under separate Service regulations, UCMJ, and the U.S. Magistrate Court.

4-17. Preparation of sworn statement
An example of a properly prepared sworn statement on an intoxicated driver is at Figure 4-1.

Section IV
Off-Installation Traffic Activities

4-18. General
In areas not under military control, civil authorities enforce traffic laws. Law enforcement authorities will establish a system to exchange information with civil authorities. Off-installation traffic activities in overseas areas are governed by formal agreements with the host nation government.

Procedures should be established to process reports received from civil authorities on serious traffic violations, accidents, and intoxicated driving incidents involving persons subject to this regulation.

4-19. Compliance with State laws
   a. Installation commanders will inform service members and DOD civilian employees to comply with State and local traffic laws when operating military motor vehicles.
   b. Commanders will coordinate with the proper civil law enforcement agency before moving Government vehicles that exceed legal limits or regulations or that may subject highway users to unusual hazards. (See AR 55-162/OPNAVINST 4600.11D/AFR 75-24/MCO 4643.5C/DLAR 4580.8.)
   c. Installation commanders will maintain liaison with civil law enforcement agencies and encourage the following:
      (1) Release of a Government vehicle operator to military authorities unless one of the conditions below exists.
      (a) The offense warrants detention.
      (b) The person's condition is such that further operation of a motor vehicle could result in injury to the person or others.
      (2) Prompt notice to military authorities when military personnel or drivers of Government motor vehicles have—
         (a) Committed serious violations of civil traffic laws.
         (b) Been involved in traffic accidents.
      (3) Prompt notice of actions by a State or host nation to suspend, revoke, or restrict the State or host nation driver’s license (vehicle operation privilege) of persons who—
         (a) Operate Government motor vehicles.
         (b) Regularly operate a POV on the installation. (See also para 2-13.)

4-20. Civil-military cooperative programs
   a. State-Armed Forces Traffic Workshop Program. This program is an organized effort to coordinate military and civil traffic safety activities throughout a State or area. Installation commanders will cooperate with State and local officials in this program and provide proper support and participation.
   b. Community-Installation Traffic Workshop Program. Installation commanders should establish a local workshop program to coordinate the installation traffic efforts with those of local communities. Sound and practical traffic planning depends on a balanced program of traffic enforcement, engineering, and education. Civilian and military legal and law enforcement officers, traffic engineers, safety officials, and public affairs officers should take part.
I was on official duty as a law enforcement officer on 15 May 1996. At about 0145, I apprehended ROE, Richard L., PFC, U.S. Army, HHC, 39th Infantry Division, Fort Collins, CO 80525. I charged him with operating a motor vehicle while under the influence of an intoxicant. When apprehended, the subject was operating a 1989 Chevrolet Nova, blue in color, bearing Colorado license plate number 359-143, on 10th Armored Division Rd, Fort Collins, CO. I had reasonable cause to believe the subject was under the influence of an intoxicant. He swerved the vehicle sharply from traffic lane to traffic lane and failed to stop for a red traffic light. ROE refused to submit to a chemical test to determine his blood alcohol content after I advised him of the following:

1. That he was requested to take the test.
2. That he did not have the right to consult with an attorney before stating whether he would take the test, or have an attorney present during the test.
3. That failure to take or complete the test would result in revocation of his installation driving privileges for at least one year.
Figure 4-1. Sample sworn statement on intoxicated driving incident—continued
Chapter 5
Driving Records and the Traffic Point System

5-1. Driving records
Each Service and DLA will use its own form to record vehicle traffic accidents, moving violations, suspension or revocation actions, and traffic point assessments involving military and DOD civilian personnel, their family members, and other personnel. Table 5-1 prescribes mandatory minimum or maximum suspension or revocation periods. Traffic points are not assessed for suspension or revocation actions.

Table 5-1
Suspension/revocation of driving privileges (See Notes 1 and 2)

Assessment: 1. Two-year revocation is mandatory on determination of facts by installation commander. (For Army, 5-year revocation is mandatory.)
Violation: Driving while driver's license or installation driving privileges are under suspension or revocation.

Assessment: 2. One-year revocation is mandatory on determination of facts by installation commander.
Violation: Refusal to submit to or fail to complete chemical tests (implied consent).

Assessment: 3. One-year revocation is mandatory on conviction.
Violation: Fleeing the scene of an accident involving death or personal injury (hit and run).

Assessment: 4. Suspension for a period of 6 months or less or revocation for a period not to exceed 1 year is discretionary.
Violation: Mental or physical impairment (not including alcohol or other drug use) to the degree rendered incompetent to drive.

Commission of an offense in another State which, if committed on the installation, would be grounds for suspension or revocation.

Permitting an unlawful or fraudulent use of an official driver's license.
Conviction of fleeing, or attempting to elude, a police officer.
Conviction of racing on the highway.

Assessment: 5. Loss of OF 46 for minimum of 6 months is discretionary.
Violation: Receiving a second 1-year suspension or revocation of driving privileges within 5 years.

Notes:
1. When imposing a suspension or revocation because of an offense installation offense, the effective date should be the same as the date of civil conviction, or the date that 30 days not suspended or revoked. This effective date can be retroactive.
2. No points are assessed for implied consent violations.

Except for implied consent violations, revocations must be based on a conviction by a civilian court or courts-martial or a judicial punishment under Article 15, UCMJ, or a separate hearing as addressed in this regulation. If revocation for implied consent is combined with another revocation, such as 1 year for intoxicated driving, revocations may run consecutively (total of 24 months) or concurrently (total of 12 months). The installation commander's policy should be applied systematically and not on a case-by-case basis.

5-2. The traffic point system
The traffic point system provides a uniform administrative device to measure and quantify driving performance of Service and DLA personnel. This system is not a disciplinary measure or substitute for punitive action. Further, this system is not intended to interfere in any way with the reasonable exercise of an installation commander's prerogative to issue, revoke, deny, or reinstate installation driving privileges.

5-3. Point system application
a. The Services and DLA are required to use the point system and procedures prescribed herein without change.

b. The point system in table 5-2 applies to all operators of U.S. Government motor vehicles, on or off Federal property. The system also applies to violators reported to installation officials in accordance with paragraph 4-9.

c. Points will be assessed when the operator or the supervisor, a military or civilian court (including a U.S. Magistrate), or by payment of fine, forfeiture of pay or allowances, or posted bond, or collateral.

Table 5-2
Point assessment for moving traffic violations (See Note 1.)

