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## FORT DETRICK TRAFFIC CODE

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**Summary.** This regulation prescribes policies and procedures for the safe and legal operation of all vehicles, both privately owned and government owned vehicles, when on Fort Detrick property, and specifies conduct subject to enforcement through administrative or judicial forums.

**Applicability.** This regulation applies to owners and operators of all vehicles having a valid need to drive their vehicles on Fort Detrick property.

**Supplementation.** Supplementation of this regulation is prohibited without prior approval from the US Army Installation Management Command (IMCOM), Headquarters (HQ), United States Army Garrison (USAG), 810 Schreider Street, Fort Detrick, Maryland 21702-5000.

**Suggested Improvements.** The proponent of this publication is the Director, Emergency Services. Users are invited to submit comments on DA Form 2028 (Recommended Changes to Publications and Blank Forms), Emergency Services, Installation Law Enforcement, IMFD-ESP, 1419 Sultan Drive, Fort Detrick, Maryland 21702-5000.

**Distribution.** This regulation is available on the Fort Detrick Extranet at <https://installation.detrick.army.mil/>

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\*This regulation supersedes Fort Detrick Regulation 190-5, dated 17 February 2006.

## **Chapter 1 General**

### **1-1. Purpose**

This regulation prescribes policies and procedures for vehicular and pedestrian traffic control on Fort Detrick. It provides for the safe and legal operation of all vehicles, both privately owned (POV) and military, on Fort Detrick property. Violations of this regulation committed by US Military personnel may be prosecuted under Article 92 or other appropriate article(s) of the Uniform Code of Military Justice (UCMJ). Appropriate administrative action may also be taken in accordance with applicable regulations and directives. In accordance with 32 CFR Section 634.25 and Title 18 United States Code, both Military members and Civilians may be cited and prosecuted in US District Court for violations of this regulation, pertinent federal laws, or other federally assimilated state laws. Administrative sanctions may also apply.

### **1-2. References**

Required and related publications and prescribed reference forms are listed in Appendix H.

### **1-3. Explanation of Abbreviations and Terms**

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

### **1-4. Records Management**

Records created as a result of processes prescribed by this regulation must be identified, maintained, and disposed of IAW AR 25-400-2, The Army Records Information Management System (ARIMS), and DA Pam 25-403, Guide to Recordkeeping in the Army. Records titles and descriptions are available on the ARIMS website (<https://www.arims.army.mil>).

## **Chapter 2 Responsibilities**

### **2-1. Commanders and supervisors will:**

- a. Require each member of his/her unit or section, operating a military or POV, be properly licensed and familiar with the installation and Maryland State traffic regulations.
- b. Ensure personnel driving motorcycle(s) or moped(s) on this installation are aware of the provisions of the Army Motorcycle Safety Program (AMSP). Personnel must be properly trained and licensed, maintain minimum vehicle liability insurance, and register their motorcycle(s) in a timely manner.

**2-2. The Director of Emergency Services (DES), USAG** will enforce this regulation (a.k.a. the Fort Detrick Traffic Code) pursuant to 32 CFR Section 634.25, enforce the provisions of AR 190-5, and enforce federal laws and those provisions of state laws which may be assimilated as federal offenses pursuant to 18 USC 13.

**2-3. Military personnel assigned to Fort Detrick** will ensure that their Family members and guests are familiar with the provisions of this regulation.

### **Chapter 3 Policy**

#### **3-1. Policy**

a. This regulation establishes installation policies and procedures to be used in conjunction with AR 190-5, AR 385-10, 32 CFR Part 634, and Maryland motor vehicle law.

b. Provisions of this regulation are mandatory. Any person subject to the UCMJ, as defined by Article 2, UCMJ, violating any portion of this regulation will be subject to disciplinary action under Article 92, UCMJ, federal statutes and regulations. Any person (Civilian or Military) violating this regulation (which constitutes the Fort Detrick Traffic Code) is subject to prosecution in the US District Court (see 32 CFR Section 634.25(f), DoD Directive 5525.4).

c. On post driving privileges of Civilians and Military members are governed by AR 190-5. Those privileges may be suspended or revoked in response to violations of this regulation or for other reasons authorized by AR 190-5. All vehicles gaining access to Military installations are subject to security inspection prior to being authorized entry. Driving a vehicle onto the Military installation constitutes consent to have the vehicle searched.

### **Chapter 4 Fort Detrick Traffic Code and Procedures**

#### **4-1. Parking restrictions**

a. Stopping or parking is prohibited (except to avoid traffic congestion or in compliance with a traffic order or device) in the following places:

- (1) On a sidewalk.
- (2) In front of a public or private driveway.
- (3) Within 15 feet of a fire hydrant.

- (4) On a crosswalk.
- (5) Within 20 feet of an intersection.
- (6) Within 20 feet of a driveway entrance for emergency vehicles.
- (7) Alongside any vehicle (double parking) except in angle parking.
- (8) Where prohibited by official signs.
- (9) Upon lawns, grass, seeded areas, or unpaved surfaces not marked for normal traffic use.
- (10) Within 20 feet of buildings where the area is designated as a fire lane.
- (11) Within 50 feet of buildings designated for storage of flammable or explosives.
- (12) In service driveways.
- (13) Within 15 feet of refuse containers.
- (14) In any area designated as a loading/unloading area, except when actually loading or unloading. Vehicles may not be left unattended at any time.
- (15) Outside marked stalls or on crosshatched areas within parking lots where there is striping.
- (16) On all roads and service roads except when authorized by appropriate signs or markings. Exception: Housing areas, picking up/discharging passengers.
- (17) Obstructing the normal flow of traffic.
- (18) In spaces reserved for other individuals. Spaces are identified by reserved or restricted parking signs, painted reserved, or restricted parking designations on the road surface. Note: The authority to designate reserved parking is controlled by the Fort Detrick Parking Plan (Appendix A to this regulation).

**Note:** Emergency vehicles, when in the performance of official duties, are excluded from these prohibitions.

b. Stopping to pick up or discharge passengers. A POV or conveyance may stop to pick up or discharge a passenger on any portion of the roadway not controlled by traffic signs, signals, or devices. However, compliance with all existing traffic regulations governing the stopping and parking of vehicles is required. Vehicles will be stopped in a

parallel position not more than 18 inches from the curb, on curbed roadways, and headed in the direction of traffic.

c. Drivers who accumulate three or more parking violations during any six-month period may have their driving privileges suspended for up to six months. The procedures regarding the suspension and revocation of driving privileges on the installation are set forth in AR 190-5, Chapter 2. This provision does not otherwise restrict the authority of the Garrison Commander and the law enforcement designees to take action authorized by regulations and laws for traffic and parking violations.

d. Use of the "Denver Boot" may be authorized by the DES Services, USAG. In all cases, drivers of "booted" vehicles will be provided information on the procedures they must follow to have the boot removed to avoid damage to their vehicle. The "Denver Boot" may be authorized in the following instances:

(1) To compel chronic offenders to report to the installation law enforcement when other forms of enforcement such as: ticketing, warnings, revocation, or suspension of on-post driving privileges, have failed to achieve the desired result. Any vehicle receiving citations for three parking violations on the installation within a 12-month period is deemed to be subject to "chronic offender" enforcement.

(2) To immobilize an unsafe, uninspected, or unregistered vehicle.

(3) When the vehicle was used in the commission of a criminal offense, or is likely to be used as an escape means by a wanted individual.

#### **4-2. Fort Detrick Parking Plan and Reserved Parking Policy**

Commanders, directors, or activity chiefs desiring to designate reserved parking spaces within their area will do so in accordance with the standards established by the parking policy in Appendix A.

#### **4-3. Handicapped/Disabled Parking Permits**

a. Personnel with a requirement to utilize handicapped parking spaces throughout the state should obtain permanent or temporary permits from the nearest Department of Motor Vehicle office.

b. Individuals possessing a Disabled Veteran's Registration Plate who desire to use handicapped parking facilities may do so when they have a Disabled Person's Handicapped Parking Permit issued in the form of a placard by Maryland, any other state, or the District of Columbia Motor Vehicle Administration (MVA).

(1) In accordance with the Maryland Vehicle Law, a placard will be labeled with "Disabled Person's Parking Permit" displayed within the international wheelchair symbol

and contain the permit number, name, signature of issuing authority, expiration date, and any other pertinent information the issuing authority requires.

