

**Directorate of Emergency Services
Uniform Traffic Regulation**

Summary: This regulation establishes responsibilities for vehicle operators on Fort Belvoir, including the Belvoir North Area and Rivanna Station, Charlottesville, VA.

Applicability: This regulation applies to all residents of Fort Belvoir, units and activities assigned or attached to Fort Belvoir, tenant organizations, and all personnel visiting Fort Belvoir.

Proponent: The proponent for this regulation is the Directorate of Emergency Services (DES), Fort Belvoir.

Supplementation: Supplementation of this regulation is prohibited without prior approval from the Fort Belvoir Chief of Police.

Suggested Improvements: Users are invited to send comments and suggested improvements to the Fort Belvoir Chief of Police.

Distribution: This regulation is distributed through the Fort Belvoir Homepage at www.belvoir.army.mil.

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Chapter 1

Introduction

1-1. Purpose. To establish traffic and vehicle regulations for Fort Belvoir (inclusive of Fort Belvoir North and Rivanna Station) and to describe vehicle operator responsibilities. For military and civilian personnel, a violation of the provisions of this regulation will provide a basis for criminal prosecution under the Uniform Code of Military Justice (UCMJ), state, federal, or other applicable regulations.

1-2. Scope. This regulation applies to all personnel, units, and activities assigned, attached, or visiting Fort Belvoir.

1-3. Policy. The entry of motor vehicles onto Fort Belvoir is permitted by the Garrison Commander under the conditions prescribed by this regulation. **In any case not covered by this regulation, the traffic laws of the Commonwealth of Virginia apply.** In accordance with DoD 5200.8-R, dated 9 April 07, after entering this installation, the driver subjects himself/herself and his/her vehicle to inspection by law enforcement officials. Law enforcement officials may:

- a. Inspect any vehicle that is operated on this installation for mechanical soundness.
- b. Impound, exclude, or remove from Fort Belvoir any stolen or abandoned vehicle, or any vehicle operated by a person under the influence of intoxicants or drugs.
- c. Impound or inspect any vehicle for security or force protection purposes.

1-4. Responsibilities.

a. The privilege of operating a motor vehicle on Fort Belvoir will be granted, suspended, or terminated by the Garrison Commander or his/her designated representative in accordance with the provisions of this regulation.

b. The Director of Emergency Services (DES) has authority for traffic enforcement and is the designated representative for driving privilege suspensions and revocations.

c. The Administrative Law Division of the Office of the Staff Judge Advocate (OSJA) is the reviewing and hearing authority for all driving privilege suspensions and revocations on Fort Belvoir. The Garrison Commander is the final appellate authority for all such actions.

d. Unit Commanders, directors, principal staff officers, and commanders of tenant organizations will:

(1) Inform the Fort Belvoir Directorate of Emergency Services (DES) of any derogatory information pertaining to the registration or driving qualifications of personnel under their command. In the case of civilian personnel, Fort Belvoir directors, commanders of tenant

organizations, and supervisors will furnish information through the Civilian Personnel Advisory Center to the Fort Belvoir DES.

(2) Ensure all newly assigned or employed personnel, including personnel on temporary duty for more than three days, are made aware of the contents of this regulation.

e. Registrants and operators are responsible for compliance with the regulation.

f. Persons observing traffic violations may register a complaint by telephoning the Fort Belvoir Police Dispatcher. The location, time, and license number should be provided.

Chapter 2

Parking Regulations

2-1. Fort Belvoir Parking.

a. Parking within Fort Belvoir is restricted to residents, guests, and personnel employed on Fort Belvoir. Personnel may not park on the installation unless they have business on Fort Belvoir. Overnight parking is prohibited, except for residents, guests, and those having official business that requires overnight parking. Parking within the boundaries is restricted to automobiles and motorcycles. All other vehicles are prohibited from parking on Fort Belvoir, unless parked in specified areas. See paragraph 2-6.

b. Notwithstanding the provisions of subsection (a), The Chief of Police or his/her designee has the authority to issue temporary daily permits, authorizing the parking of any motor vehicle on Fort Belvoir.

c. Vehicle operators assume all risks associated with parking in government parking accommodations. No action shall lie against the federal government for the total or partial loss of any motor vehicle due to theft or damage. Nothing in this section shall relieve any person of personal liability for his/her own wrongdoing.

2-2. General Parking Prohibitions.

a. No person shall park a vehicle in any of the following places, except when necessary to comply with the directions of a police officer or traffic-control device:

- (1) On a sidewalk.
- (2) In front or within five feet or either side of a public or private driveway.
- (3) Within an intersection.
- (4) Within 15 feet of a fire hydrant.
- (5) On a crosswalk.

(6) Within 20 feet of a crosswalk at an intersection; where there is no crosswalk at an intersection, no person shall park a vehicle within 20 feet from the intersection of curb-lines.

(7) Within 30 feet of any flashing beacon or traffic-control signal located at the side of a roadway, unless official signs or markings indicate a different length.

(8) Within 30 feet of a safety zone.

(9) Within 15 feet of the driveway entrance to any fire station, nor, on the side of a street opposite the entrance to any fire station or rescue squad building, within 75 feet from the entrance.

(10) Alongside or opposite any street excavation or obstruction, when such parking would obstruct traffic.

(11) At any place where official signs prohibit parking.

(12) At any place where official signs limit parking, except when parking would not violate the limitation.

(12) In a handicapped space without a valid permit issued by the Department of Motor Vehicles.

(13) Upon lawns, grassy areas, or athletic courts, unless specifically authorized by competent authority.

(14) In a posted loading zone or bus stop, unless engaged in expeditious loading or unloading. Operators may not prevent a bus from entering a properly marked bus stop.

(15) In front of any dumpster.

(16) On patios or curbs.

(17) On any area not clearly designated as a parking space.

(18) In any fire lane. Yellow curbs identify fire lanes on Fort Belvoir.

(19) In a private lot or lot area, unless authorized by the lot's owner.

b. All vehicles will be parked in the direction of traffic with the right side of the vehicle parallel to and no more than 12 inches from the right side of the roadway or curb, except that a vehicle may be stopped parallel to the left curb or edge of the roadway on one-way streets. Where permitted by official signs or markings, vehicles may be parked at an angle.

c. No vehicle shall be backed to a curb, except when engaged in loading or unloading or when parking in a designated parking lot.

d. Where official signs designate time limits for on-street parking (i.e., 2-hour maximum), such restrictions remain in effect between the hours of 0600 and 1800. Such restrictions shall not apply on Sundays or government holidays. The Chief of Police or his/her designee has the authority to issue temporary daily permits, authorizing the parking of any motor vehicle on Fort Belvoir for more than the length of time designated on official signs.

e. In designated parking lots, vehicles must be parked within lines denoting vehicle spaces.