Violation: Reckless driving (willful and wanton disregard for the safety of persons or property).
Points assessed: 6

Violation: Owner knowingly and willfully permitting a physically impaired person to operate the owner's motor vehicle.
Points assessed: 6

Violation: Fleeing the scene (hit and run)—property damage only.
Points assessed: 6

Violation: Driving vehicle while impaired (blood-alcohol content less than 0.05 percent and less than 0.10 percent).
Points assessed: 6

Points assessed:

Violation: Speed contests.
Points assessed: 6

Violation: Speed too fast for conditions.
Points assessed: 2

Violation: Speed too slow, causing potential safety hazard.
Points assessed: 2

Violation: Failure of operator or occupants to use available restraint system devices while moving (operator assessed points).
Points assessed: 2

Violation: Failure to property restrain children in a child restraint system while moving (when child is 4 year of age or younger or the weight of child does not exceed 45 pounds).
Points assessed: 2

Violation: One to 10 miles per hour over posted speed limit.
Points assessed: 3

Violation: Over 10 but not more than 15 miles per hour above posted speed limit.
Points assessed: 4

Violation: Over 15 but not more than 20 miles per hour above posted speed limit.
Points assessed: 5

Violation: Over 20 miles per hour above posted speed limit.
Points assessed: 6

Violation: Following too close.
Points assessed: 4

Violation: Failure to yield right of way to emergency vehicle.
Points assessed: 4

Violation: Failure to stop for school bus or school-crossing signals.
Points assessed: 4

Violation: Failure to obey traffic signs, signals, or instructions of an enforcement officer or traffic warden; or any official regulatory traffic sign or device requiring a full stop or yielding right of way; denying entry; or requiring direction of traffic.
Points assessed: 4

Violation: Improper passing.
Points assessed: 4

Violation: Failure to yield (no official sign involved).
Points assessed: 4

Violation: Improper turning movements.
Points assessed: 4

Violation: Wearing of headphones/earphones while driving motor vehicles (two or more wheels).
Points assessed: 3

Violation: Failure to wear an approved helmet and/or reflectorized vest while operating or riding on a motorcycle, MOPED, or a three or four-wheel vehicle powered by a motorcycle-like engine.
Points assessed: 3

Violation: Improper overtaking.
Points assessed: 3
Violation: Other moving violations (involving driver behavior only).
Points assessed: 3

Violation: Operating an unsafe vehicle. (See Note 1.)
Points assessed: 2

Violation: Driver involved in accident is deferred or committed to (only added to points assessed for specific offenses).
Points assessed: 1

Notes:
1. When two or more violations are committed on a single occasion, the points assessed will be for the offense having greatest value.
2. This measure should be used for other than minor vehicle safety defects or when a driver or registrant fails to correct a minor defect (for example, a burned out headlight not replaced within the grace period on a warning ticket).

5-4. Point system procedures
a. Reports of moving traffic violations recorded on DD Form 1408 or DD Form 1805 will serve as a basis for determining point assessment. For DD Form 1408, return endorsements will be required from commanders or supervisors.
b. On receipt of DD Form 1408 or other military law enforcement report of a moving violation, the unit commander, designated supervisor, or person otherwise designated by the installation commander will conduct an inquiry. The commander will take or recommend proper disciplinary or administrative action. If a case involves multiple moving violations, the final report of action taken will not be forwarded until final adjudication.
c. On receipt of the report of action taken (including action by a U.S. Magistrate Court on DD Form 1805), the installation law enforcement officer will assess the number of points appropriate for the offense, and record the traffic points or the suspension or revocation of driving privileges on the person's driving record. Points are assessed as specified otherwise in this and other Service/DLA regulations, points will not be assessed or driving privileges suspended or revoked when the report of action taken indicates that neither disciplinary nor administrative action was taken.
d. Installation commanders may require the following driver improvement measures as appropriate:
   (1) Advisory letter through the unit commander or supervisor to any person who has acquired more than six but less than 12 traffic points within a 6-month period.
   (2) Counseling or driver improvement interview, by the unit commander, of any person who has acquired more than six traffic points within a 6-month period. This counseling or interview should produce recommendations to improve driving performance.
   (3) Referral for medical evaluation when a driver, based on reasonable belief, appears to have mental or physical limits that have had or may have a adverse affect on driving performance.
   (4) Attendance at remedial driver training to improve driving performance.
   (5) Referral to an alcohol or drug treatment or rehabilitation facility, or counseling, or treatment. This action is required for active military personnel in all cases in which alcohol or drug use is a contributing factor to a traffic citation, incident, or accident.
   e. An individual's driving privileges may be suspended or revoked as provided by regulation regardless of whether these improvement measures are accomplished.
   Persons whose driving privileges are suspended or revoked (for one violation or an accumulation of 12 traffic points within 12 consecutive months, or 18 traffic points within 24 consecutive months) will be notified in writing through official channels (para 2-6). Except for the mandatory minimum or maximum suspension or revocation periods prescribed by table 5-1, the installation commander will establish periods of suspension or revocation. Any revocation based on traffic points must be no less than 6 months. A longer period may be imposed on the basis of a person's overall driving record considering the frequency, flagrancy, severity of moving violations, and the response to previous driver improvement measures. In all cases, military members must successfully complete a prescribed course in remedial driver training before driving privileges are reinstated.
   f. Points assessed against a person will remain in effect for point accumulation purpose for 24 consecutive months. The review of driver records to delete traffic points should be done routinely during records update while recording new offenses and forwarding records to new duty stations. Completion of a prescribed course in remedial driver training requires removal from the driver record of all points assessed before the revocation.
   g. An individual's driving record regarding suspensions, chargeable accidents, suspensions, or revocations. Record entries will remain posted on individual driving records for the period of time indicated below.
      (1) Chargable nonfatal traffic accidents or moving violations--3 years.
      (2) Nonmanditory suspensions or revocations--5 years.
      (3) Mandatory revocations--7 years.
5-5. Disposition of driving records
Procedures will be established to ensure prompt notice to the installation law enforcement officer when a person assigned to or employed on the installation is being transferred for noninstallation, being released from military service, or ending employment.
   a. If persons being transferred to a new installation have valid points assessed on driving records, the law enforcement officer will forward the records to the law enforcement officer of the gaining installation. Gaining installation law enforcement officers must coordinate with applicable commanders and continue any existing suspension or revocation based on installation driver privilege accumulation of traffic points. Traffic points for persons being transferred will continue to accumulate as specified in paragraph 5-4g.
   b. Driving records of military personnel being discharged or released from active duty will be retained on file for 2 years and then destroyed. In cases of immediate reenlistment, change of officer component or military or civilian retirement when vehicle registration is not revoked, the record will remain active.
   c. Driving records of civilian personnel terminating employment will be retained on file for 2 years and then destroyed.
   d. Driving records of military family members containing point assessments or other entries will be forwarded to the sponsor's gaining installation in the same manner as for service members. At the new installation, records will be analyzed and made available temporarily to the sponsor's unit commander or supervisor for review.
   e. Driving records of retirees electing to retain installation driving privileges, whose driving records are for service members. At the new installation, records will be analyzed and made available temporarily to the sponsor's unit commander or supervisor for review.
   f. Army users will comply with paragraph 5-5a.
Chapter 6
6-1. General
This chapter provides the standards and procedures for law enforcement personnel when towing, inventorying, searching, impounding, and disposing of POVs. This policy is based on:
   a. The interagency, DOD, DOD and DLA in crime prevention, traffic safety, and the orderly flow of vehicle traffic movement.
   b. The vehicle owner's constitutional rights to due process, freedom from unreasonable search and seizure, and freedom from deprivation of private property.
6-2. Standards for impoundment
a. POVs should not be impounded unless the vehicle clearly interfere with traffic flow, public safety or convenience, or pose a threat to public safety or convenience, are involved in criminal activity, contain evidence of criminal activity, or are stolen or abandoned.
   b. The impoundment of a POV would be inappropriate when reasonable alternatives to impoundment exist.
      (1) Attempts should be made to locate the owner of the POV and have the vehicle removed.
      (2) The vehicle may be moved a short distance to a legal parking area and temporarily secured until the owner is found.
(3) Another responsible person may be allowed to drive or tow the POV with permission from the owner, operator, or person empowered to control the vehicle. In this case, the owner, operator, or person empowered to control the vehicle shall be informed that law enforcement personnel are not responsible for safeguarding the POV.

b. Impounding of POVs is justified when any of the following conditions exist:

(1) The owner of the vehicle will be notified by telephone, mail, or any other method of communication. The notification shall be made within 24 hours after the impoundment of the vehicle. The notice shall contain a description of the vehicle, the reason for the impoundment, and the time and place where the vehicle may be claimed.