(2) A permit shall be in form of a placard capable of being hung from the inside rear-view mirror, or a windshield placard may be issued if the vehicle is either not equipped with an inside rear-view mirror or if the inside rear-view mirror is not visible from the rear of the vehicle.

c. Drivers are prohibited from parking in a designated handicap parking spot unless the vehicle displays a valid current State or Fort Detrick issued handicap placard, permit, or disabled driver license plate issued to a handicapped individual who is a passenger or driver of the vehicle in question [cited as Unauthorized Parking in Handicap Spot].

#### **4-4. Motorcycles, Mopeds, and ATVs**

a. This paragraph applies to all riders (both Military and Civilian) while riding on, or operating a motorcycle, All Terrain Vehicle (ATV), or moped on the installation. This paragraph also applies to all Military riders off the installation.

b. Information required by 32 CFR Section 634.25: For motorcycles and other self-propelled, open, two-wheel, three-wheel, and four-wheel motor vehicles powered by a motorcycle-type engine (including but not limited to motorcycles, motor scooters, mopeds, and ATV's, the following traffic rules apply:

(1) Headlights will be on at all times when in operation.

(2) A rear view mirror will be attached to each side of the handlebars.

(3) Approved protective helmets, eye protection (a windshield or fairing does not constitute eye protection), sturdy over-the-ankle footwear, long-sleeved shirt or jacket, full-fingered gloves, and long trousers will be worn by operators and passengers when in operation. Brightly colored or reflective outer upper garment is recommended and encouraged.

c. Motorcycle operators must have a valid state motorcycle operator's license, must be currently registered, and must display a valid state license plate and valid state inspection sticker (if applicable) issued by the owner's state of residence or the state of Maryland.

d. Motorcycle operators must carry evidence of continuing compliance with minimum requirements of the insurance laws or regulations of the state of Maryland.



e. The use of headphones, earphones and/or ear buds while operating a motorcycle or other type of motor vehicle on the installation is prohibited (motorcycle helmets equipped with an operator-passenger intercom system are authorized).

f. Military personnel must successfully complete an appropriate Motorcycle Safety Foundation (MSF) based, equivalent Deputy Under Secretary of Defense (Installations and Environment) (DUSD(I&E)), or State approved motorcycle operator's safety training or equivalent course recognized by the Combat Readiness Center/Safety Center. Commanders may authorize, in writing, Military personnel to operate a motorcycle without such testing from the time of their arrival until the next available approved course.

g. Military personnel will be offered the Army-approved Motorcycle Safety Course, which is paid for and coordinated by the Installation Safety Office. The names of those who did not participate will be forwarded to installation law enforcement for suspension of their on-post motorcycle driving privileges.

h. IAW Maryland's MVA; all scooter and moped owners must title and display a title decal on their moped, carry proof of insurance, and carry either a valid moped permit or a valid driver's license of any class while operating a moped.

i. No off-road motorcycle, ATV, or other type of motor vehicle riding is permitted on the installation unless authorized by the Garrison Commander.

j. Individuals who fail to comply with the requirements of Appendix E commit the offense of "Driving While Failing to Comply with Mandated Motorcycle Safety Requirements."

#### **4-5. Restraint systems**

a. Restraint systems (seat belts) will be worn by all operators and passengers of US Government vehicles on or off the installation. (32 CFR Section 634.25(c)(2)(i))

b. Restraint systems will be worn by all civilian personnel (family members, guests, and visitors) driving or riding in a POV on the installation. (32 CFR Section 634.25(c)(2)(ii))

c. Restraint systems will be worn by all Military Service Members and Reserve Component Members on active federal service driving or riding in a POV whether on or off the installation. (32 CFR Section 634.25(c)(2)(iii))

d. Infant/child restraint devices (car seats, booster seats, or other approved safety devices) will be required in POVs for children eight years old or under unless they are 4' 9" or taller.

e. Restraint systems are required only in vehicles manufactured after model year 1966. (32 CFR Section 634.25(c)(v))

f. Individuals will not ride in seats from which manufacturer-installed occupant restraints have been removed or rendered inoperative.

g. Separate citations may be issued to a driver to account for every child under age 16 who is not restrained in the car by a car seat or seat belt (as required above).

#### **4-6. Traffic accident procedures**

a. Drivers involved in any traffic accident will stop immediately as close to the scene as safely and reasonably possible. They must report the accident to the Installation law enforcement as soon as possible, giving their name, grade, organization and/or address, and location of the accident.

b. A driver involved in a traffic accident will give his/her name, address, vehicle identification number and show his/her driver's license when requested by an injured person, or by any occupant of a vehicle collided with, or by any person acting for such person(s).

c. Any other person in a vehicle involved in an accident, witnessing or discovering an accident will take the above actions. In all cases, vehicle occupants or other witnesses will provide their name, organization or address, and telephone number to investigative personnel who arrive on the scene and to the drivers of any vehicles involved in the accident.

d. When a driver of any vehicle is physically incapable of complying with these reporting requirements and another occupant of the vehicle is capable, such occupant will make the necessary report.

e. All vehicle accidents, regardless of damage to vehicles or property or injury, will be reported to the installation law enforcement.

f. The driver of any military vehicle involved in an accident off-post will give aid, properly identify himself/herself, and notify the appropriate state, county, township, or other police department. He/she will then notify the nearest installation law enforcement, giving his/her name, unit, motor pool and location of accident.

#### **4-7. Emergency vehicles**

These provisions are intended to facilitate movement of emergency vehicles under emergency conditions. These provisions do not protect the driver of an emergency vehicle in the event of his/her reckless disregard for the safety of others.

a. Drivers of emergency vehicles will observe all traffic regulations, except when in a genuine emergency or pursuant to the apprehension of the violator or suspected violation. They may park in any location, proceed past red lights or stop lights, and make unauthorized turns if the vehicle is under control and the maneuver does not endanger life and property. They may also exceed posted speed limits by a reasonable margin (normally not more than 25 MPH) if the vehicle is under control, the speed does not endanger life or property and, if audible or visible emergency signals are in use.

b. No driver of a vehicle, other than an emergency vehicle, will follow closer than 500 feet when following a fire apparatus proceeding to a fire, nor will any driver drive into or park within the block where fire apparatus has stopped in answer to a fire. Vehicles will not be driven over an unprotected fire hose without the consent of a fire department official.

c. Upon the approach of an emergency vehicle using both an audible and visible emergency signal, the driver of any other vehicle will yield the right-of-way and immediately drive to the extreme right side of the roadway clear of any intersection and permit the emergency vehicle to pass.

#### **4-8. Bicycle traffic**

a. Violations of Paragraph 4-8 will not be referred to the United States Magistrate Judge (i.e. Bicycle traffic violations may be cited via DD Form 1408 but **not** via US District Court Notice of Violation).

b. Obedience to traffic devices: Bicyclists will obey all traffic signals, signs, and/or devices. Wherever turns are not permitted, a bicyclist may turn only by dismounting and obeying regulations pertaining to pedestrians.

c. Riding:

(1) Bicyclists will not carry any other person on a bicycle, except that tandem bicycles may carry as many passengers as there are seats and sets of pedals. Bicycle infant seats that are determined by the Installation law enforcement to make operation of the bicycle unsafe will be removed.

(2) Bicyclists will not ride other than upon or astride the bicycle seat, except when standing on pedals is permitted.

(3) Bicyclists will ride as near to the right-hand side of the roadway as practicable, taking care when passing a standing vehicle or one proceeding in the same direction.

(4) No more than two bicyclists will ride abreast.

(5) Bicyclist riding upon sidewalks will yield right-of-way to pedestrians and will give audible signal before passing pedestrians.

(6) Bicyclists exiting from an alley or driveway will come to a complete stop and will yield the right-of-way to approaching traffic.

(7) Bicyclist will not park on a street or sidewalk that obstructs traffic or pedestrian flow.

(8) Bicycles used at night will be equipped with a bicycle headlight and taillight or red reflectors. Riders must also wear a reflective upper garment when operating a bicycle at night or during reduced visibility conditions.

(9) Every bicycle will be equipped with a brake capable of skidding the brake wheel on a dry, level, clean pavement.

(10) Children will not be permitted to ride bicycles that are too large for them to handle safely.

(11) Persons riding upon bicycles of all types, roller skates, sleds, or toy vehicles will not be towed or pushed by any other vehicles under any circumstances.

(12) All personnel, to include Family members and Civilians who ride bicycles on military installations, will wear a bicycle helmet.

(13) Workers operating bicycles in areas that require the use of ANSI-approved helmets (hard hats), for protection from falling and flying objects, are allowed to use those helmets instead of approved bicycle helmets.