2-3. Parking Vehicle Without Current State License Plate. It shall be unlawful for any person to park any vehicle having no current state license plate on Fort Belvoir.

2-4. Stopping in Vicinity of a Fire or Emergency. No vehicle shall be stopped or parked in the vicinity of any fire, accident, or other emergency in a manner that creates a traffic hazard or interferes with law enforcement officers, firefighters, or rescue workers.

2-5. Parking Commercial Vehicles in Residential Areas.

a. No person shall park any truck, bus, or other commercial vehicle in any residential area on Fort Belvoir. During regularly scheduled school hours, school buses may park in residential areas for up to six hours.

b. This section does not apply to commercial vehicles picking up or discharging passengers or merchandise, commercial vehicles temporarily parked for necessary repairs, or vehicles used for service in residential areas.

c. For the purpose of this section, "commercial vehicle" means every motor vehicle with a gross weight of more than 10,000 pounds, a length in excess of 21 feet, or a width in excess of 102 inches. "Commercial vehicle" shall also include construction equipment, cranes, well-digging apparatuses, or any other heavy equipment, except when such equipment is used for construction activities pursuant to a building permit.

2-6. Trailers and Recreational Vehicles.

a. Due to limited parking space, it shall be unlawful for any operator to park a trailer, recreational vehicle, watercraft trailer, or travel trailer on Fort Belvoir, except when actively loading or unloading the trailer or vehicle.

b. Long-term parking for recreational vehicles may be coordinated with the Fort Belvoir DFMWR. Neither the Garrison Commander nor the Fort Belvoir Police are responsible for the security of these trailers/recreational vehicles, nor equipment placed in them. Residents accept all risk to their property by choosing to utilize these spaces.

2-7. Stopping on Highways.

a. No person may stop or park a vehicle in a manner that impedes the normal flow of traffic, except in the case of an emergency, accident, or a mechanical breakdown. In the event of such an emergency, the driver must activate the vehicle's four-way flashers. If the driver is capable of doing so, and if the vehicle is movable, the driver may move the vehicle only as far as necessary to avoid obstructing the regular flow of traffic. The driver must contact the Fort Belvoir Police as soon as possible.

b. No person shall leave a vehicle unattended on a roadway without first effectively setting the emergency or parking brake, stopping the motor, and turning the front wheels into the curb or side of the roadway.

2-8. Parking Prohibitions and Restrictions. The Garrison Commander may enact temporary parking prohibitions or restrictions during heavy snowfall or other emergency. Such announcements will be published through the installation Public Affairs Office.

2-9. Parking Permits and Reserved Parking.

a. The Garrison Commander or his/her designee may designate permit-only parking areas. Following such a designation, the DES will issue appropriate parking permits.

b. Units and agencies may not create reserved parking spaces based on rank, position, etc. Requests for such spaces must route through the Directorate of Public Works (DPW) to the Garrison Commander. If approved, DPW will install reserved parking signage.

2-10. Parking Violations.

a. Any person who violates parking regulations will be punished by receipt of a traffic citation for each offense and may be subject to fines and towing at the his/her expense. The police officer witnessing the violation may issue either a DD Form 1408 or Central Violations Bureau Notice (CVB) citation. If the vehicle operator is not present, the officer may attach the citation to the vehicle. For most violations, the officer will issue a DD 1408. For illegally parking in a designated handicap area, the officer will issue a CVB.

b. In any prosecution for a violation of this section, proof that the vehicle described in the citation was parked illegally, together with proof that the defendant was, at the time, the registered owner of the vehicle, is prima facie evidence that the registered owner committed the violation.

2-11. Exceptions. Parking regulations do not apply to the following vehicles:

a. Any vehicle owned or controlled by the DPW or the government that is actually engaged in the construction, reconstruction, or maintenance of highways.

b. Service or delivery vehicles which are being used to provide services or make deliveries.

c. Law enforcement or other emergency vehicles performing law enforcement or other emergency functions.

Chapter 3

Abandoned Vehicles

3-1. Abandoned Vehicles. A vehicle will be deemed abandoned when the vehicle:

- a. Has no registration.
- b. Has an expired registration.
- c. Displays the registration plates of another vehicle.
- d. Is unattended and blocking traffic.
- e. Is in a state of disrepair that may cause a public safety hazard (i.e., on jack stands, leaking fluids, etc.).
- f. Has been deemed abandoned by the Traffic Accident Investigations Division, Chief of Police, or his/her designee.
- g. Interferes with street cleaning, snow removal or emergency operations during a natural disaster or fire.
- h. Has been used in a crime or contains evidence of criminal activity.
- i. Cannot be removed because the vehicle's owner has been apprehended or is unwilling or unable to remove his/her vehicle.
- j. Has been disabled by a traffic accident.
- k. Interferes with an official ceremony within Fort Belvoir.
- l. Displays a "For Sale" sign in any area other than an authorized resale "lemon lot."

3-2. Procedures, Abandoned Vehicles.

a. Tagging. Once a vehicle has been determined to be abandoned, the following actions will be taken:

(1) Fort Belvoir, Abandoned Vehicle Notice, will be conspicuously placed on the vehicle, along with a DD Form 1408 (Armed Forces Traffic Ticket).

(2) Police will check the VIN and/or registration through DMV/NCIC and COPS in order to identify the owner.

(3) The owner will be allowed 72 hours from the date the vehicle is tagged to remove the vehicle before an impoundment action is initiated.

(4) All efforts made to contact the owner will be logged in the tow log.

b. If the vehicle has not been moved within the 72-hour grace period, the vehicle will be towed and stored at the towing company. All towing operations will be coordinated with the Law Enforcement Operations section. In cases involving military personnel, the unit ISG or Commander will be contacted prior to towing the vehicle in an effort to allow the unit to handle the situation.

(1) Prior to an abandoned vehicle being towed, if the vehicle is unlocked, a complete inventory will be conducted on the vehicle and its contents. If the vehicle is locked, and if there are no obvious high value items, no inventory will be completed. The police officer will make appropriate annotations on a DD 2506.