(2) The owner of the vehicle will be given the opportunity to remove the vehicle from the impoundment area. If the owner fails to remove the vehicle within 48 hours after the impoundment, the vehicle shall be sold or otherwise disposed of as provided by law.

(3) The owner of the vehicle will be given notice of the impoundment, the reason for the impoundment, and the time and place where the vehicle may be claimed. The notice shall be given to the owner of record, the owner of record of the vehicle, or any other person with a legal interest in the vehicle. The notice shall be given by personal service or by registered or certified mail. The notice shall be given within 24 hours after the impoundment of the vehicle.

(4) The owner of the vehicle will be given notice of the impoundment, the reason for the impoundment, and the time and place where the vehicle may be claimed. The notice shall be given by personal service or by registered or certified mail. The notice shall be given within 72 hours after the impoundment of the vehicle.

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(4) The owner of the vehicle will be given notice of the impoundment, the reason for the impoundment, and the time and place where the vehicle may be claimed. The notice shall be given by personal service or by registered or certified mail. The notice shall be given within 72 hours after the impoundment of the vehicle.

6-4. Procedures for impoundment

a. Unattended POVs.

(1) DD Form 2504 (Abandoned Vehicle Notice) will be placed conspicuously on POVs considered unattended. Figure 6-1 is a sample of a properly completed DD Form 2504. This action will be documented in the installation law enforcement desk journal.

(2) The owner will be allowed 3 days from the date the POV is tagged to remove the vehicle or to have a person authorized to possess the vehicle to remove it. If the vehicle is not removed within 3 days, the owner will be informed that the impoundment action is initiated. If the vehicle has not been removed after 3 days, it will be removed by the installation towing service or the contractor if a contracted wrecker service is used. A DD Form 2505 (Abandoned Vehicle Removal Authorization) will be completed and issued to the contractor. If necessary to identify the owner, law enforcement personnel will remove the vehicle before searching.

b. Surplus POVs.

(1) DD Form 2504 (Abandoned Vehicle Notice) will be placed on POVs considered surplus. Figure 6-2 is a sample of a properly completed DD Form 2504. When the vehicle has been removed, the installation law enforcement officer or the contractor will complete DD Form 2506 (Vehicle Impoundment Report) as a record of the actions taken. Figure 6-3 is a sample of a properly completed DD Form 2506.

(2) After the vehicle has been removed, the installation law enforcement officer or the contractor will complete DD Form 2506 (Vehicle Impoundment Report) as a record of the actions taken. The vehicle will be released to the registered owner, the owner released after 120 days from the date the vehicle was impounded, or the owner released after 120 days from the date the vehicle was impounded.

b. Surplus POVs.

(1) DD Form 2504 (Abandoned Vehicle Notice) will be placed on POVs considered surplus. Figure 6-2 is a sample of a properly completed DD Form 2504. When the vehicle has been removed, the installation law enforcement officer or the contractor will complete DD Form 2506 (Vehicle Impoundment Report) as a record of the actions taken. Figure 6-3 is a sample of a properly completed DD Form 2506.

(2) After the vehicle has been removed, the installation law enforcement officer or the contractor will complete DD Form 2506 (Vehicle Impoundment Report) as a record of the actions taken. The vehicle will be released to the registered owner, the owner released after 120 days from the date the vehicle was impounded, or the owner released after 120 days from the date the vehicle was impounded.

6-5. Search incident to impoundment based on criminal activity.

The following general situations may arise during traffic and crime-related impoundments and abandoned vehicle seizures. A property search related to an investigation of criminal activity should not be conducted without search authority unless the item to be seized is in plain view or is readily discernible on the outside as evidence of criminal activity. When in doubt, proper search authority should be obtained before searching.

b. The owner or operator is present. This situation could arise during either a traffic or criminal incident, or if the operator is apprehended for a crime or serious traffic violation and sufficient credible information is obtained to involve the operator in the crime or the vehicle.

(1) When the POV is to be held for evidentiary purposes, the vehicle should remain in the custody of the applicable Service or DLA until law enforcement purposes are served.

(2) Recovered stolen POVs will be released to the registered owner, unless held for evidentiary purposes, or to the law enforcement agency reporting the vehicle stolen, as appropriate.

(3) A POV held on request of other authorities will be retained in the custody of the applicable Service or DLA until the vehicle can be released to such authorities.

6-6. Disposition of vehicles after impoundment

a. If a POV is impounded for evidentiary purposes, the vehicle can be held for the evidentiary or law enforcement purpose. The vehicle must then be returned to the owner without delay unless directed otherwise by competent authority.

b. If the vehicle is unclaimed after 120 days from the date notification was mailed to the last known owner or the owner released the vehicle by properly completing DD Form 2505, the vehicle will be disposed of by one of the following procedures:

(1) Release to the lienholder, if known.

(2) Processed as abandoned property in accordance with DOD 4160.21-M.
ABANDONED VEHICLE NOTICE

3. VEHICLE DESCRIPTION

4. YEAR  88  
5. MAKE   FORD  
6. MODEL S.WGN  
7. VEHICLE IDENTIFICATION NUMBER  MST 5435 CS00897  
8. INSTALLATION DECAL NUMBER  TYE 229  
9. VEHICLE LICENSE  CO 693-785

4. LOCATION

10. EAST PARKING LOT, COMMENCE CLUB, 10th ARMED DIVISION RD

5. 

• A law enforcement patrol has stopped and made a courtesy check to see if you needed assistance.

• We urge removal of the vehicle as soon as possible.

• Should this vehicle remain abandoned at this location after three working days, impoundment action will be started.

• If you cannot remove this vehicle, please contact the following law enforcement desk.

   Telephone Number 269-9587

   Building Number 5475

   Ft. Carson, CO

• Thank you for your cooperation.

6. REPORTED BY

a. NAME (LAST, FIRST, MIDDLE INITIAL) Doe, John P.

b. RANK SPA

DD Form 2504, OCT 87

Figure 6-1. Sample abandoned vehicle notice

ABANDONED VEHICLE REMOVAL AUTHORIZATION

1. VEHICLE DESCRIPTION

2. YEAR  88  
3. MAKE FORD  
4. MODEL S.WGN  
5. VEHICLE IDENTIFICATION NUMBER MST 5435 CS00897  
6. INSTALLATION DECAL NUMBER TYE 229  
7. VEHICLE LICENSE  CO 693-785

3. NAME OF TOWING COMPANY

ACE WRECKER SERVICE

4. REMARKS

Vehicle Notice posted 970812 by SM Doe.

5. CERTIFICATION: I certify that the above named towing company is authorized to tow the vehicle listed above under terms of an agreement between the towing company and DoD Component listed below.