#### **4-9. Pedestrian, Running, and Skating/Skateboarding Policy**

Violations of paragraphs 4-9.1, 4-9.2, and 4-9.3 will not be referred to the United States Magistrate Judge (i.e., Pedestrian, Running, and Skating/Skateboarding Policy; violations may be cited via DD Form 1408, but not US District Court Notice of Violation).

##### **4-9.1. Pedestrian traffic**

Provisions of this paragraph govern pedestrian traffic on the installation and apply to all persons walking on roadways.

- a. Pedestrians will obey all traffic control signals necessary for safe walking.
- b. Pedestrians crossing a roadway, other than at an intersection or marked crosswalk, will yield the right-of-way to all approaching vehicles.

c. Pedestrians, including small troop details, will use sidewalks when available. When sidewalks are not available, pedestrians will use the left side of the road, facing oncoming traffic.

d. Pedestrians will not use headphones, earphones, or ear buds when traversing on foot (walking, skipping, etc.) on sidewalks that are adjacent to roadways and when crossing through intersections on Fort Detrick. The wearing of headphones, earphones or ear buds impairs recognition of emergency signals, alarms, announcements, the approach of vehicles, and human speech. A sidewalk is adjacent to a roadway if there is no separation between the surface of the roadway and the surface of the sidewalk. For the purposes of this regulation, a raised curb does not create a separation between the surface of a roadway and the surface of a sidewalk. A separation is created when there is a median, for example, a distinct grassy area that exists between the roadway and the sidewalk.

e. Foot troops in columns have the right-of-way over all traffic except emergency vehicles and will march in columns not greater than two abreast. Columns of three abreast will be permitted during morning parade and while marching to and from ceremonies. All marching formations will march on the right side of the road as near the curb or shoulder as practical. No element of the formation will extend on or to the left of the centerline. Unit commanders are responsible for safe movement of foot troops and will:

(1) Provide flank guards to halt traffic from all directions when crossing roadways or intersections.

(2) Use flank movements to cross roadways.

(3) Avoid heavily traveled roadways whenever possible.

(4) Ensure that adequate safety precautions are taken during night marches to warn approaching traffic of the presence of troops. As minimum acceptable precautions, one road guard will march not less than 100 feet in front of the column and one road guard will march not less than 100 feet behind the column, each equipped with a reflective vest. These guards and other soldiers performing similar duties during night and other periods of poor visibility will be furnished flashlights and canvas luminous belts and will slow and, if necessary, stop traffic to warn drivers of the presence of troops.

f. Hitchhiking. Soliciting of rides on roadways within the installation by signaling vehicles in any manner or by standing or walking on the traveled portion of the roadway in the direction of traffic is prohibited. This provision does not preclude acceptance of voluntary offers of rides.

#### 4-9.2. Running safety

When running and/or jogging on roads, runners/joggers will observe the following:

- a. Will wear appropriate bright-colored clothing and/or florescent or reflecting personal protective equipment during periods of reduced visibility.
- b. Will not use headphones, earphones, or ear buds while running/jogging as it impairs recognition of emergency signals, alarms, announcements, the approach of vehicles, and human speech.
- c. Will use sidewalk areas, where available, and will not obstruct traffic flow by running on the roads where sidewalks are available.
- d. Will cross intersections and roads at the location of traffic control devices or marked crosswalks when available. When signals and crosswalks are not available, will yield to traffic.
- e. Will observe all pedestrian control signals.
- f. Will run in the opposite direction of traffic flow when not running as part of a formation.
- g. Runners in groups of six or more will be considered a formation and will observe the following:
  - (1) A minimum of two front and two rear guards wearing reflective equipment will be employed in all formations. Persons in charge of formations are responsible for ensuring road guards are properly posted at the front and rear of running formations, astride the formation, and halting the traffic as roads are crossed.
  - (2) All road guards and/or personnel running outside the mass of a formation will be equipped with functioning flashlights during all runs conducted during the hours of darkness or other times of reduced visibility.
  - (3) Military personnel participating in physical training (PT) will observe the following:
    - (a) No formation will exceed three abreast when running on the installation's public roads.
    - (b) No part of the formation will extend into the left lane or straddle the centerline of the road.

(c) Road guards will be posted to the front and rear of the formation to alert vehicular traffic to slow down.

(d) Road guards will wear reflective vests, and during hours of darkness, will carry flashlights.

(e) Individual stragglers from the military formation that are not accompanied by a road guard will follow the guidelines set forth in paragraph g (2) above.

(f) When running in groups, there will be a minimum of one military member in the group to serve as the road guard and adhere to the requirements set forth in paragraph g.(1) above.

(4) Personnel in charge of each formation are responsible for directing or assisting vehicles to pass the formation from the front or the rear.

#### **4-9.3. Skating and Skateboard safety**

a. When skating/skateboarding on Fort Detrick, personnel will comply with vehicle laws of the State of Maryland, and the requirement for personal protective equipment as stated in this policy. Exception is permitted for skating on the sidewalks in the "housing area."

b. Skaters/skateboarders shall proceed as near to the right side of the roadway as practical and safe, except when making or attempting to make a left turn, operating on a one-way street, or passing a stopped or slow moving vehicle.

c. Skaters/skateboarders may proceed alongside each other only if the flow of traffic is unimpeded.

d. Personnel skating or skateboarding on the installation, including the housing area, must wear personal protective equipment. Personal protective equipment will include, at a minimum, a helmet, kneepads, and elbow pads.

e. Skating during hours of darkness will not be allowed unless skater is wearing brightly colored reflective clothing and reflective strips on the helmet.

f. The installation law enforcement has the authority to prohibit or halt skating/skateboarding on roadways for the following reasons:

(1) They determine that the use of such items could interfere with safe and normal traffic flow, such as during peak hours of operation at the main gate intersection.

(2) When skaters/skateboarders are not wearing the required safety equipment noted above.

(3) When skaters/skateboarders are skating/skateboarding in a manner that the Installation law enforcement deems to be an unsafe manner.

#### **4-10. Speed restrictions**

- a. Unless otherwise posted by sign or otherwise provided below, the speed limit on all streets and roadways throughout the installation is 25 MPH.
- b. The speed limit in housing areas and the areas around the gates is 15 MPH, unless otherwise posted.
- c. A 10 MPH speed limit will apply when approaching and passing within one block of troops marching or running in formation. For the purpose of this provision, a "block" is defined as the distance running from an intersection of two named streets to the next successive intersection of a named street (e.g., block running from Ditto and Porter to Doughten and Porter).
- d. The speed limit is 10 MPH in all parking lots and roads designated as service roads.
- e. Except for safety, no person shall drive a vehicle at such a reduced speed that impedes the normal, orderly flow of traffic.
- f. In addition to the specific speed restrictions imposed by this traffic regulation, no person shall drive a vehicle at a greater rate of speed than is reasonable and prudent under prevailing conditions and without due regard for actual and potential hazards.

#### **4-10.1. Prohibited use of radar/laser speed detector**

The use of radar or laser detection devices to indicate the presence of speed recording instruments or to transmit simulated erroneous speeds is prohibited on Fort Detrick, and on other DoD installations pursuant to DoDI 6055.4. This prohibition does not apply to the authorized use of speed detectors by law enforcement officials.

#### **4-11. Driver distractions (hand-held phone ban)**

- a. Vehicle operators on a DoD installation and operators of Government owned vehicles (both on and off a DoD Installation) will not use cell phones unless the vehicle is safely parked, or they are using a hands-free device. The wearing of any other portable headphones, earphones, or other listening devices (except for hand-free cellular phones) while operating a motor vehicle is prohibited. Use of those devices impairs driving and masks or prevents recognition of emergency signals, alarms, announcements, the approach of vehicles, and human speech. The DoD Component safety guidance should note the potential for driver distractions such as eating and drinking, operating radios, CD players, global positioning equipment, etc.



Whenever possible this should only be done when the vehicle is safely parked. See 32 CFR Section 634.25 paragraph (c)(3). Use of a hands-free accessory (ear receiver) for cell phone use is only authorized in those instances where the operator is capable of hearing from the ear, which does not contain the portable ear receiver.

b. Drivers are prohibited from viewing Digital Versatile Disk (DVD)/Video monitors (including "BlackBerry" type or tablet device monitors) in the course of driving any vehicle.

c. Nothing in this provision or in paragraph 4-11.1 may be used as authority to issue a US District Court Notice of Violation to an emergency responder for using hand-held radios while exercising appropriate due care in the operation of emergency vehicles. For the purpose of this regulation, the term "emergency responders" is defined to include: police, security personnel, military police, firefighters, or hazardous materials handlers operating in immediate clean up situations.

d. This provision empowers the Fort Detrick law enforcement officials to cite violations of driving while distracted even if there are no other offenses.