(2) A DD Form 2506, Vehicle Impoundment Report, will completely describe the exterior condition of the impounded vehicle (i.e., dents, scratches, gouges) and any deficiencies (i.e., broken head lamps, flat tires, missing hubcaps) noted on the vehicle.

c. A DA Form 4137 will be completed to receipt for any high value property that may be within the vehicle. These items will then be removed from the vehicle and released to the evidence custodian.

(1) In the event that a vehicle is brought to the law enforcement station for impoundment after normal duty hours and incident to a lawful police investigation, the above stated forms will be completed by law enforcement personnel directly involved with the investigation. A chain of custody will be maintained. In every case where a vehicle is impounded, a blotter entry will be made and a DA Form 3975, Military Police Report, completed.

(2) After the impoundment has occurred, the LE Operations Officer will attempt to locate the owner through the DMV/NCIC check on the Vehicle Registration printout. Each vehicle will be checked carefully by VIN number and license plate to ensure that it is not stolen. If the owner(s) are known, an Impounded Vehicle Notification will be sent out by certified mail, return receipt requested, instructing the owner to contact the Fort Belvoir DES and that failure to do so will result in the release of the vehicle to an authorized towing company. The certified mail receipt will be sent back to the LE Operations Officer to be retained within the file on the vehicle.

d. Initiate a CAD entry for an abandoned vehicle, and ensure that all pertinent information is logged into VCIN on the vehicle.

(1) Fort Belvoir Abandoned Vehicle Notice

(2) DD Form 2505, Abandoned Vehicle Removal Authorization, May 2000

(3) DA Form 4137, Evidence/Property Custody Document, 1 July 1976.

(4) Copy of DD Form 2507, Notice of Vehicle Impoundment, 1 May 2000.

(5) Copy of Transcript of Vehicle Record (Mechanics or Storage Lien Transcript).

e. In the event that a registered owner or lien holder claims the vehicle after impoundment, the following procedures apply:

(1) Initial communication/notification by owner of intent to reclaim possession may be made telephonically, by mail, or in person. However, the registered owner, lien holder, or representative must appear in person. The repossessing person will report to the tow company lot custodian and provide proof of registration and insurance prior to release.

(2) Repossessing person must present an individual identification title or lien to the vehicle and, if a legal representative, a power of attorney. The agent must pay any towing and storage fees.

(3) Repossessing person, after payment of towing and storage fees will proceed to the tow company vehicle impoundment lot, at which time the vehicle will be released. This will require a DA Form 4137 sub-voucher, describing all property in the vehicle.

f. In the event that the registered owner cannot be located within 120 days of impoundment, the following applies:

(1) Coordinate with the storage facility and get a copy of the Transcript of Vehicle Record.

(2) Provide a copy of the Transcript of Vehicle Record to the owner or lien holder via registered mail.

(3) Transfer file to the inactive abandoned vehicle file.

g. In the event that the registered owner is contacted but chooses not to repossess the abandoned vehicle, a letter of release to the U.S. Government, DD Form 2507, must be completed by the owner and returned to the DES.

Chapter 4

Snow Emergencies

4-1. Snow Emergencies.

a. Generally, during periods of snow and ice emergencies, the Garrison Commander may authorize police to close roads except for emergency vehicle use. The Garrison Commander may further authorize a temporary parking prohibition. After the determination that installation roads conditions are hazardous, it will be unlawful for any driver to obstruct the flow of traffic

due to lack of adequate traction equipment. For the purpose of this provision, snow tires, chains, or four-wheel drive will be considered adequate equipment. Vehicles left abandoned during such periods may be towed at the owner's expense. In such cases, law enforcement personnel are not required to "tag" vehicles or give advance notification. They will, however, log all vehicle information in the tow log, attempt to notify the owner of the action taken, and advise where the vehicle is located.

b. Notwithstanding the provisions of subsection (a) of this section, a parking prohibition shall automatically go into effect on any part of any snow emergency route on which there has been an accumulation of snow and ice.

c. Once in effect, a prohibition under this section shall remain in effect until terminated by an announcement by the Garrison Commander or his/her designated representative. While the prohibition is in effect, no person shall park any vehicle on any portion of a snow emergency route.

4-2. Posting of Signs on Snow Emergency Routes and Snow Emergency Push

Areas. On each street designated as a snow emergency route, the Garrison Commander or his/her designee will post signs reading, "Snow Emergency Route, No Parking or Impeding Traffic Flow During Emergency, Towing Enforced."

Chapter 5 Disabled Vehicles

5-1. Use of Hazard Lights. When temporarily stopped on any road so as to create a traffic hazard, motor vehicles, trailers, and semi-trailers must flash their four-way signals, if so equipped. Vehicle slowed or stopped at the scene of a traffic hazard may flash their four-way signals.

5-2. Flares and Other Signals Relating to Disabled Vehicles.

a. Whenever any bus, truck, trailer, house trailer, or manufactured home is disabled and stops on Fort Belvoir property, at any time during which lights are required on motor vehicles, the operator of the vehicle must place three red flares, torches, or reflectorized triangles on the roadway. One flare must be placed at least 100 feet from the vehicle in the center of the vehicle's lane. A second must be placed at least 100 feet from the vehicle in the opposite direction. A third must be placed at least 10 feet from the front or rear of the vehicle. If the vehicle is adjacent to a hill, curve, or other obstruction, the flares must be placed at least 500 feet from the vehicle.

b. During times when lights on motor vehicles are not required, red flags not less than 12 inches both in length and width may be used in the place of flares, torches, or lanterns.

Chapter 6

Miscellaneous Regulations

6-1. Specific Violations for Which a Vehicle May Be Towed.

a. Any vehicle may be towed when:

(1) It interferes with street cleaning, snow removal, or emergency operations during a natural disaster or fire.

(2) It has been used in a crime or contains evidence of criminal activity.

(3) The vehicle's owner has been apprehended and is unable or unwilling to remove the vehicle.

(4) It has been disabled by a traffic accident.

(5) It has an expired state inspection sticker.

(6) It is found parked in a fire lane.