6. NAME OF TOWING COMPANY

ACE WRECKER SERVICE

7. DOOD COMPONENT

ARMY

DD Form 2505, OCT 87

Figure 6-2. Sample abandoned vehicle removal authorization

AR 190-5 • UPDATE
# VEHICLE IMPOUNDMENT REPORT

## PART I - IDENTIFICATION

<table>
<thead>
<tr>
<th>Field</th>
<th>Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. MAKE</td>
<td>FORD</td>
</tr>
<tr>
<td>b. MODEL</td>
<td>STATION WAGON</td>
</tr>
<tr>
<td>c. YEAR</td>
<td>1988</td>
</tr>
<tr>
<td>d. COLOR</td>
<td>RED</td>
</tr>
<tr>
<td>e. VEHICLE IDENTIFICATION NO.</td>
<td>MST54355C500897</td>
</tr>
<tr>
<td>f. VEHICLE LICENSE (1) NUMBER</td>
<td>692-785</td>
</tr>
<tr>
<td>g. MILEAGE</td>
<td>92695.6</td>
</tr>
<tr>
<td>h. DECAL NO.</td>
<td>TYE 229</td>
</tr>
<tr>
<td>i. REGISTERED OWNER</td>
<td>JOHNSTON, RAYMOND J.</td>
</tr>
<tr>
<td>j. ADDRESS (Street, City, State and ZIP Code)</td>
<td>905 Sleepy Hollow Lane, East Aurora, Colorado 80201-5011</td>
</tr>
<tr>
<td>k. ORGANIZATION</td>
<td>USAF</td>
</tr>
<tr>
<td>l. TELEPHONE NUMBER (Include Area Code)</td>
<td>(303) 643-1542</td>
</tr>
</tbody>
</table>

## PART II - DESCRIPTION

<table>
<thead>
<tr>
<th>Reason for Impoundment</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACCIDENT</td>
<td>See block #10</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Condition of Vehicle when Impounded</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>DOOR LOCKED</td>
<td>Engine</td>
</tr>
<tr>
<td>DOOR UNLOCKED</td>
<td>Battery</td>
</tr>
<tr>
<td>TRUNK LOCKED</td>
<td>Mirror(s)</td>
</tr>
<tr>
<td>TRUNK UNLOCKED</td>
<td>Jack</td>
</tr>
<tr>
<td>KEYS IN CAR</td>
<td>Lug Wrench</td>
</tr>
<tr>
<td>KEYS MISSING</td>
<td>Spoke Screwdriver</td>
</tr>
</tbody>
</table>

## PART III - DISPOSITION

<table>
<thead>
<tr>
<th>Field</th>
<th>Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. DATE IMPounded (YMDY)</td>
<td>970815</td>
</tr>
<tr>
<td>b. NAME (LAST, FIRST, MD)</td>
<td>DOE, JOHN P</td>
</tr>
<tr>
<td>c. RANK</td>
<td>SP4</td>
</tr>
<tr>
<td>d. DATE</td>
<td>970815</td>
</tr>
<tr>
<td>e. ORGANIZATION</td>
<td>989th MP Co</td>
</tr>
<tr>
<td>f. SIGNATURE</td>
<td>John P Doe</td>
</tr>
</tbody>
</table>

# Figure 6-3. Sample vehicle impoundment report

AR 190-5 • UPDATE
**NOTICE OF VEHICLE IMPOUNDMENT**

1. **DATE (YMMDD)**
   970816

2. TO
   Mr. Raymond J. Johnson
   905 Sleepy Hollow Lane
   East Aurora, Colorado 80209-5011

3. FROM
   Office of the Provost Marshal
   Building 5275
   Fort Collins, Colorado 81079-9906

4. **LOCATION FROM WHICH VEHICLE WAS REMOVED**
   East Parking Lot
   Commanche Club
   10th Armored Division Road
   Fort Collins, Colorado 81079-9906

5. **LOCATION WHERE VEHICLE IS STORED**
   ACE Wrecker Service
   16 Utopia Street
   Greenway, Colorado 81106

6. **VEHICLE IDENTIFICATION**
   a. **DATE REMOVED (YMMDD)**
      970815
   b. **YEAR**
      1988
   c. **MAKE**
      Ford
   d. **MODEL**
      Station Wagon
   e. **VEHICLE IDENTIFICATION NUMBER**
      MST5435CS00897
   f. **DECAL NUMBER**
      TYE 229

7. **VEHICLE LICENSE**
   (1) Number
      692-785
   (2) State
      CO
   (3) Year
      1996

8. **YOU MAY DO ONE OF THE FOLLOWING**

   a. Notify the Installation Law Enforcement Office listed below of your intent to reclaim. You must show intent to reclaim the vehicle within 15 days after receipt of the notice.

   b. Sign the waiver of interest/release on the reverse side and return it within 15 days of receipt of this notice to the Installation Law Enforcement Office (include the ownership certificate if in your possession).

9. **INSTALLATION LAW ENFORCEMENT OFFICE TELEPHONE NUMBER**
   269-9587

10. **INSTALLATION LAW ENFORCEMENT OFFICE ADDRESS**
    Traffic Section
    Building 5275
    Fort Collins, Colorado 81079-9906

11. **AUTHORIZED OFFICIAL**
    a. **TYPED NAME (LAST, FIRST, MIDDLE INITIAL)**
       MAX R. SMITH
    b. **SIGNATURE**
       [Signature]

   DD Form 2507, OCT 87

---

*Figure 6-4. Sample notice of impoundment of vehicle*
WAIVER OF INTEREST/RELEASE

8. VEHICLE OWNER CERTIFICATION

- I certify that I am the owner of the vehicle listed in Item 3.
- I hereby relinquish all right, title, and interest to said vehicle now stored at location listed in Item 5, and expressly waive time and other limitations imposed by law and regulation in the disposition of such property.
- I expressly warrant that there is no lien, mortgage, or other encumbrance on the property herein abandoned as evidenced by the enclosed certificate of title and owner's registration as listed in Item 3 (if applicable), except as noted below.
- I agree to hold and save the United States and any of its instrumentalities, officers, or employees harmless from any claim or assertion that may arise with regard to the disposition of the vehicle.
- The lienholder(s) listed below has/have (has not/have not) given consent to this disposition of the property by signature below.
- I understand that after the execution of this instrument I am entitled to no further notice of any action or proceeding involving disposition of the property.

<table>
<thead>
<tr>
<th>a. SIGNATURE OF VEHICLE OWNER</th>
<th>b. DATE SIGNED (YYMMDD)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Raymond J. Johnson</td>
<td>970825</td>
</tr>
</tbody>
</table>

9. THE FOLLOWING LIENS, MORTGAGES, OR ENCUMBRANCE EXIST ON THE VEHICLE LISTED IN ITEM 3.

9a. FIRST LIEN, MORTGAGE, OR ENCUMBRANCE

<table>
<thead>
<tr>
<th>(1) NAME OF LIENHOLDER</th>
<th>(2) ADDRESS OF LIENHOLDER (Street, City, State, and ZIP code)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>(3) AMOUNT OF LIEN</th>
</tr>
</thead>
</table>

9b. SECOND LIEN, MORTGAGE, OR ENCUMBRANCE

<table>
<thead>
<tr>
<th>(1) NAME OF LIENHOLDER</th>
<th>(2) ADDRESS OF LIENHOLDER (Street, City, State, and ZIP code)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>(3) AMOUNT OF LIEN</th>
</tr>
</thead>
</table>

10. LIENHOLDER CERTIFICATION

I certify that as lienholder of said property, I consent to its disposition in the manner set forth above.