#### **4-11.1. Ban on texting while driving**

a. Drivers who are writing, reading, or sending text messages while driving on the grounds of Fort Detrick are in violation of the 18 USC Section 13 assimilating Maryland Transportation Article Section 21-1124.1, a collateral offense traffic misdemeanor. Offenses occurring on Fort Detrick will be cited as a violation of the assimilated State Law.

b. In accordance with the Executive Order issued on 1 October 2009, federal employees and military members shall not engage in text messaging (a) when driving GOVs, or when driving POVs while on official Government business, or (b) when using electronic equipment supplied by the Government while driving any vehicle irrespective of ownership.

c. "Texting" or "Text Messaging" means reading from or entering data into any handheld or other electronic device, including for the purpose of simple message system (SMS) texting, Multimedia Messaging Service (MMS), e-mailing, instant messaging, or engaging in any other form of electronic data retrieval or electronic data communication. The use of a text message device to either contact a "9-1-1" emergency system or to engage in GPS route tracking does not constitute a violation of this section.

#### **4-12. Vehicle Movement Restrictions**

a. Drivers must come to a full and complete stop before proceeding past a stop sign or stop line.

- b. Drivers at a stop sign will yield the right of way to traffic not restricted by a stop sign.
- c. Drivers at intersections controlled by multiple stop signs/stop lines will yield the right of way to other drivers who preceded the arrival of the driver at the intersection.
- d. Drivers will yield the right of way at intersection crosswalks occupied by pedestrians.
- e. Drivers will stop and yield the right of way to any school bus, ambulance, fire truck, or police vehicle displaying flashing lights.
- f. Drivers will use proper safety equipment when otherwise required by State Law for similar driving activity off post (e.g. turn signals, windshield wipers accompanied by headlights in rain and snow, headlights between dusk and dawn).
- g. Drivers will comply with any traffic control device.
- h. Drivers will obey the orders of the police and security guards on Fort Detrick.

**4-13. Prohibition on possession of firearm(s) or weapon(s) in vehicles driven on the roads of Fort Detrick and Forest Glen**

- a. Drivers are prohibited from driving a motor vehicle on Fort Detrick and Forest Glen while in possession of a firearm or other weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury. **Exceptions that such term does not include:** a pocketknife with a blade of less than 2 ½ inches in length; "Leatherman" tool type knives; or multi-purpose knives possessed by tradesman for work purposes. Note: This provision demonstrates that the weapons ban applying to federal facilities under 18 USC Section 930, likewise applies to vehicles being driven on the roads of Fort Detrick. Any driver cited under this provision is mandated to appear in court.
- b. This prohibition does not apply to individuals who are required to possess firearms or weapons in the performance of their official duties, and who are in possession of officially authorized firearms/weapons at that moment for the purpose of performance of their official duties. If the individual in possession of a firearm or weapon is affiliated with the military but is not a law enforcement or security official engaging in law enforcement or security duties that would otherwise permit possession of the weapon in question, then law enforcement or security officials will immediately contact the Command officials in charge of that individual to verify that the individual is authorized to possess that actual firearm or weapon in the performance of official duties.

c. IAW AR 190-11, paragraph 4-5(b)(2), carrying of firearms by an officer, agent or employee of a federal agency, a state, or a political subdivision thereof while in an on duty status, who is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of law is authorized.

d. IAW FDR 190-13, Appendix C, law enforcement personnel who present credentials (official identification and badge) when not in uniform (excludes undercover officers) or not on official business will secure their firearms in the trunk of their vehicle while on the installation.

**4-14. Open container of alcohol in the passenger area of a motor vehicle driven on the roads of Fort Detrick prohibited.**

a. No person will transport in any vehicle on Fort Detrick any intoxicating beverage except in its original package or container that is unopened with the seal intact. An opened package or container can be locked in the rear trunk or rear compartment or any other locked outside compartment if not accessible to the driver or any other person in the vehicle while it is in motion.

b. No person will consume or have opened any intoxicating beverage while he/she is in or on any vehicle located on the installation, whether the vehicle is stationary or in motion.

c. Open container of alcohol in passenger area;

(1) Except as otherwise provided in subsection (c) of this section, any occupant of a motor vehicle may not possess an open container that contains any amount of an alcoholic beverage in a passenger area of a motor vehicle on a roadway.

(2) A driver of a motor vehicle may not be subject to prosecution for a violation of this subsection based solely on possession of an open container that contains any amount of an alcoholic beverage by another occupant of the motor vehicle.

d. Consumption in passenger area;

(1) This subsection does not apply to the driver of a motor vehicle.

(2) Except as otherwise provided in subsection (c) of this section, an occupant of a motor vehicle may not consume an alcoholic beverage in a passenger area of a motor vehicle on a roadway.

e. The exceptions listed above do not apply to the living quarters of a motor home, motor coach, or recreational vehicle.

f. This section applies to a motor vehicle that is driven, stopped, standing, or otherwise located on a highway.

## **Chapter 5 Administrative Procedures**

### **5-1. Miscellaneous Motor Vehicle Regulations**

a. Wearing headphones or earphones is prohibited for motor vehicle and bicycle operators and pedestrians who are on installation roads. This does not negate the requirement for wearing hearing protection when necessary. Drivers who are wearing headphones (other than an authorized hands-free phone accessory) should be cited pursuant to paragraph 4-11 above. Non-drivers who violate this subparagraph will not be referred to the United States Magistrate Judge (and therefore may be cited via DD Form 1408 but not a US District Court Notice of Violation).

b. Passengers will not be transported in the bed of a vehicle.

c. All military vehicles, when unattended and not in a secure motor pool or other secured authorized area, will be secured in a manner that prohibits unauthorized personnel from placing the vehicle into operation or moving it.

d. Vehicles will not be left unattended except for legitimate parking in authorized parking areas. No person driving or in charge of a motor vehicle will permit it to stand unattended without first stopping the engine; locking the handbrake; removing the key; and, when stopping on any grade, turn the front wheels to the curb or the side of the roadway. In the event a person's vehicle undergoes a mechanical failure, thus prevent the vehicle from being moved immediately, the driver will take action to prevent the vehicle from obstructing traffic and will notify the Fort Detrick Installation law enforcement immediately of the location of the vehicle and the expected time of removal.

e. Leaving children under the age of eight years or pet(s) unattended in a parked vehicle is prohibited.

f. Vehicles will not be driven in reverse unless the driver has checked the right-of-way for pedestrians, vehicles or other obstructions to the rear and both sides. Military vehicles, two tons and larger, comparable civilian vehicles, and any vehicles from which the driver cannot see in all directions while backing, will have a ground guide to the rear of the vehicle.

g. The owner of a vehicle is responsible for his/her vehicle at all times and will not knowingly lend or allow his/her vehicle to be operated on the installation by a person who does not have a valid driver's license or learner's permit. Neither will they allow anyone who is under the influence of alcohol or drugs, nor has a known physical or

mental defect that could reasonably be expected to impair his/her ability to safely operate the vehicle.

h. No owner will lend, lease or use his/her vehicle to transport passengers for compensation, except as provided for in other pertinent regulations and state and local laws.

i. All vehicles located on the installation are subject to search when there is probable cause, or when authorized by the Garrison Commander, in accordance with command authority to direct inspections (AR 190-13, AR 525-13, and AR 190-30). Persons not subject to the UCMJ who refuse to consent to a search may be immediately denied entry to the installation by gate security or law enforcement personnel, and thereafter may be barred from the installation.

j. No person will perform major repairs or overhauls of POVs in parking lots or other unauthorized areas on the installation except for the installation Auto Craft Shop. Individuals in the unaccompanied enlisted personnel housing area are also covered by this restriction. Major repairs are those repairs taking longer than 90 minutes to complete. Note: personnel may add fluid to ensure a vehicle is operated safely. In the event that the vehicle has a fluid leak, the operator is prohibited from adding the same fluid on multiple occasions without first obtaining proper repair of the vehicle.

k. No vehicle will be pushed by another vehicle on the installation unless for emergency purposes and only by law enforcement. When one vehicle is towing another, the connection will not exceed 15 feet. A drawbar will be used to tow vehicles with power brakes.

l. Except in emergency situations, no vehicle will be towed during the hours of darkness.

m. Vehicles being towed must have operable brake lights. When one vehicle is towing another and the connection consists of a chain, rope or cable, there will be displayed, upon such a connection, a white flag or cloth, not less than 12 inches square.

n. Oversized, recreational vehicles, boats, and privately owned residential type mobile trailers may not be parked on Fort Detrick, except within the Directorate of Family, Morale, Welfare, and Recreation (DFMWR) recreational vehicle lot, and only with the authorization of the US Army Garrison, DFMWR, 1520 Freedman Drive, Fort Detrick, MD 21702. The housing and unaccompanied enlisted personnel housing areas are also covered by this parking restriction. Only authorized DFMWR patrons may use the DFMWR residential vehicle lot. Non-residential trailers (including commercial storage type trailers) are prohibited on Fort Detrick without the express authorization of the Commander, US Army Garrison. At no time may a recreational vehicle serve as living quarters for any Fort Detrick personnel.