(7) It is immobilized on a public roadway by weather conditions or any other emergency situation.

b. The owner of the vehicle that is towed must pay all costs associated with towing and storage. If the owner fails or refuses to pay the costs, or if the identity or whereabouts of the owner are unknown after a diligent search has been made, including mailed notice to a last known address or lien holder, the vehicle will be treated as an abandoned vehicle.

c. The towing procedures listed in paragraph 3-2 apply to this paragraph.

6-2. Traffic Control Devices.

a. The Fort Belvoir DES, in conjunction with the Directorate of Public Works (DPW), is responsible for the location of all traffic control devices, signs, and pavement markings on this installation. The DPW is responsible for their preparation and location. The DPW will coordinate with the DES prior to changing traffic control devices and signs.

b. No persons without proper authority will erect, alter, deface, knock down, or move any traffic control device, railroad signal or sign.

c. No driver of any vehicle will disobey any traffic control device or sign unless directed by law enforcement officials or are otherwise authorized to do so under this regulation.

6-3. Vehicle Resale Lot. Fort Belvoir residents may advertise their vehicles as "For Sale" only in the DFMWR-approved resale lot or in a parking space assigned to his/her quarters.

6-4. Motorcycle Safety.

- a. Operators of privately or government-owned motorcycles and mopeds must be currently licensed by civil authorities to drive motorcycles or mopeds on public roadways. Mopeds will not carry passengers unless specifically designed to do so.
- b. Motorcycles and mopeds must have headlights turned on at all times.
- c. Personnel must conform to the motorcycle training requirements listed in AR 385-10, The Army Safety Program.
- d. All motorcycle or moped operators must wear approved helmets. The helmet will be properly fastened (under the chin) and meet DOT motorcycle safety helmet construction standards. Operators will also wear proper eye protection, full-fingered gloves, long trousers, long-sleeved shirts or jackets, and leather boots or over-the-ankle shoes while riding. Proper eye protection includes clear goggles or a face shield attached to the helmet. A motorcycle or moped windshield or fairing is not considered proper eye protection. Police Motorcycle Operators are exempt from wearing the long sleeved shirt or jacket.
- e. Motorcycles and mopeds must have two rear-view mirrors (one on each side).
- f. The use of headphones or earphones while driving a motorcycle or moped on Army installation roads and streets is prohibited.

6-5. Traffic Rules for Bicyclists.

- a. Bicyclists are required to obey all traffic signals, signs, and devices, except when dismounted. When dismounted, the rules pertaining to pedestrians apply.
- b. A bicyclist will ride as near to the right of the roadway as practicable, exercising caution when passing any vehicle.
- c. A bicyclist emerging from a driveway or alleyway will come to a complete stop and yield the right-of-way to approaching traffic.
- d. Bicyclists will not ride two abreast.
- e. A bicycle being used at night must be equipped with a suitable headlight and either a tail light or red reflector.
- f. Every bicycle must be equipped with working brakes.
- g. Riding double on a bicycle is prohibited, unless the bike is tandem-built. Child carriers are authorized.

h. Bicycle riders must wear an approved helmet and are encouraged to use other protective equipment.

i. Bicyclists are prohibited from wearing headphones or earphones.

j. Bicyclists are required to ride with the flow of traffic and use appropriate hand and arm signals when turning.

6-6. In-line Skating/Skateboarding. In-line skating and skateboarding are prohibited along Belvoir Road, Pohick Road, Gunston Road, Kingman Road, Beulah Road, Route 1, Route 7100, and Mount Vernon Road.

b. During ceremonies/events, in-line skating and skateboarding may be totally prohibited within Fort Belvoir for a short period of time.

c. In-line skaters and skateboarders must obey the posted speed limit and directional/traffic signals and signs. Personal protective equipment must be worn at all times, to include a helmet, elbow pads, knee pads, wrist guards, and gloves.

d. In-line skaters and skateboarders are prohibited from wearing headphones or earphones.

6-7. Pedestrians.

a. Pedestrians will obey all traffic control devices unless otherwise directed by law enforcement personnel.

b. No pedestrian will leave a curb or other place of safety and move into the path of a vehicle that is so close that it is impractical or unsafe for the driver to yield.

c. Pedestrians must use crosswalks and sidewalks, where available. Where sidewalks are not provided, pedestrians will walk on the side of the roadway facing approaching traffic and will yield the right of way to all vehicle traffic.

d. The driver of a vehicle emerging from or entering an alley, building entrance, private road, or driveway will yield the right of way to any pedestrian.

e. Children are prohibited from playing on roadways.

f. All personnel conducting physical training (jogging, running, or walking) on Fort Belvoir roads and sidewalks are prohibited from wearing headphones or earphones. Such personnel must also wear a reflective belt or road-guard vest at all times.

6-8. Accidents. The operator of a vehicle involved in an accident will immediately stop as close as possible to the scene without obstructing traffic. The operator will:

a. Render reasonable assistance to any injured person.

b. Report the accident to law enforcement personnel, giving name, rank, social security number, organization, and location of the accident. Civilians with no government affiliation will provide their name, social security number, address, phone number, driver's license, registration and proof of insurance.

c. Remain at the scene until released by law enforcement personnel.

d. Upon request, give his/her name, address, vehicle license number, and operator license number to any injured person, any occupant of the vehicle collided with, or any person acting for such persons.

e. Attempt to locate the owner of an unattended vehicle that has been damaged. If the owner cannot be located, the driver of the vehicle will place a written notice containing his/her name, address, and phone number in a conspicuous place on the other vehicle. The driver will also provide a written statement of the circumstances and report the incident to law enforcement personnel as soon as possible.

6-9. Cellular Telephones. Motorists operating a motor vehicle within Fort Belvoir are prohibited from operating a cellular telephone while the vehicle is in motion, unless the operator is using a device that allows for hands free operation. On duty law enforcement officers are exempt from this section.

6-10. Speed Limits. At all times, personnel must operate vehicles at the posted speed limit or as weather conditions permit, whichever is less.

a. Do not exceed the following speeds (except where posted speed limits indicate otherwise).

(1) All roads - 30 MPH.

(2) Parking lots and alleys - 10 MPH.

(3) Family housing areas (including alleys) - 15 MPH.

(4) School zones, during school hours - 15 MPH.

(5) Passing troops in formation - 10 MPH.

b. Military vehicles will not exceed those speed limits specifically prescribed for such vehicles or posted speed limits, whichever is lower.