<table>
<thead>
<tr>
<th>a. SIGNATURE OF LIENHOLDER</th>
<th>b. DATE SIGNED (YYMMDD)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>970825</td>
</tr>
</tbody>
</table>

11. NOTARY

Acknowledged before me by RAYMOND J. JOHNSON

at EAST AURORA, COLORADO

this 25th day of AUGUST, 1997

[Signature of Notary]

DD Form 2507 Reverse, OCT 87

Figure 6-6. Sample release (reverse side of DD Form 2507)
Appendix A

References

Section I

Required Publications

AFP 125-2
Technical Guide for Police Traffic Operations. (Cited in para 6-5.)

AFR 30-2
Social Action Program. (Cited in para 2-8.)

AFR 75-24/AR 55-162/DLAR 4580.8/MCO 4643.5C/OPNAVINST 4600.11D Permits for Oversize, Overweight, or Other Special Military Movements on Public Highways in the U.S. (Cited in para 4-19.)

AFR 75-88/AR 55-80/DLAR 4500.19/MCO 11210.2C/OPNAVINST 112110.1B Highways for National Defense. (Cited in para 4-1.)

AFR 110-15
Use of U.S. Magistrates for Trial of Misdemeanors Committed by Civilians. (Cited in para 4-9.)

AFR 125-15
Motor Vehicle Registration and Related Requirements. (Cited in para 3-1.)

AFR 160-12
Professional Policies and Procedures. (Cited in para 4-15.)

AR 190-22
Searches, Seizures, and Disposition of Property. (Cited in para 6-5.)

AR 190-29
Minor Offenses and Uniform Violation Notices Referred to U.S. District Courts. (Cited in para 4-9.)

AR 210-10
Administration. (Cited in para 2-2.)

AR 385-40
Accident Reporting and Records. (Cited in para 4-7.)

AR 385-55
Prevention of Motor Vehicle Accidents. (Cited in para 4-2.)

AR 600-20
Army Command Policies and Procedures. (Cited in para 4-15.)

AR 600-85
Alcohol and Drug Abuse Prevention and Control Program. (Cited in para 2-9.)

DLAR 5700.7
Search and Seizure. (Cited in paras 2-2 and 4-15.)

DLAR 5720.4
Preparing and Processing Minor Offenses and Violation Notices Referred to U.S. District Court. (Cited in para 4-9.)

DOD 4160.21-M

DODD 5530.3,
June 1987 International Arguments. (Cited in para 2-13.)

FPM Supp 792-2
Alcohol and Drug Abuse Programs. (Cited in para 2-9.)

MCO 5100.19C
Marine Corps Traffic Safety Program. (Cited in para 2-8.)

MCO P5300.12
USMC Substance Abuse Program. (Cited in paras 2-8 and 4-7.)

OPNAVINST 5100-12D
Navy Traffic Safety Program. (Cited in paras 2-8 and 4-7.)

Section II

Related Publications

A related publication is merely a source of additional information. The user does not have to read it to understand this regulation.

AR 600-37
Unfavorable Information.

AR 600-200
Enlisted Personnel Management System.

AR 635-200
Enlisted Personnel.

Section III

Prescribed Forms

DA Form 3626
Vehicle Registration/Driver Record. (Prescribed in para 5-1.)

DD Form 1920
Alcohol Influence Report. (Prescribed in para 4-10.)

DD Form 2220
DOD Registered Vehicle. (Prescribed in para 3-1.)

DD Form 2504
Abandoned Vehicle Notice. (Prescribed in para 6-4.)

DD Form 2505
Abandoned Vehicle Removal Authorization. (Prescribed in para 6-4.)

DD Form 2506
Vehicle Impoundment Report. (Prescribed in para 6-4.)

DD Form 2507
Notice of Vehicle Impoundment. (Prescribed in para 6-4.)

Section IV

Referenced Forms

AF Form 52
Evidence Tag.

AF Form 354
Civilian Identification Card.

DA Form 1602
Civilian Identification.

DA Form 4002
Evidence/Property Tag.

Section V

Publication Information (Navy)

The following forms may be obtained from NAVPUBFORMCEN, per NAVSUP P-2002:

<table>
<thead>
<tr>
<th>Form No.</th>
<th>Stock No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>DD2 MC</td>
<td>01202-LF-000-0201</td>
</tr>
<tr>
<td>DD2 MC</td>
<td>01202-LF-000-0210</td>
</tr>
<tr>
<td>DD2 Net</td>
<td>0102-LF-000-0010</td>
</tr>
<tr>
<td>DD2 MC (Res)</td>
<td>0102-LF-000-0025</td>
</tr>
<tr>
<td>DD2 MC (Res)</td>
<td>0102-LF-000-0028</td>
</tr>
<tr>
<td>DD2 0102-LF-000-0301</td>
<td></td>
</tr>
<tr>
<td>DD2N (Act)</td>
<td>0102-LF-000-0015</td>
</tr>
<tr>
<td>DD2 (Res)</td>
<td>0102-LF-000-0020</td>
</tr>
<tr>
<td>DD 1173</td>
<td>0102-LF-011-7300</td>
</tr>
</tbody>
</table>

DD Form 1
U.S. Armed Forces Retired Identification Card.

DD Form 2A
U.S. Armed Forces Identification Card.

DD Form 1173
Uniformed Services Identification and Privilege Card.

DD Form 1408
Armed Forces Traffic Ticket.

DD Form 1805
United States District Court Violation Notice.

DLA Form 572
Identification Card.

DLA Form 1486
Application for Identification Card.

NAVMC Form 10846
Property Identification Tag.

OF 346
Appendix B
Notification of State Driver's License Agencies

The installation commander will notify the state driver's license agency of those personnel whose installation driving privileges are revoked for 1 year or more, following final adjudication of the intoxicated driving offense or for refusing to submit to a lawful blood-alcohol content test in accordance with paragraph 2-3. This notification will include the basis for the suspension and the blood-alcohol level. The notification will be sent to the state in which the driver's license was issued. A sample letter format is provided at figure B-1. State driver's license agencies are listed below.