## 5-2. Vehicle Impoundment and Towing Policy

a. POVs may be impounded and/or towed, when necessary.

(1) Implied consent to impoundment: As per AR 190-5, paragraph 2-3, any person granted the privilege to operate a motor vehicle on a military installation shall be deemed to have given his or her consent for the removal and temporary impoundment of the POV when:

(a) It is parked illegally or for unreasonable periods (as determined by the delegated authority herein to the USAG Commander, and DES, or other applicable authority);

(b) It interferes with military operations, creating a safety hazard;

(c) It is disabled by accident;

(d) It is left unattended in a restricted or controlled area; or

(e) It is abandoned.

NOTE: The towing of any such vehicle will be at the cost of the vehicle owner. Such persons further agree to reimburse the United States for the cost of towing and storage should their motor vehicle be removed or impounded.

(2) The policies and procedures pertaining to vehicle impoundment are set forth in AR 190-5, Chapter 6. Consistent with that directive the following applies:

(a) POVs will not be impounded unless they clearly interfere with on-going operations or movement of traffic, threaten public safety or convenience, are involved in criminal activity, or are stolen, or abandoned.

(b) The impoundment of a POV is inappropriate when a reasonable alternative to impoundment exists.

(i) Attempts should be made to contact the owner of the POV and have the vehicle removed.

(ii) The vehicle may be moved a short distance to a legal parking area and temporarily secured until the owner is located.

(iii) 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 will be

informed that the law enforcement personnel are not responsible for safeguarding the POV.

(c) Impoundment of POVs is justified for the following conditions:

(i) The vehicle is illegally parked:

(ii) When double-parked on a street and interferes with the orderly flow of traffic.

(iii) When parked on a sidewalk, within an intersection, on a crosswalk, in a fire lane, or is blocking a driveway, so that the vehicle interferes with operations or creates a safety hazard to other roadway users or the general public. An example would be a vehicle parked within 15 feet of a fire hydrant or blocking a properly marked driveway of a fire station.

(iv) When blocking an emergency exit door of any public place (Community Activities Club, Health Clinic, or other facility),

(v) In a "tow-away" zone that is so marked with proper signs.

(vi) The vehicle interferes with:

(a) Street clearing or snow removal operations, and attempts to contact the owner were unsuccessful.

(b) Emergency operations, such as a natural disaster or fire, or to remove debris from the disaster area during cleanup operations.

(vii) The POV was involved in a crime or contains evidence of criminal activity.

(viii) The owner or person in charge of vehicle has just been apprehended and is unable or unwilling to arrange for the vehicle's custody or removal.

(ix) The POV is mechanically defective and is a menace to others using public roadways.

(x) The POV is disabled by a traffic accident, and the operator is either unavailable or physically incapable of having the vehicle towed to a place of safety for storage or safekeeping.

(xi) Law enforcement personnel reasonably believe that the vehicle is abandoned. (Vehicles with expired or no safety inspection and/or registration, or those not operated for a period of several days due to mechanical breakdown or absence of the owner may be considered abandoned).

b. Procedures for impoundment (unattended POVs):

(1) DD Form 2504, Abandoned Vehicle Notice, will be conspicuously placed on POVs considered abandoned. This action will be documented by an entry in the Police Journal.

(2) The DES, USAG Fort Detrick, must authorize the impoundment/towing of any vehicle.

(3) Except in the instance of emergencies described at the end of this subparagraph, the owner will be allowed three days from the date the POV is tagged to remove the vehicle before impoundment action is initiated. If the vehicle has not been removed after three days, the DES, USAG is authorized to direct its removal by the contracted wrecker service. If a contracted wrecker is used, a DD Form 2505, Abandoned Vehicle Removal Authorization, will be completed and issued to the contractor by the assigned law enforcement officer. A vehicle may be towed/impounded without notice to the owner if its presence presents a traffic hazard or is parked in a tow-away zone. In the instances of emergency operations and snow removal operations that follow the closure of the installation, the Directorate of Emergency Services will attempt to contact the owner of the vehicle prior to having it towed. The installation law enforcement, the Deputy Garrison Commander, or the Garrison Commander must authorize any towing of a privately owned vehicle during an emergency situation or snow removal situation where the owner could not be reached, or where the owner was reached but has refused to consent to the towing of the vehicle.

(4) After removing the vehicle, the assigned law enforcement official or the contractor will complete DD Form 2506, Vehicle Impoundment Report, as a record of actions taken.

(a) An inventory listing personal property will be completed to protect the owner, the law enforcement personnel, the contractor, and the commander or supervisor of the owner of the vehicle.

(b) The contents of a closed container, such as a suitcase inside the vehicle, need not be inventoried. Such articles should be opened only if necessary to identify the owner of the vehicle or if the container might contain explosives or otherwise present a danger to the public. Merely listing the container and securing it with security tape will suffice.

(c) Personal property must be placed in a secure area for safekeeping.

(5) DD Form 2507, Notice of Vehicle Impoundment, will be forwarded by certified mail to the address of the last known owner of the vehicle to advise the owner of the impoundment action and request information concerning the owner's intentions pertaining to the disposition of the vehicle. Note: the warning of sale or disposition



required by 10 USC 2575 (see subparagraph e (3) below) may be incorporated with the DD Form 2507 notification package.

c. Stolen privately owned vehicles or vehicles involved in criminal activity:

(1) When a POV is to be held for evidentiary purposes, the vehicle will remain in the custody of the appropriate law enforcement agency until law enforcement purposes are completed.

(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 Installation law enforcement until the vehicle can be released to such authorities.

d. Procedures for towing and storing impounded vehicles:

(1) Impounded POVs will be towed by local towing companies, on a rotational basis. An approved impoundment area belonging to the wrecker service may be used provided the area assures adequate accountability and security of towed vehicles (authorized by AR 190-5, para 6-3).

(2) The Garrison Commander has the authority to designate an enclosed area on the installation, that can be secured by lock and key for use as a temporary impoundment lot. One set of keys will be maintained by installation law enforcement. The DES, USAG is authorized to designate whether any particular impoundment/towing will occur on post or at the approved area belonging to the contracted wrecker service.

(3) Temporary impoundment and towing of POVs for violations of this regulation or involvement in criminal activities will be accomplished under the direct supervision of law enforcement personnel.

e. Actions to dispose of the vehicle after lawful impoundment:

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

(2) If the vehicle is unclaimed after the period specified in AR 190-5 para 6-6 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:

(a) Release to the lien-holder, if known.

(b) Processed as abandoned property in accordance with DoD 4160.21-M, paragraph (which specifies procedures which may ultimately result in the sale or other disposition of abandoned property which is in the possession of the US Government at the expiration of 45 days after the date when the notice required by 10 USC Section 2575, giving the time and place of the intended sale or other disposition, has been sent by certified or registered mail to that person at his or her last known address).

(3) All contracts for the disposal must comply with 10 USC Section 2575. The DES, USAG, will ensure that the notice of impoundment towing of abandoned vehicle also includes the following (or a similar notice) sent by certified or registered mail to the owner, at his or her last known address:

**“Under the law, 10 USC Section 2575, you are hereby advised that the property described above shall be sold or otherwise disposed of at (location, on [approximate date at least 45 days into the future]). A request for the return of the property shall be honored, if received before the time specified. Request for return of the property after the specified time shall be honored only if disposition has not been made.”**

(4) If diligent efforts have failed to identify an owner, the property will be disposed of without delay following the procedures of DoD 4160.21-M, except that if the property is valued at a fair market value of more than \$300, the item may not be disposed of until 45 days after the date it is received at the designated storage point (10 USC Section 2575(a)).

### **5-3. Driving Records and the Traffic Point System**

Driving records will be maintained in accordance with AR 190-5, Chapter 5, on all personnel cited for violations of this regulation. Violations of the installation traffic code will result in assessment of traffic points. The traffic point system is discussed in further detail in Appendix B to this regulation.