6-11. Following Emergency Vehicles. No driver of any vehicle shall follow any emergency vehicle at a distance closer than 500 feet when the emergency vehicle is traveling to an emergency call.

Chapter 7

Driving Privileges

7-1. Driving Privileges in General. Driving on Fort Belvoir is a privilege. The DES, as a designee of the Garrison Commander, may suspend or revoke installation driving privileges for lawful cause. The administrative hearing authority is the Administrative Law Division of the Office of the Staff Judge Advocate ("OSJA"). The final appeal authority is the Garrison Commander.

7-2. Implied Consent.

a. Persons who drive on the installation shall be deemed to have given their consent to tests for alcohol or other drug content in their blood, breath, or urine when lawfully stopped, apprehended, or cited for any offense allegedly committed while driving or while in physical control of a motor vehicle on Fort Belvoir.

b. Any person granted the privilege to operate or register a motor vehicle on Fort Belvoir shall be deemed to have given his/her consent for the removal and temporary impoundment of the POV when it is parked illegally, interfering with military operations, creating a safety hazard, disabled by accident, left unattended in a restricted or controlled area, or abandoned.

7-3. Administrative Actions and the Point System.

a. All personnel who operate a military or privately owned vehicle within the boundaries of Fort Belvoir, to include concessionaires and commercial vehicles or their authorized representatives, are subject to appropriate action for violation(s) of this regulation. Fort Belvoir law enforcement officials shall enforce all of the provisions of this regulation and may issue a DD 1408 or CVB for each offense.

b. Violations will incur points against the vehicle operator's driving record. The DES will keep a record of all point violations. See Table 7-1. Upon the accumulation of six points in a six month period, or two parking violations in a 12 month period, the DES will disseminate a warning letter to the driver through command or supervisory channels. If the driver is a non-DoD civilian, the letter will be sent via certified mail to the individual's last known address. See Appendix C.

c. Administrative action imposed under the provisions of this regulation does not preclude the unit commander, or supervisor in the case of civilian personnel, from initiating appropriate disciplinary action under the Uniform Code of Military Justice or appropriate civilian disciplinary regulations.

d. Any person receiving a CVB may, within 21 days thereafter, pay the fine shown on the violation to central violations bureau (CVB) by mailing to the address shown on the envelope portion of the citation. Any person contesting the citation must appear in court on the date shown on the citation. Failure to complete one or the other may result in the issuance of a warrant for citation delinquency.

e. The DES will forward all DD Form 1408 citations to the unit commander or agency director for administrative action. Unit commanders and agency directors must respond to the DES, in writing, within five working days, advising of the action taken.

Table 7-1. Point System

Violation	Points Assessed
Reckless driving (willful and wanton disregard for the safety of persons or property).	6
Owner knowingly and willfully permitting a physically impaired person to operate the owner's motor vehicle.	6
Fleeing the scene (hit and run)—property damage only.	6
Driving vehicle while impaired (BAC more than 0.05 percent and less than 0.08 percent).	6
Speed contests.	6
Speed too fast for conditions.	2
Speed too slow for traffic conditions, and/or impeding the flow of traffic, causing potential safety hazard.	2
Failure of operator or occupants to use available restraint system devices while moving (operator assessed points).	2
Failure to properly restrain children in a child restraint system while moving (when child is 8 years of age or younger or the weight	2
One to 10 miles per hour over posted speed limit.	3
Over 10 but not more than 15 miles per hour above posted speed limit.	4
Over 15 but not more than 20 miles per hour above posted speed limit.	5
Over 20 miles per hour above posted speed limit.	6
Following too close.	4
Failure to yield right of way to emergency vehicle.	4
Failure to stop for school bus or school-crossing signals.	4
Failure to obey traffic signals or traffic instructions of an enforcement officer or traffic warden; or any official regulatory traffic sign or device requiring a full stop or yield of right of way; denying entry; or requiring direction of traffic.	4
Improper passing.	4
Failure to yield (no official sign involved).	4
Improper turning movements (no official sign involved).	3
Wearing of headphones/earphones while driving motor vehicles (two or more wheels).	3
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.	3
Improper overtaking.	3
Other moving violations (involving driver behavior only).	3
Operating an unsafe vehicle	2
Driver involved in accident is deemed responsible (only added to points assessed for specific offenses).	1

7-4. Suspension of Driving Privileges. DES may suspend installation driving privileges when other remedial measures and training fail to improve a driver's performance. Suspension is a temporary withdrawal of an individual's installation driving privileges, often pending the adjudication of an underlying offense. Suspensions may become revocations upon conviction.

a. Driving privileges may be suspended for any of the following non-DWI circumstances:

(1) Accumulation of three parking tickets (1408, CVB, or any combination of the two) within a one year period (i.e. June 1 2012 to May 31 2013). Suspension will be for up to six months.

(2) Accumulation of 12 driving points in 12 consecutive months or 18 points in 24 consecutive months. Suspension will be for one year. See Table 7-1.

(3) Driving or permitting the operation of an uninsured vehicle in violation of the financial responsibility, or the compulsory insurance law as required by state or local law.

(4) Any felony in the commission of which a motor vehicle was used.

(5) Perjury or making false affidavit or statement under oath to responsible officials under law or regulations relating to the ownership or operation of motor vehicles.

(6) Unauthorized use of a motor vehicle belonging to another, when the act does not amount to a felony.

(7) Commission of an offense off the installation, resulting in the suspension or revocation of the driver's state-issued driving license.

b. Driving privileges will be indefinitely suspended, pending adjudication, for the following DWI-related circumstances:

(1) Driving or being in actual physical control of a motor vehicle while under the influence of alcohol or any drug to a degree which renders the driver incapable of safe driving (0.08 percent or greater blood-alcohol concentration is prima facie indication of being under the influence).

(2) For refusal to submit to or failure to complete chemical tests (implied consent).

(3) When lawfully apprehended for DUI/DWI (on or off-post).

7-5. Revocation of Driving Privileges.

a. Upon an individual's conviction for any of the following non-DWI offenses, the DES will revoke the individual's driving privileges for a mandatory term of one year:

(1) Manslaughter (or negligent homicide by vehicle) resulting from the operation of a motor vehicle.

(2) Use of a motor vehicle in the commission of a felony.

(3) Fleeing the scene of an accident involving death or personal injury (hit and run).

(4) Perjury or making a false statement or affidavit under oath to responsible officials relating to the ownership or operation of motor vehicles.