Alabama
Motor Vehicle Division
2721 Gunter Park Drive
Montgomery, AL 36101
(205) 271-3250

Alaska
Motor Vehicle Division
P.O. Box 100906
Anchorage, AK 99510
(907) 269-5572

Arizona
Motor Vehicle Division
1801 West Jefferson Street
Phoenix, AZ 85007
(602) 255-7295

Arkansas
Motor Vehicle Division
Joel & Ledbetter Bldg.
7th and Wolfe Streets
Little Rock, AR 72203
(501) 371-1886

California
Department of Motor Vehicles
P.O. Box 932340
Sacramento, CA 94232
(916) 445-0898

Colorado
Motor Vehicle Division
140 West Sixth Avenue
Denver, CO 80204
(303) 866-3158

Connecticut
Department of Motor Vehicles
60 State Street
Wethersfield, CT 06109
(203) 566-5904

Delaware
Motor Vehicle Director
State Highway Administration Bldg.
P.O. Box 698
Dover, DE 19903
(302) 736-4421

District of Columbia
Department of Transportation Bureau of Motor Vehicles
301 C Street,
N.W. Washington, DC 20001
(202) 727-5409

Florida
Division of Motor Vehicles
Neil Kirkman Building
Tallahassee, FL 32301
(904) 488-6921

Georgia
Motor Vehicle Division
Trinity-Washington Bldg.
Room 114
Atlanta, GA 30334
(404) 656-4149

Hawaii
Division of Motor Vehicle and Licensing
1455 S. Benetania Street
Honolulu, HI 96814
(808) 943-3221

Idaho
Transportation Department
3311 State Street
P.O. Box 34
Boise, ID 83731
(208) 334-3650

Illinois
Secretary of State
Centennial Building
Springfield, IL 62756
(217) 782-4815

Indiana
Bureau of Motor Vehicles State Office Building
Room 901
Indianapolis, IN 46204
(317) 232-2701

Iowa
Department of Transportation
Office of Operating Authority Lucas Office Bldg.
Des Moines, IA 50319
(515) 281-5664

Kansas
Department of Revenue Division of Vehicles
Interstate Registration Bureau State Office Bldg.
Topeka, KS 66612
(913) 296-3681

Kentucky
Department of Transportation
New State Office Building
Frankfort, KY 40622
(502) 564-4540

Louisiana
Motor Vehicle Administrator
S. Foster Drive
Baton Rouge, LA 70800
(504) 925-6304

Maine
Department of State Motor Vehicle Division
Augusta, ME 04333
(207) 289-5440

Maryland
Motor Vehicle Administration
6601 Ritchie Highway,
N.E. Glen Burnie, MD 21062
(301) 768-7000

Massachusetts
Registry of Motor Vehicle
100 Nashua Street
Boston, MA 02114
(617) 727-3780

Michigan
Department of State Division of Driver Licenses and Vehicle Records
Lansing, MI 48918
(517) 322-1486

Minnesota
Department of Public Safety
108 Transportation Building
St. Paul, MN 55155
(612) 296-2138

Mississippi
Office of State Tax Commission
Woolfolk Building
Jackson, MS 39205
(601) 982-1248

Missouri
Department of Revenue Motor Vehicles Bureau
301 W. High Street
Jefferson City, MO 65105
(314) 751-3234

Montana
Highway Commission Box 4639
Helena, MT 59604
(406) 449-2476

OF 346 (11-85) (replaces SF 46), NSN 7540-00-634-3999, may be ordered from General Services Administrations.
Nebraska  
Department of Motor Vehicles  
P.O. Box 94789  
Lincoln, NE 68509  
(402) 471-3891

Nevada  
Department of Motor Vehicles  
Carson City, NV 89711  
(702) 885-5370

New Hampshire  
Department of Safety Division of Motor Vehicles  
James H. Haynes  
Bldg. Concord, NH 03305  
(603) 271-2784

New Jersey  
Motor Vehicle Division  
25 S. Montgomery Street  
Trenton, NJ 08666  
(609) 292-2368

New Mexico  
Motor Transportation Division  
Joseph M. Montoya Building  
Santa Fe, NM 87503  
(505) 827-0392

New York  
Division of Motor Vehicles  
Empire State Plaza  
Albany, NY 12228  
(518) 474-2121

North Carolina  
Division of Motor Vehicles  
Motor Vehicles Bldg.  
Raleigh, NC 27697  
(919) 733-2403

North Dakota  
Motor Vehicle Department  
Capitol Grounds  
Bismarck, ND 58505  
(701) 224-2619

Ohio  
Bureau of Motor Vehicles  
P.O. Box 16520  
Columbus, OH 43216  
(614) 466-4095

Oklahoma  
Oklahoma Tax Commission  
Motor Vehicle Division  
2501 Lincoln Boulevard  
Oklahoma City, OK 73194  
(405) 521-3036

Oregon  
Motor Vehicles Division  
1905 Lana Avenue,  
S.E. Salem, OR 97314  
(503) 378-6903

Pennsylvania  
Department of Transportation  
Bureau of Motor Vehicles  
Transportation and Safety Bldg.  
Harrisburg, PA 17122  
(717) 787-3130

Rhode Island  
Department of Motor Vehicles  
State Office Building  
Providence, RI 02903  
(401) 277-6900

South Carolina  
Motor Vehicle Division  
P.O. Drawer 1498  
Columbia, SC 29216  
(803) 758-5821

South Dakota  
Division of Motor Vehicles  
118 W. Capitol Pierre,  
SD 57501  
(605) 773-3501

Tennessee  
Department of Revenue Motor Vehicle Division  
500 Deaderick Street  
Nashville, TN 37242  
(615) 741-1786

Texas  
Department of Highways and Public Transportation Motor Vehicle Division  
40th and Jackson Avenue  
Austin, TX 78779  
(512) 475-7686

Utah  
Motor Vehicle Division  
State Fairgrounds  
1095 Motor Avenue  
Salt Lake City, UT 84116  
(801) 533-5311

Vermont  
Department of Motor Vehicles  
State Street Montpelier, VT 05603  
(802) 287-2801

Virginia  
Department of Motor Vehicles  
2300 W. Broad Street  
Richmond, VA 23220  
(804) 257-1855

Washington  
Department of Licensing  
Highways-Licenses Building  
Olympia, WA 98504  
(206) 753-6975

West Virginia  
Department of Motor Vehicles  
1800 Washington Street,  
East Charleston, WV 25317  
(304) 348-2719

Wisconsin  
Department of Revenue Policy Division  
Department of Revenue Policy Division  
P.O. Box 7908  
Madison, WI 53707  
(608) 266-2585

Wyoming  
Department of Revenue Policy Division  
122 W. 25th Street  
Cheyenne, WY 82002  
(307) 777-5273

Guam  
Deputy Director Revenue and Taxation  
Government of Guam  
Agana, Guam 96910  
(no phone number available)

Puerto Rico  
Department of Transportation and Public Works Bureau of Motor Vehicles  
P.O. Box 41243  
Minillas Station Santurce, Puerto Rico 00940  
(809) 722-2823
Office of the Provost Marshal
Motor Vehicle Division
140 West Sixth Avenue
Denver, Colorado 80204

This letter is your notification that on 15 May 1996, ROE, Richard L., PFC 000-00-0000, a member of the U.S. Army, 39th Infantry Division, Fort Collins, Colorado was found guilty of intoxicated driving in a trial by court-martial.

He holds a Colorado driver's license, number X94U28, issued 1 June 1995, and expiring on 1 June 1999. He was arrested on 15 May 1996 at Fort Collins, Colorado by Military Police while driving a 1989 Chevrolet Nova, blue in color, bearing Colorado license plate number 359-143.

PFC Roe refused to submit to a chemical test to determine his blood alcohol content after being advised of the implied consent provisions of the Fort Collins installation traffic code.

Based on the above information, PFC Roe's installation driving privileges have been revoked for one year.

PFC Roe's current address is 1511 Mountain View Road, Denver, Colorado 80206.