## **Chapter 6**

### **Policy on Violations Enforceable Via US District Court Violation Notice or Armed Forces Traffic Ticket**

#### **6-1. Delegated Authority for Fort Detrick Law Enforcement to cite Violations of this Regulation**

a. Those individuals delegated law enforcement authority on Fort Detrick have the discretion to cite violations of this regulation (as authorized by DoD Directive 5525.4, and 32 CFR Section 634.25, and 40 USC Section 1315 (the successor statute to 40 USC 318c both of which grant authority to delegate law enforcement authority to the DoD)), Federal Law, and those provisions of Maryland Law subject to 18 USC Sections 7 and 13. All portions of Fort Detrick that fall within the jurisdiction of the US Army

(including the family housing units operated by Balfour Beatty Communities) are within the Special Maritime and Territorial Jurisdiction of the United States within the District of Maryland. Accordingly, traffic violations may be cited as follows:

- (1) Violations of the Federal Criminal Code citing the pertinent federal provision, or
- (2) In the absence of an on-point Federal Criminal Code offense, violations of the State Criminal Code, assimilated pursuant to 18 USC Sections 7 and 13, or
- (3) Violations of this regulation (the Fort Detrick Traffic Code), cited according to the regulatory paragraph in question [e.g. Violation of 32 CFR Section 634.25(c), Fort Detrick Regulation 190-5, Para 4-11, Driving While Using Handheld Phone].

#### **6-2. Punishments for cited violations of the Fort Detrick Traffic Code**

a. If a traffic violation is cited under this traffic code, the punishment for said violation is set forth at 32 CFR Section 634.25(f). As such, violations constitute federal misdemeanor offenses that could result in the maximum punishment of a fine and/or incarceration for up to 30 days (as determined by a US Magistrate Judge). Because incarceration is authorized, that means that probation and community service are also authorized punishments. Note that violations cited pursuant to the Federal Criminal Code or the Assimilative Crimes Act (18 USC Sections 7 and 13) are subject to different penalties.

b. Individuals who violate this regulation are also subject to administrative actions that could include: actions pursuant to AR 190-5 (driving points, restrictions, on-post driving privilege revocation, etc); employment discipline; and other administrative sanctions authorized by law. Military members who violate the provisions of this regulation are subject to prosecution under the provisions of the UCMJ.

#### **6-3. Offenses occurring while operator is driving a government vehicle**

a. As per AR 190-5, para 4-9a, offenses occurring when the operator is driving a government vehicle **will not be referred** to a United States Magistrate Judge. Instead, these violations should be cited via an Armed Forces Traffic Ticket (DD Form 1408).

b. Military drivers who commit such violations are subject to additional military justice action. Civilian drivers who commit such violations are subject to additional civilian employment disciplinary action.

#### **6-4. Mandatory Identification of Unit Affiliation and Notification to Unit Commanders**

a. When a Military member or Federal Civilian employee is issued any traffic citation (US District Court Notice of Violation or DD Form 1408), the citing officer must annotate the ticket to clearly show the military unit of the offender. Furthermore, pursuant to AR 190-45, para 7-7 and AR 190-5, para 4-9, the installation law enforcement will properly notify the unit commander that the Military member/Federal Civilian employee has received a citation.

## **Chapter 7 Savings**

### **7-1. Savings Provision**

a. To the extent that any provisions set out in this Fort Detrick Regulation are in conflict with provisions of federal law or regulations, the conflicting provisions shall be deemed inoperative solely to the extent of the conflict.

**The proponent of this publication is the Director, Emergency Services. Users are invited to submit comments on DA Form 2028 (Recommended Changes to Publications and Blank Forms), Emergency Services, Installation Law Enforcement, IMFD-ESP, 1419 Sultan Drive, Fort Detrick, Maryland 21702-5000.**

  
SCOTT M. HALTER  
Colonel, AV  
Commanding

DISTRIBUTION: This publication is available in electronic media only and is intended for the USAMRMC electronic Distribution A and the IMFD mass electronic distribution.

## **APPENDIX A FORT DETRICK PARKING PLAN**

1. The general policy for parking at Fort Detrick is that as much parking as possible will be designated as open parking (first-come, first-served).
2. Each military general or field grade commander, their sergeant major and second in command are authorized to have one reserved parking space at their headquarters.
3. Each company grade commander and their first sergeant are authorized to have one reserved parking space in their company area.
4. If a building has no residing military commander (e.g., DPW, DFMWR, USAMRAA), the civilian director is authorized one reserved parking space. If there is more than one director located in the same building (with no residing military commander) then the senior most individual is authorized the reserved parking space. This also applies to field operating agencies and non-DoD agencies located on Fort Detrick.
5. Each headquarters and company area is authorized, in addition to the above, two reserved parking spaces each for Military/General Services Administrative (GSA) Vehicles and Visitors. Handicapped spaces will be governed IAW Maryland law (based on the total number of spaces per lot).
6. All requests for additional reserved parking spaces must be routed through the DPW and the DES in a memorandum for their review and recommendation. The form will be forwarded to the Garrison Commander for approval. If the request is approved DPW will submit a work order for implementation. If disapproved, copies will be returned to the requesting unit. Copies for the approved/disapproved parking requests will be kept on file by the DES, DPW, and the requesting unit.
7. All approved parking spaces must be made and marked by the DPW, only after approval by the Garrison Commander. All markings must comply with the standards set in the Manual for Traffic Control Devices. All other signs put up by other organizations will be considered prohibited and will be removed immediately.
8. Compliance with this regulation will provide the installation with an effective means of utilizing parking that is available to its fullest extent. Reserved parking will be enforced by installation law enforcement.
9. Emergency vehicles responding in an emergency capacity will have no parking restrictions. Government vehicles operated by the Directorate of Public Works are not required to park in designated spaces when conducting service calls that would require frequent access to their vehicle. They will be parked in a manner to ensure that they do not block the free flow of traffic, unless a road must be blocked to effect necessary maintenance or repairs in the area that requires a road or parking lot closure.

10. Individuals who do not reside on the installation and who need to park their privately owned vehicles on the installation overnight must seek advance approval from the DES, and those vehicle owners must provide a phone number that the DES can use to contact the owner (or other authorized person) in the event that the vehicle must be moved. The owner or driver of such vehicle authorizes the command to tow these parked vehicles, without advance notice, in the event of an incident where the lot needs maintenance, there's an emergency, such as a fire which may require the parking area to be cleared, or a snow emergency requires the vehicle to be moved to facilitate snow removal efforts.

11. Individuals who are not authorized a reserved space will park in the area designated by the senior building occupant for "first-come, first-served" general parking applicable to that building. When snowfall is forecasted, the senior building occupant is authorized to direct individuals to congregate parking in certain areas to facilitate snow removal operations.

12. The Director of Public Works is authorized to implement a snow emergency parking program that would require drivers to park in designated "satellite" parking areas, which will entail the use of a shuttle service to transport individuals in close proximity to their designated worksites. During a snow emergency (defined as any incident that has resulted in a closure of the installation due to snowfall), the DPW is authorized to coordinate with the DES to have privately owned vehicles towed to an **on-post** designated storage area so that roads and parking lots can be safely cleared to facilitate the reopening of the installation. The DES is required to expedite contact with the owners of the privately owned vehicles. This towing will only be utilized in emergency situations where lots cannot be cleared of snow due to vehicles that obstruct the use of the snow removal equipment.