(5) Unauthorized use of a motor vehicle belonging to another, when the act does not amount to a felony.

b. The DES must revoke installation driving privileges for a mandatory period of one year in the following DWI/DUI circumstances:

(1) Upon lawful apprehension for driving while intoxicated, where the driver has failed consent to chemical testing (implied consent).

(2) A conviction, non-judicial punishment, or a military or civilian administrative action resulting in the suspension or revocation of driver's license for intoxicated driving. Appropriate official documentation of such conviction is required as the basis for revocation.

c. The DES has discretion to suspend an individual's driving privileges for not less than six months or to revoke an individual's driving privileges for not more than one year in the following circumstances:

(1) Mental or physical impairment (not including alcohol or other drug use) to the degree that renders an individual incompetent to drive a motor vehicle.

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

(3) Permitting an unlawful or fraudulent use of an official driver's license.

(4) Conviction for the offenses of fleeing, or attempting to elude, a police officer or similar offense under the law of any state.

(5) Conviction for racing on the highway.

d. When temporary suspensions result in a revocation, the period of revocation is computed beginning from the date the original suspension was imposed, exclusive of any period during which full driving privileges may have been restored pending resolution of charges.

7-6. Procedures and Administrative Due Process for Suspensions and Revocations (other than DWI or DUI).

a. Prior to enacting a suspension or revocation, DES must notify the affected driver of the reasons for the suspension or revocation. This notice must offer the affected driver an administrative hearing through the Administrative Law Division of the OSJA.

b. Suspension letters for military members shall be forwarded through the chain of command for service on the military member. Suspension letters for family members will be sent by certified mail, return receipt requested, to both the sponsoring member at their current residence and directly to the family member. Suspension letters for civilian employees and civilian contractors will through the government chain of command for service on the individual. Suspension letters for non-DoD affiliated individuals will send to the individuals last known address by certified mail, return receipt requested.

c. Suspension letters will include the following information.

(1) That the suspension or revocation takes effect 14 calendar days after receipt.

(2) That the individual may, within 14 calendar days of receipt of the suspension request, in writing, an administrative hearing to review the suspension.

(3) That the request for an administrative hearing will be made to the Administrative Law Division of the Office of the Staff Judge Advocate, providing the contact information for the Administrative Law Division.

(4) That the request for an administrative hearing will stay the suspension or revocation for 14 calendar days following the request.

d. If, due to action by the Government, a requested hearing is not held within 14 calendar days, the suspension will not take place until such time as the person is granted a hearing and is notified of the result. However, if the affected person requests that the hearing be continued to a date beyond the 14-day period, the suspension or revocation will become effective immediately on receipt of notice that the request for continuance has been granted, and will remain in force pending the hearing

e. The Administrative Law Division will conduct the hearing. If, at the hearing, the hearing officer determines that the revocation or suspension is warranted, the suspension or revocation will become effective following notice to the individual.

f. If the hearing officer imposes the suspension or revocation, the affected driver may appeal the decision to the Garrison Commander. Such appeals must be sent through command channels to the Garrison Commander within 14 days of being notified of the results of the hearing. The suspension or revocation will remain in effect until final resolution of the request.

7-7. Procedures and Administrative Due Process for Suspensions (DUI/DWI).

- a. The DES is the action branch for initiating driving suspensions for DWI/DUI.
- b. Within three days of receipt of reliable evidence, the DES will provide a letter notifying the offending party that their privilege to drive on Fort Belvoir is indefinitely suspended.
- c. Suspension shall occur when reliable evidence establishes probable cause to believe an individual operated a POV while under the influence of any intoxicant (DUI), to include alcohol or drugs or is driving a POV with a Blood Alcohol Content of .08% or higher (DWI). Refusal to submit to a breath or blood alcohol test will result in a mandatory 1-year revocation of driving privileges.
- d. Suspension letters for military members shall be forwarded through the chain of command for service on the military member. Suspension letters for family members will be sent by certified mail, return receipt requested, to both the sponsoring member at their current residence and directly to the family member. Suspension letters for civilian employees and civilian contractors will through the government chain of command for service on the individual. Suspension letters for non-DoD affiliated individuals will send to the individuals last known address by certified mail, return receipt requested.
- e. The suspension letter shall include the following information:
 - (1) That the suspension takes effect upon receipt and will remain in effect until the final disposition (judicial or non-judicial) of the charges pending against the individual.
 - (2) That the suspension shall become a revocation for one year if the individual is convicted of DUI or DWI.
 - (3) That the individual may, within 14 calendar days of receipt of the suspension request, in writing, an administrative hearing to review the suspension.
 - (4) That the request for an administrative hearing will be made to the Administrative Law Division of the OSJA, providing the contact information for the Administrative Law Division.
 - (5) That the individual has a right to be represented at the hearing at no cost to the government. If the individual is a civilian employee and is a member of a union, that the employee has a right to a representative IAW with the Collective Bargaining Agreement.

(6) That it is the responsibility of individual to notify the DES of the results of the final disposition of his/her case and that failure to do so will keep in place the suspension.

(7) That failure to follow the suspension directives could lead to further disciplinary actions, to include action under the UCMJ for military members, other administrative actions against dependants, retirees and retiree dependants, to include being barred from the installation, or disciplinary actions against a civilian employee.

(8) Written acknowledgement of receipt signed by the affected individual.

f. Upon receipt of a request for an administrative hearing, the Administrative Law Division must complete the hearing within 14 calendar days. During this time, the driving suspension remains in effect. Hearings shall address only the following issues:

(1) Whether the law enforcement official had reasonable grounds to believe the individual was driving or had control of the vehicle.

(2) Whether the individual was lawfully cited or apprehended for DWI or DUI.

(3) Whether the person was lawfully requested to submit his/her blood, breath, or urine in order to determine the content of alcohol or other drugs, and was informed of the implied consent policy (consequences of refusal to take or complete the test).

(4) Whether the person refused to submit to the test for alcohol or other drug content of blood, breath, or urine; failed to complete the test; submitted to the test and the result was 0.08 or higher BAC; or showed results indicating the presence of other drugs for an on-post apprehension or in violation of State laws for an off-post apprehension.

(5) Whether the testing methods were valid and reliable and the results were accurately evaluated.

g. Within seven calendar days, the Hearing Officer will create a memorandum through the Staff Judge Advocate, to the Garrison Commander with a recommendation for disposition. The Garrison Commander will make the final determination.