Sincerely,

(Signed)
MAX R. SMITH
CPT, MPC
Administrative Officer

Figure B-1. Sample Letter to State Driver's License Authority
Appendix C

DOD Directive 5525.4
Enforcement of State Laws on DOD Installations

Department of Defense Directive

November 2, 1981
Number 5525.4
ASD (MRA&L)

SUBJECT:
Enforcement of State Traffic Laws on DoD Installations

REFERENCES:
(b) Delegation of Authority to the Secretary of Defense by the Administrator, General Services Administration, March 20, 1981 (enclosure 1)
(c) Title 18, United States Code, Section 318c
(d) Title 40, United States Code, Section 318c

A. Purpose
This Directive establishes policies pursuant to the requirements of reference (a) and to authority delegated to the Secretary of Defense under reference (b) for the enforcement, on DoD military installations, of those state vehicular and pedestrian traffic laws that cannot be assimilated under reference (c).

B. Applicability and Scope
1. The provisions of this Directive apply to the Office of the Secretary of Defense, Military Departments, the Organization of the Joint Chiefs of Staff, the Unified and Specified Commands, and the Defense Agencies.
2. The provisions encompass all persons who operate or control a motor vehicle or otherwise use the streets of a military installation over which the United States exercises exclusive or concurrent legislative jurisdiction.
3. The provisions govern only vehicular and traffic offenses or infractions that cannot be assimilated under reference (c), thereby precluding application of state laws to traffic offenses committed on military installations.

C. Policy
1. It is the policy of the Department of Defense that an effective, comprehensive traffic safety program be established and maintained at all military installations as prescribed in reference (a).
2. State vehicular and pedestrian traffic laws that are now or may hereafter be in effect shall be expressly adopted and made applicable on military installations to the extent provided by this Directive. All persons on a military installation shall comply with the vehicular and pedestrian traffic laws of the state in which the installation is located.
3. Pursuant to the authority established in enclosure 1, installations can establish additional vehicular and pedestrian traffic rules and regulations for their installations. All persons on a military installation shall comply with locally established vehicular and pedestrian traffic rules and regulations. (Amendment 1, Ch 1 (10/31/86))

4. A person found guilty of violating, on a military installation, any state vehicular or pedestrian traffic law or local installation vehicular or pedestrian traffic rule or regulation made applicable to the installation under the provisions of this Directive is subject to a fine of not more than $50 or imprisonment for not more than 30 days, or both, for each violation (40 U.S.C. 318c (reference (d)). (Amendment 1, Ch 1 (10/31/86))
5. This Directive does not limit the application of any Federal law or regulation or, under 18 U.S.C. 13 (reference (c)), any state law made applicable to offenses committed on military installations.
6. A copy of this Directive shall be posted in an appropriate place on the DoD installation concerned.

D. Responsibilities
1. The Assistant Secretary of Defense (Force Management and Personnel) (ASD(FM&P)) shall modify this Directive, as appropriate.
2. Secretaries of the Military Departments shall comply with this Directive.

E. Effective Date and Implementation
This Directive is effective immediately. Forward two copies of implementing documents to the Assistant Secretary of Defense (Force Management and Personnel) within 120 days.

SIGNED BY WILLIAM H. TAFT, IV
Deputy Secretary of Defense
Enclosure--1
1. Delegation of Authority
Nov 2, 81 5525.4 (Encl 1)

GENERAL SERVICES ADMINISTRATION

(D-81- ) 6820-22
Delegation of Authority to The Secretary of Defense
1. Purpose. This delegation authorizes the Secretary of Defense to assist in controlling vehicular and pedestrian traffic on military installations in the United States.
2. Effective date. This delegation became effective on March 20, 1961.

3. Delegation.
   a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended, and the Act of June 1, 1948 (62 Stat. 281), as amended, authority is hereby delegated to the Secretary of Defense to make all needful rules and regulations, and to attach to these rules and regulations such reasonable penalties, not to exceed those prescribed in 40 U.S.C. 318c, as will ensure their enforcement for governing vehicular and pedestrian traffic on military installations of the Department of Defense, as defined in 40 U.S.C. 612, in the United States and over which the United States has exclusive or concurrent legislative jurisdiction.
   b. The Secretary of Defense may redelega this authority to any officer, official, or employee of the Department of Defense.
   c. This authority shall be exercised in accordance with the limitations and requirements of the above-cited acts, and the policies, procedures, and controls prescribed by the General Services Administration.
4. Effect on other directives. FPMR Temporary Regulation D-28 is revoked.

Dated: June 24, 1981
(Signed) GERALD P. CARMEN
Administrator
### Glossary

#### Section I

#### Abbreviations

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tbody>
<tr>
<td>ADAPCP</td>
<td>Alcohol and Drug Abuse Prevention and Control Program</td>
</tr>
<tr>
<td>ADCO</td>
<td>Alcohol and Drug Control Officer</td>
</tr>
<tr>
<td>ASAP</td>
<td>Alcohol Safety Action Projects</td>
</tr>
<tr>
<td>BAC</td>
<td>blood alcohol content</td>
</tr>
<tr>
<td>CAAIG</td>
<td>centralized accident investigation, ground</td>
</tr>
<tr>
<td>CFR</td>
<td>Code of Federal Regulations</td>
</tr>
<tr>
<td>CG</td>
<td>commanding general</td>
</tr>
<tr>
<td>CONUS</td>
<td>continental United States</td>
</tr>
<tr>
<td>DA</td>
<td>Department of the Army</td>
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<tr>
<td>DLA</td>
<td>Defense Logistics Agency</td>
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<tr>
<td>DOD</td>
<td>Department of Defense</td>
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<tr>
<td>DOT</td>
<td>Department of Transportation</td>
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<tr>
<td>HQDA</td>
<td>Headquarters, Department of the Army</td>
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<tr>
<td>MPNIS</td>
<td>Military Police Management Information System</td>
</tr>
<tr>
<td>MTMCTEA</td>
<td>Military Traffic Management Command Transportation Engineering Agency</td>
</tr>
<tr>
<td>NADSAP</td>
<td>Navy Alcohol and Drug Safety Action Program</td>
</tr>
<tr>
<td>NAF</td>
<td>nonappropriated fund</td>
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<tr>
<td>NHSPS</td>
<td>National Highway Safety Program Standards</td>
</tr>
<tr>
<td>NHTSA</td>
<td>National Highway Traffic Safety Administration</td>
</tr>
<tr>
<td>POV</td>
<td>privately owned vehicle</td>
</tr>
<tr>
<td>SOFA</td>
<td>status of forces agreement</td>
</tr>
<tr>
<td>SOP</td>
<td>standing operating procedure</td>
</tr>
<tr>
<td>STAMIS</td>
<td>Standard Army Management Information System</td>
</tr>
</tbody>
</table>

#### Section II

#### Terms

**Active duty personnel**: Military personnel, whether Active Army, U.S. Army Reserve, or Army National Guard of the United States, who are on active duty under Title 10, United States Code.

**Alcohol Safety Action Program (ASAP)**: A program sponsored by a State, in cooperation with the NHTSA, to reduce highway deaths, injuries, and property damage resulting from traffic accidents in which alcohol is a major contributing factor.

**Army Drug and Alcohol Prevention and Control Program (ADAPCP)**: An Army program that provides for alcohol and drug problems (appropriate education or treatment).