**APPENDIX B  
TRAFFIC POINTS**

1. Traffic points will be assessed as prescribed in AR 190-5, Chapter 5. Accumulation of points in excess of limits established in AR 190-5 may result in the withdrawal of installation driving privileges. The point system applies to all operators of vehicles (either privately owned or government owned or leased) cited via Armed Forces Traffic Ticket (DD Form 1408) or US District Court Violation Notice for offenses committed on the installation. The point system also applies to off-post incidents committed by operators of US Government motor vehicles. Points will be assessed pursuant to AR 190-5, Table 5-2, when the person is found has committed a violation and the finding is by either the unit commander, civilian supervisor, a military or civilian court (including a US Magistrate Judge), or by payment of fine, forfeiture of pay or allowances, or posted bond, or collateral, (see, AR 190-5, paragraph 5-3). The Garrison Commander may take the following driver improvement measures as appropriate:
  - a. Advisory letter through the unit commander or supervisor to any person who has acquired six traffic points within a six-month period.
  - b. Counseling or a driver improvement interview must be conducted by the unit commander, of any person who has acquired more than six but less than 12 traffic points within a six-month period. On-Post traffic points will be assessed as directed in AR 190-5. The Fort Detrick DES will be responsible to maintain Fort Detrick's Traffic Point System. If an on-post driver accumulates six points or more within a six month period then the commander will be notified, with the recommended course of action in accordance with AR 190-5. This counseling or interview should produce recommendations to improve driver performance.
  - c. Referral for medical evaluation when a driver, based on reasonable belief, appears to have mental or physical limits that have had, or may have, an adverse effect on driving performance.
  - d. Attendance at remedial driver training to improve driving performance.
  - e. Referral to an alcohol or drug treatment, or rehabilitation facility for evaluation, counseling, or treatment. This action is required for active military personnel in all cases in which alcohol or other drugs are a contributing factor to a traffic citation, incident, or accident.
  - f. An individual's driving privileges may be suspended or revoked as provided by this regulation regardless of whether these improvement measures are accomplished.

g. 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 (AR 190-5, para 2-6). Except for the mandatory minimum or maximum suspension or revocation periods prescribed by AR 190-5, Table 5-1, the Garrison Commander will establish periods of suspension or revocation. Any revocation based on traffic points must be no less than six months. A longer period may be imposed on the basis of a person's overall driving record considering the frequency, flagrancy, severity of moving violation, 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.

h. Points assessed against a person will remain in effect for point accumulation purposes for 24 consecutive months. The review of driver records to delete traffic points should be done routinely during records updates while recording new offenses and forwarding records to new duty stations. Completion of a revocation based on points requires removal from the driver record of all points assessed before the revocation.

i. Removal of points does not authorize removal of driving record entries for moving violations, chargeable accidents, suspensions, or revocation. Recorded entries will remain posted on individual driving records for the period of time indicated below:

- (1) Chargeable nonfatal traffic accidents or moving violations - three years.
- (2) Non-mandatory suspensions or revocations - five years.
- (3) Mandatory revocations - seven years.



**APPENDIX C  
COLLATERAL FORFEITURE SCHEDULE FOR US DISTRICT COURT VIOLATION  
NOTICES ISSUED FOR OFFENSES CITED PURSUANT TO 32 CFR PART 634  
(FORT DETRICK TRAFFIC CODE)**

1. This Appendix only pertains to violations cited on a US District Court Violation Notice asserting violations of 32 CFR Section 634.25, Fort Detrick Regulation 190-5 (Fort Detrick Traffic Code). Violations citing other provisions of Federal Law or the Assimilative Crimes Act are processed following the procedures set forth in AR 190-45.
2. For individuals who are cited for offenses involving possession of firearm(s) or weapon(s) in violation of para 4-14, the violation notice should be **marked as mandating the appearance of the violator in court**. There is no collateral forfeiture authorized. During a traffic stop where at least one offense is a mandatory appearance, all other citations will also be listed as mandatory appearance offenses (even if those other tickets otherwise would have only been fine only tickets).
3. For possible incarceration violations of Fort Detrick Regulation 190-5 [32 CFR Section 634.25], the citing officer will mark the violation as a mandatory appearance offense. If a violation is a collateral offense, the officer will annotate the US District Court Notice of Violation to list a \$50 fine (which is accompanied by the mandatory \$30 processing fee printed on the Violation Notice) requiring a total a sum payable of \$80 to the Clerk, United States Courts). Individuals who fail to pay the fine are required to appear at court and are subject to a sentence including jail time, community service, probation, and a fine set at the discretion of the judge.

**Note:** that individuals who fail to pay the collateral forfeiture and then fail to appear at court are subject to suspension of their driving privileges both on and off the installation. The judge may issue a collateral warrant authorizing the arrest of individuals who fail to appear on these cases until such time as the cited fine (plus administrative processing fee) is paid.

**APPENDIX D  
POSTING REQUIREMENTS**

**NOTE:** Fort Detrick Regulation 190-5, Fort Detrick Traffic Code, may be viewed on the publically accessible Fort Detrick webpage:  
<https://installation.detrick.army.mil/regulations/fdr190-5.pdf>.

**POSTING NOTICES REQUIRED BY 32 CFR SECTION 634.25**

Items A and B below will be on display to the public in the following locations:

For the Frederick, Maryland parcel – this will be on display at the customer service area of the Installation law enforcement, USAG, 1419 Sultan Drive, Fort Detrick, Maryland 21702 (which constitutes a prominent place accessible to persons assigned, living, or working on the installation) and Visitor Control Center 9000 Amber Meadows Drive, Fort Detrick, Maryland 21702 (which is the location where Fort Detrick access badges are issued).

For the Forest Glen, Maryland parcel – this will be on display at the customer service area of the Installation law enforcement (Forest Glen Substation), 605 Stephen Sitter Avenue, Silver Spring, Maryland 20910 (which constitutes a prominent place accessible to persons assigned, living, or working on the installation).

**A. Excerpt 32 CFR Section 634.25(f):** “In those States where violations of traffic law are not considered criminal offenses and cannot be assimilated under 18 U.S.C. Section 13, DoDD 5525.4, enclosure 1 expressly adopts the vehicular and pedestrian traffic laws of such States and makes these laws applicable to military installations having concurrent or exclusive Federal jurisdiction. **It also delegates authority to installation commanders to establish additional vehicular and pedestrian traffic rules and regulations for their installations. Persons found guilty of violating the vehicular and pedestrian traffic laws made applicable on the installation under provisions of that directive are subject to a fine as determined by the local magistrate or imprisonment for not more than 30 days, or both, for each violation.** In those States where traffic laws cannot be assimilated, an extract copy of this paragraph (f) and a copy of the delegation memorandum in DoDD 5525.4, enclosure 1, will be posted in a prominent place accessible to persons assigned, living, or working on the installation.”

**B. Excerpt DoD Directive 5525.4, Enclosure 1. Delegation of Authority to the Secretary of Defense.**

E1. ENCLOSURE 1  
DELEGATION OF AUTHORITY TO THE SECRETARY OF DEFENSE

GENERAL SERVICES ADMINISTRATION

6820-22  
(D-81)

## 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, 1981.
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 USC Section 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 re-delegate 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.

**APPENDIX E  
MOTORCYCLE OPERATION SAFETY POLICY**

**I. [Excerpt] AR 385-10 (Army Safety Program), 27 November 2013.**

**Paragraph 11-9. Motorcycle Safety.**

a. Motorcycle vehicle equipment.

(1) When operated on any DoD installation, in both on- and off-road modes, all Government-owned or privately owned motorcycles, mopeds, motor scooters, and all-terrain vehicles (ATV) (when equipped) must have headlights turned on at all times, except where prohibited by military mission, the Status of Forces Agreement (SOFA), or local laws.

(2) Motorcycles shall be equipped with both a left-hand and right-hand rearview mirror mounted on the handlebar or fairing. (Note that Government-owned off-road motorcycles on tactical missions or training are exempt from this requirement.)

(3) Motorcycle Club will also be equipped with operational front and rear brakes.

b. Motorcycle and all-terrain vehicle rider protection. Commanders will ensure that all individuals covered by this regulation and all persons at any time on an Army installation wear the following Protective Personal Equipment (PPE) while riding motorcycles and ATVs. Commanders are highly discouraged from adding PPE requirements at the local level.

(1) Helmets.

(a) For personnel riding motorcycles and ATVs in the United States, helmets shall be certified to meet Department of Transportation Federal Motor Vehicle Safety Standard No. 218, United Nations Economic Commission for Europe Standard 22-05, British Standard 6658, or Snell Standard M2005 in accordance with DoDI 6055.04, April 20, 2009, references (v), (w), (x), and (y).

(b) For personnel riding motorcycles and ATVs outside the United States, helmets must meet the Host Nation (HN) standards. In those instances where the HN has no standard, helmets must, at a minimum, meet the DOT Federal Motor Vehicle Safety standard.

(c) All helmets shall be properly fastened under the chin.

(2) Eye protection. Eye protection designed to meet or exceed ANSI Z87.1, reference (z) for impact and shatter resistance includes goggles, wraparound glasses,

or a full-face shield (properly attached to a helmet). A windshield or fairing does not constitute eye protection.

(3) Foot protection. Foot protection includes sturdy over-the-ankle footwear that affords protection for the feet and ankles (durable leather or ballistic-type cloth athletic shoes that cover the ankles may be worn).