7-8. Procedures and Administrative Due Process for Revocations (DUI/DWI).

a. Revocation of on-post driving privilege for one year is mandatory for any judicial or non-judicial conviction for DUI or DWI and for presentation of evidence that the individual refused to provide a breath or blood test to determine their blood alcohol content when ordered to do so by a military or civilian law enforcement officer. There is no right to an administrative hearing after a revocation of driving privileges for DWI/DUI.

b. Upon receipt of reliable information that an individual has received a conviction for DWI/DUI or has refused to provide a breath or blood test to determine their blood alcohol content when ordered to do so by a military or civilian law enforcement officer, DES shall prepare a revocation letter. The letter shall revoke the individual's privilege to drive on-post for one year. Revocations shall not become effective until receipt of the letter.

c. The letter will inform the individual of the term of his/her revocation. In case where the individual is already under privilege suspension, the term of the revocation will begin on the same date as the suspension.

d. The individual may apply for a modification of his/her revocation, in writing, through the Administrative Law Division of the OSJA. The Administrative Law Division will present the request to the Garrison Commander within seven calendar days of receipt. The Garrison Commander will make the final determination.

7-9. Restoration of Driving Privileges Following Acquittal of DWI/DUI Charge. The suspension of driving privileges for military and civilian personnel shall be restored if a final disposition indicates a finding of not guilty, the charges are dismissed or reduced to an offense not amounting to intoxicated driving, or where an equivalent determination is made in a nonjudicial proceeding. The following are exceptions to the rule in which suspensions will continue to be enforced:

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

b. The preliminary suspension resulted from a valid BAC test. In the case of a valid BAC test, the suspension will continue, pending completion of a hearing as specified in paragraph 7-7. In such instances, the individual will be notified, in writing, that the suspension will continue and that he/she may request a hearing within 14 calendar days.

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 a state licensing authority to suspend or revoke driving privileges.

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

7-10. Restricted Driving Privileges and Probation.

a. Requests for restricted driving privileges in lieu of suspension or revocation must be presented, in writing, to the Administrative Law Division of the OSJA. The Administrative Law Division will forward requests to the Garrison Commander.

b. An individual requesting probation or restricted driving privileges must possess a valid state-issued driving license.

c. The Garrison Commander may grant restricted driving privileges or probation for the following reasons:

(1) Mission requirements.

(2) Unusual personal or family hardship.

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

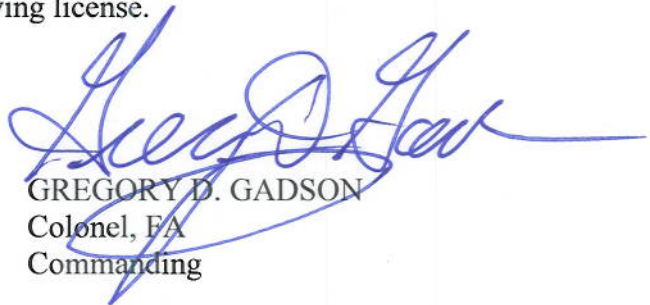
(4) When there is no reasonably available alternate means of transportation to officially assigned duties. In this instance, a limited exception can be granted for the sole purpose of driving directly to and from the place of duty.

7-11. Extension of Suspension or Revocation. Any individual caught driving in violation of a suspension or revocation will incur a two-year extension to the suspension or revocation. For Army personnel, a five-year revocation is mandatory.

7-12. Reinstatement of Driving Privileges.

a. Military members must successfully complete a prescribed course in remedial driver's training before driving privileges are reinstated.

b. Reinstatement of driving privileges shall be automatic, provided all revocations have expired, proper remedial driver's training or substance abuse counseling has been completed, and the individual presents a valid state-issued driving license.



GREGORY D. GADSON
Colonel, FA
Commanding

Appendix A References

Section I Required Publications

AR 190-5
Motor Vehicle Traffic Supervision, 22 May 2006

DoD Instructions 6055.4
Department of Defense Traffic Safety Program, 20 July 1999

**Section II
Related Publications**
This section contains no entries.

Section III Prescribed Forms

DD For 1408
Traffic Ticket, Armed Forces, December 1987

CVB
United States District Court Violation Notice, 1 July 2005

Fort Belvoir
Abandoned Vehicle Notice, 1 May 2000

DD Form 2506
Vehicle Impoundment Report, 1 May 2000

DD Form 2507
Notice of Vehicle Impoundment, 1 May 2000

DA Form 3975
Military Police Report, 1 December 1998

DA Form 4137
Evidence/Property Custody Document, 1 July 1976

**Section IV
Referenced Forms**
This section contains no entries.

Appendix B

Glossary

Section I

Abbreviations

CFR

Code of Federal Regulation

CVB

Central Violation Bureau

CPAC

Civilian Personnel Advisory Center

DFAS

Defense Finance and Accounting Service

DES

Directorate of Emergency Services

DoD

Department of Defense

DPW

Directorate of Public Works

DRMO

Defense Reutilization and Marketing Office

Fort Belvoir

Fort Belvoir, the Belvoir North Area (BNA) and Rivanna Station, Charlottesville, VA

GSA

General Services Administration

MWR

Morale, Welfare, and Recreation

PM

Provost Marshal

POV

Privately Owned Vehicle

Section II

Terms

Abandoned Vehicles.

Any vehicle that is not moved within 72 hours, has not had noted deficiencies corrected within the prescribed time (normally 72 hours from notification), and vehicles left unattended on emergency routes or otherwise posing an immediate safety hazard as determined by law enforcement officials.

Authorized Emergency Vehicles.

Vehicles of the Fire Department, Police Department, ambulances, explosive ordinance disposal unit, and other emergency vehicles designated or authorized by the Garrison Commander. All warning lights will be visible from the front for a distance of not less than 300 feet when lighted.

Cycles.

Any vehicle propelled by other than human power, including motorcycles, motor scooters, and motor driven bicycles, having a seat or saddle for use by the operator, and so constructed to use not more than three wheels (regardless of diameter), excluding a tractor, in contact with the surface traveled upon and any four-wheeled vehicle weighting less than 500 pounds and equipped with an engine of less than six horsepower.

Bicycles.

Only those devices propelled by human power, having two or more wheels and a seat height of more than 25" from the ground when adjusted to its maximum height. A bicycle will be considered a vehicle when operated upon a roadway.