**Chemical breath-testing device**: An instrument using photoelectric or other physical or chemical means to quantitatively determine blood-alcohol concentrations.

**Collision diagram**: A plan of an intersection or section of roadway on which reported accidents are diagrammed by means of arrows showing manner of collision.

**Condition diagram**: A scale drawing of an intersection or section of roadway that shows all objects and physical conditions that bear on traffic movement and safety.

**Conviction**: A final adjudication that may include one or more of the following:
- An unvacated forfeiture of bail or collateral deposited to secure a defendant's appearance in court.
- Pleas of nolo contendere accepted by a court.
- Payment of a fine.
- Pleas of guilty or finding of guilty on a charge of violating State, Federal, or host nation civil law; or the UCMJ.
- Judicial or nonjudicial punishment imposed under the UCMJ.

**Driver**: Any person who drives or is in physical control of a motor vehicle.

**Driver's license**: A license to operate a motor vehicle under the laws of a State, the District of Columbia, a U.S. territory or possession, a host country, or under international agreements (international driver's license). Also, a vehicle operator's permit issued by an agency of the U.S. Government, or an overseas command.

**Driving privilege**: The privilege extended by an installation commander to a person permitting the operation of a motor vehicle within the limits of the installation.

**General Officer**: A term used to describe officers in the military grade of 0-7 or above, including officers frocked to the grade of, in the Army, Air Force, Marine Corps, or Navy.

**General officer letter of reprimand**: A memorandum or letter of reprimand, administrative in nature, prepared in accordance with AR 600-37 and signed by any officer serving in the grade of 0-7 or above in the Army, Air Force, Marine Corps, or Navy.

**Government motor vehicle**: A motor vehicle owned, rented, or leased by DOD. This includes vehicles owned, rented, or leased by NAF activities of the military departments and DOD.

A driver is in physical control when in position to control the motor vehicle, whether to regulate or restrain its operation or movement. For example, sitting in a parked car behind the steering wheel, keeping it in restraint or in a position to control its movement. The word "driver" is interchangeable with the word "operator."
High accident frequency location
A location, intersection, or length of roadway, normally not more than one-half mile in length, where an unusually high number of accidents have occurred.

Host nation
Any foreign country or possession in which an installation is located.

Installation or activity commander
A term applied equally to CONUS installation commanders and overseas community commanders.

Intoxicated driving
Includes one or more of the following:

a. Driving, operating, or being in actual physical control of a motor vehicle under any intoxication caused by alcohol or drugs in violation of Article 111 of the UCMJ or a similar law of the jurisdiction in which the vehicle is being operated.

b. Driving, operating, or being in actual physical control of a motor vehicle with a BAC of 0.10 or higher on any military installation or in an area where traffic operations are under military supervision.

c. Driving, operating, or being in actual physical control of a motor vehicle under the law of a State (State registration). The term also applies to the registration form and identification media issued by a host nation or overseas command per this regulation for a motor vehicle authorized to operate on a military installation in the United States or its territories.

Motor vehicle traffic accident
An unintended event causing injury or damage, and involving one or more motor vehicles on a highway, road, or street that is publicly maintained and open for public vehicular travel.

Motor vehicle traffic accident classification
The classification of traffic accidents according to severity of injuries or property damage sustained. Major classifications include the following:

a. Severity of injury.

(1) Fatal accident. A motor vehicle accident that results in death to one or more persons. A fatal injury is one that results in death within 12 months of the accident causing the injury.

(2) Incapacitating injury. An injury, other than fatal, that prevents the injured person from walking, driving, or normally continuing the activities that he or she was capable of performing before the accident. Examples are severe lacerations, broken or distorted limb, skull fracture, crushed chest, internal injury, unconsciousness when taken from the accident scene, or inability to leave the accident scene without help.

(3) Nonincapacitating evident injury. An injury, other than fatal and incapacitating, that is evident to any person at the scene of the accident. Examples are lump on head, abrasions, or minor lacerations.

(4) Possible injury. An injury reported or claimed that is not a fatal, incapacitating, or nonincapacitating evident injury. Examples are momentary unconsciousness, claim of injuries that are not evident, limping, or complaint of pain, nausea, or hysteria.

b. Severity of vehicle damage.

(1) Disabling damage. Any damage to a vehicle such that it cannot be driven (or towed in the case of trailers) from the scene of the accident in usual manner by daylight after simple repairs, and without further damage or hazard to itself, other traffic elements, or the roadway.

(2) Functional damage. Any nondisabling damage to a vehicle that affects operation of the vehicle or its parts. Examples are damage to hubcaps, trim, or grill; glass cracks that do not interfere with vision; dents, scratches; body punctures; or damage to load.

Moving violation
A violation of any traffic law, ordinance, or regulation while operating a vehicle. Moving violations typically involve one or both of the following:

a. An act or omission in traffic that is hazardous.

b. Unsafe condition. Causing or permitting an illegal and possibly hazardous condition of--

(1) Highways, roads, or streets used by traffic.

(2) Vehicles used in traffic.

(3) A pedestrian or driver in traffic.

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a. An act or omission in traffic that is hazardous.

b. Unsafe condition. Causing or permitting an illegal and possibly hazardous condition of--

(1) Highways, roads, or streets used by traffic.

(2) Vehicles used in traffic.

(3) A pedestrian or driver in traffic.

Naval Alcohol and Drug Safety Action Program (NADSAP)
A program that provides a means to identify Navy personnel involved in alcohol-related situations, within the legal and medical systems, at the earliest indication of alcohol misuse or alcoholism.

Pedicycle
A vehicle operated solely by peddles and propelled by human power.

Pedestrian
Any person not in or on a motor vehicle or other road vehicle.

Reciprocity
Reciprocal action between State or host nation and military authorities to suspend or revoke a person's OF 46, installation driving privilege, or a State, host nation, or overseas command driver's license based on action initiated by either authority.

Revocation of driver's license
The termination by formal action of State, host nation, or overseas command authority of a person's license or privilege to operate a motor vehicle on the public roadways. This termination is not subject to renewal or restoration except that application may be presented and acted on by the State, host nation, or overseas command authority after the expiration of the period set by State or host nation law or overseas command regulation.
Revocation of driving privileges
Action taken by an installation commander to terminate a privilege to operate a motor vehicle on a military installation.

State
One of the U.S. States, the District of Columbia, the Commonwealth of Puerto Rico, and the territory of Guam.

Suspension of driver's license
The temporary withdrawal by formal action of State, host nation, or overseas command authority of a person's license or privilege to operate a motor vehicle on the public highways.

Suspension of driving privileges
The temporary withdrawal by an installation commander of a person's privilege to operate a motor vehicle on a military installation for up to 12 months. Privileges normally are automatically restored on the day after the date the suspension ends.

Traffic
Pedestrians, ridden or herded animals, vehicles, street cars, and other conveyances, either singly or together, using any roadway.

Traffic control devices
Signs, signals, markings, lights, and devices placed by a proper official to regulate, warn, or guide traffic.

Traffic engineering
Planning and geometric design of streets, highways, and abutting lands, and matters concerned with traffic operations on them related to the safe, convenient, and economical transportation of persons and goods.

Traffic laws
All laws, ordinances, and regulations concerning roadway traffic, including regulations on weight, size, and type of vehicles and vehicle cargo.