Reflective Sticker.

A reflective sticker, bearing letters and numbers, for display on a motor vehicle.

License to Operate Motor Vehicles.

Any official permit, license, or other documents issued under the laws of any state, the District of Columbia, any territory of the United States, or by any agency of the United States Government, evidencing by possession thereof, that the bearer has qualified as an operator of a specific type vehicle within the category of motor vehicles.

Local Streets.

All streets designated as other than arterial and collector streets on the comprehensive plan of the government.

No Thoroughfare Streets (Restricted Area).

All streets so designated are limited exclusively to use by residents of such areas, by visitors to residents of such areas, by commercial service representatives permitted to serve or called by residents of such areas, or by authorized persons working or training in such areas.

Official Sign.

A sign that meets the standard set forth by the Uniform Manual of Traffic Control Devices and is posted by the Department of Public Works or law enforcement officials.

On-Post Driving Privileges.

The privilege to operate any privately owned vehicle on the installation granted by the Garrison Commander.

Operator-Driver.

Any person engaged in driving, operating, steering, or otherwise exercising physical control over any vehicle, whether propelled by human power or by other means. This includes persons controlling a vehicle while it is being pushed or towed, regardless of where such control is exercised.

Parking Lot.

Any legal space for motor vehicle parking or any lot, parcel, yard or enclosure, or any portion thereof, where more than five motor vehicles may be parked, stored, housed or kept.

Parking-Standing.

The halting of any vehicles, other than temporarily, while actually engaged in loading or unloading merchandise or passengers, whether or not the vehicle is occupied.

Pedestrian.

Any person afoot, including members of a military formation, upon any sidewalk, crosswalk or roadway, whether alone or in a group.

Privately Owned Vehicle (POV).

Those vehicles belonging to individuals (who hold the legal title), firms, co-partnerships, associations, companies, corporations, or other legal entities, which may be transported or drawn upon a highway, except devices moved by human power. Vehicles belonging to US Government military forces or other US agencies are not POV.

Public Property.

Property owned by the government that has been dedicated to public use and to which the general public is generally permitted.

Recreational Vehicle.

Any vehicle which is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, self-propelled or permanently towable by a light duty truck, and designed primarily for use as temporary living quarters for recreational, camping, travel or seasonal use.

Registration Certificate.

A certificate or other document issued under the laws of any State, the District of Columbia, any territory of the United States, or by any agency of the United States Government, evidencing by

possession thereof that a specific vehicle is registered lawfully and for the period specified on such certificate or document.

Registration Plate (State License Tag).

A plate, sign, or other device bearing either numbers or letters and numbers for display on the front and/or rear of a specific vehicle to indicate it is property registered with the respective state motor vehicle office.

Reservation.

The terms "reservation" and "installation" when used in this regulation will apply to the entire area within the recorded boundaries of the Fort Belvoir community and all roadways and streets located therein to include concurrent jurisdiction areas.

Revocation or Suspension and Registration/Termination of On-Post Driving Privileges.

The withdrawal by proper authority of any vehicle's registration (post); such action immediately terminates the registrant's privilege to operate a vehicle on Fort Belvoir installations.

Right-of-Way.

The privilege of immediate use of the roadway. The right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed, and proximity as to give rise to danger of collision unless one grants precedence to the other.

Roadway.

That portion, exclusive of the burms, curbs, or shoulders of every street, road and highway intended and constructed for vehicular traffic.

School Bus.

Any motor vehicle other than station wagon, automobile, truck, or commercial bus, used for the transportation of school children, bearing markings indicating and painted yellow for the purpose for which it is used.

Snow Emergency Push Area.

Those streets marked as such in accordance with the provisions of this regulation.

Snow Emergency Route.

Those streets marked as such in accordance with the provisions of this regulation.

Snow Tires.

Any tires mounted on drive wheels of motor vehicles which are especially designed to give effective traction on snow-, mud- or ice-covered streets, by means of radial tire construction or extra-heavy-duty treads with special high-traction patterns; except that no tire so defined shall be construed to be a snow tire if it is damaged or worn to the extent that its performance would be substantially impaired.

Stop.

The complete cessation of all movement.

Tire chains.

Any metal chains mounted on drive wheel tires of motor vehicles, which cross the tread of each tire laterally in at least three different places.

Traffic.

Pedestrians, vehicles, and conveyances while traveling on a roadway/highway, either singularly or in groups.

Trailer.

Any vehicle on wheels, not powered by any type of internal combustion engine or electric motor, of any design which is used or may be used for commercial or private hauling or storage purposes and is intended to be towed or attached to a motor vehicle, not including watercraft trailers, and travel trailers.

Travel Trailer.

A vehicle designed to provide temporary living quarters of such size or weight as not to require special highway movement permits when towed by a motor vehicle and having a gross trailer area less than 320 square feet.

Vehicle-Motor Vehicle.

Every device, in, upon, or by which any person or property is or may be transported or drawn upon highway, excepting devices moved by human power and any structure designed for loading on to or off of a motor vehicle to provide a mobile dwelling.

Visitor.

Persons within the boundaries of the installation for short periods of time who are a guest of, or visitor to, activities or persons assigned to Fort Belvoir and who are without official affiliation or commercial interest therein, including retired (Military Personnel), sightseers, and military dependents whose sponsors are stationed elsewhere, but excluding those persons in the process of reporting to or departing from an assignment to Fort Belvoir.

Watercraft Trailer.

Any new or used trailer specifically designed to carry a watercraft or a motorboat.

Section III**Special Abbreviations and Terms**

This section contains no entries.

Appendix C
Example Warning Letter

Fort Belvoir Chief of Police

Name
Address
City, State Zip Code

Dear Name:

This letter is to inform you that the traffic policy on Fort Belvoir, Fort Belvoir Regulation 190-5, set forth by the Garrison Commander, asserts that anyone who accumulates three parking citations on post within a one-year period is subject to having his/her driving privileges suspended on all Fort Belvoir Properties.

This action is being taken because on (date), you received a parking violation notice for (OFFENSE). If you accumulate one more citation within a year on Fort Belvoir, the Garrison Commander may exercise his/her authority to suspend your privilege to drive on these installations for up to 12 months.

Sincerely,

Anthony L. Brinson
Master Sergeant, U.S. Army
Chief of Police