(4) Protective clothing. Protective clothing includes long-sleeved shirt or jacket, long trousers, and full-fingered gloves or mittens made from leather or other abrasion-resistant material. Motorcycle jackets and pants constructed of abrasion-resistant materials such as leather, Kevlar®, or Cordura® and containing impact-absorbing padding are strongly encouraged. Riders are encouraged to select PPE that incorporates fluorescent colors and retro-reflective material.

(5) Tactical motorcycle and Government-owned tactical ATV rider protection. The PPE for Government-owned motorcycle and ATV operators during off-road operations should also include knee and shin guards and padded gloves.

(6) Off-road operations. During off-road operations, operators and riders must use additional PPE, such as knee and shin guards and padded full-fingered gloves.

c. Tactical motorcycle and all-terrain vehicle operations.

(1) Unit commanders may authorize the use of combat helmets for operating tactical vehicles (for example, motorcycles and ATVs) during operations and training based on an operational risk assessment.

(2) Prior to tactical motorcycle and ATV operations, operators will be trained on the tactical operations and on the controls that have been implemented to mitigate hazards. Curriculum and proficiency training for tactical motorcycles and Government-furnished (tactical and non-tactical) ATVs will be tailored to satisfy specific mission objectives. In addition to the above training, government motorcycle operators will have completed the training required in paragraph 11-9b (2), above. Government ATV operators will complete the Specialty Vehicle Institute of America-based course.

11 July 2017

\*Fort Detrick Regulation 190-5

**II. [Excerpt] Subject: ALARACT 381/2011 - NOTIFICATION OF RECENT RAPID ACTION REVISION (RAR) CHANGES TO THE ARMY SAFETY PROGRAM**

Originator: /C=US/O=U.S.

GOVERNMENT/OU=DoD/OU=ARMY/OU=ORGANIZATIONS/L=CONUS/L=WASHINGTON DC/OU=DA PENTAGON TELECOMMUNICATIONS(UC)/OU=ALARACT RELEASE AUTHORITY(UC)

DTG: 131710Z Oct 11

Precedence: ROUTINE

DAC: General

To: /C=US/O=U.S.

GOVERNMENT/OU=DoD/OU=ARMY/OU=ORGANIZATIONS/OU=ADDRESS LISTS/CN=AL ALARACT(UC)

/C=US/O=U.S. GOVERNMENT/OU=DOD/OU=AUTODIN PLAS/OU=AIG 6-AZ/OU=ALARACT

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UNCLASSIFIED//

THIS MESSAGE HAS BEEN SENT BY THE PENTAGON TELECOMMUNICATIONS CENTER ON BEHALF OF DA WASHINGTON DC//DAMO-TRI//  
SUBJECT: NOTIFICATION OF RECENT RAPID ACTION REVISION (RAR) CHANGES TO THE ARMY SAFETY PROGRAM

A. REFERENCE AR 385-10, THE ARMY SAFETY PROGRAM, 23 AUGUST 2007/RAR 4 OCTOBER 2011, PARAGRAPHS 11-7 AND 11-9.

3. MOTORCYCLE SAFETY.

3.G. PERSONAL PROTECTIVE EQUIPMENT.

3.G.1. COMMANDERS WILL ENSURE ALL MOTORCYCLE OPERATORS (SOLDIERS) WEAR APPROPRIATE PERSONAL PROTECTIVE EQUIPMENT (PPE) WHILE RIDING MOTORCYCLES AND ATVS.

3.G.2. SERVICE SPECIFIC PPE REQUIREMENTS MAY NOT BE USED AS A CRITERION FOR ACCESS TO ANY DoD INSTALLATION FOR ANY PERSON WHOSE EQUIPMENT MEETS THE REQUIREMENTS IN DoDI 6055.04 AND AR 385-10. TO MEET REGULATORY INTENT, COMMANDERS SHOULD ELIMINATE ADDITIONAL PPE REQUIREMENTS SUCH AS THE PT BELT OR REFLECTIVE VESTS.

3.G.3. COMMANDERS WILL ENCOURAGE MOTORCYCLE RIDERS (SOLDIERS) TO SELECT PPE DESIGNED WITH ABRASION RESISTANT MATERIALS AND IMPACT-ABSORBING PADDING THAT INCORPORATES FLUORESCENT COLORS AND RETRO REFLECTIVE MATERIAL AND EMPLOY OTHER VISIBILITY-ENHANCING EQUIPMENT SUCH AS HEADLIGHT MODULATORS, BRAKING ALERTS, ETC. THE INTENT IS TO HAVE RIDERS IN GEAR DESIGNED FOR RIDING THAT PROVIDES THE RIDER AS MUCH VISIBILITY AS POSSIBLE AND ELIMINATES ACCESS ISSUES ACROSS DOD INSTALLATIONS.

**APPENDIX F  
OPERATION OF SLOW-MOVING EQUIPMENT ON FORT DETRICK**

1. The following policy is established to ensure the safe operation of Multipurpose Utility Vehicles (MUVs), forklifts, garden tractors, golf carts, riding or standing lawn mowers, street sweeper, and leaf vacuum vehicles on Fort Detrick.
2. MUVs do not conform to Federal Motor Vehicle Safety Standards and have not been crash tested. The other slow-moving equipment identified in this regulation also lack crash protection. Because of the lack of crash testing and/or crash protections, effort must be taken to divert the operation of these vehicles from the main thoroughfares on the installation.
3. Commanders, directors, and supervisors are responsible for implementing and enforcing this regulation. Failure to comply with this regulation will subject Military personnel, Civilians, and Contract personnel to possible adverse administrative actions.
4. With the ever-growing population at Fort Detrick, it is vital that every effort is made to relieve the traffic congestion at the most critical installation locations. Slow-moving equipment is restricted from unnecessary operation at the following locations:
  - a. Porter Street, North of 1520 Freeman Drive
  - b. Intersection of Veterans Drive and Porter Street.
  - c. Intersection of Doughten Drive and Old Farm Road Gate
  - d. Intersection of Campus Drive and Nallin Gate
5. This policy does not preclude operation of the leaf vacuum vehicle at the noted locations when needed, nor the initial entering onto the installation of slow-moving equipment if it has been operated outside the fence line for accomplishment of the mission.
6. A flag person will be used during necessary operation at any gate to direct traffic around the street sweeper and leaf vacuum vehicle.
7. Operation is prohibited daily at restricted locations during periods of maximum traffic flow: Daily 0700-0900, 1100-1300, 1500-1800.

## **APPENDIX G**

### **Police Quick Referral of Most Common Offenses**

Parking where prohibited [4-1]

Unauthorized parking in handicap spot [4-3]

Failure to wear seat belt [4-5b]

Prohibited use of radar/laser speed detector [4-10.1]

Driving while using hand-held phone [4-11]

Driving while viewing video monitor ("BlackBerry" type or PDA) [4-11b]

Possession of firearms or weapons in vehicle [4-14]

**Note:** "Possession of firearms or weapons in vehicle" is a mandatory appearance offense

The fine on every collateral offense is a \$50 fine plus \$30 processing fee for total payment of \$80.

Citing officers have discretion to make any violation under FDR 190-5 a mandatory appearance offense; however, all collateral non-mandatory appearance offenses should normally be cited as a fine offense, not mandatory appearance.

**Tickets must identify the military unit of any offender who is a Military member or DoD Civilian employee.**

Violations of this regulation (the Fort Detrick Traffic Code), are cited according to the CFR and the FDR 190-5 paragraph in question [e.g. Violation of 32 CFR Section 634.25(c), FDR 190-5, Para 4-11, Driving While Using Handheld Phone].



**APPENDIX H  
References**

**Section I**

**Required Publications**

**18 USC 13** Crimes and Criminal Procedures

**40 USC 1315** (and its predecessor, 40 USC 318a through d)

**32 CFR Part 210** Enforcement of State Traffic Laws on DoD Installations

**32 CFR Part 634** Motor Vehicle Traffic Supervision

**DoD Directive 5525.4** Enforcement of State Traffic Laws on DoD Installations

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

**AR 385-10** The Army Safety Program, Chapter 11, Motor Vehicle Accident Prevention, 24 February 2017

**DoD 4160.21-M** Defense Materiel Disposal Manual

**DoDI 6055.04** DoD Traffic Safety Program, 20 April 2009

**FDR 190-13** Access Control and Registration Program, 14 May 2014

**GLOSSARY**  
**Section I**

**Abbreviations**

**CFR** Code of Federal Regulations

**DPW** Directorate of Public Works

**ETS** Expiration of Term of Service

**PCS** Permanent Change of Station

**POV** Personally Owned Vehicle

**ILE** Installation law enforcement

**TDY** Temporary Duty Station

**USC** United States Code

**USAG** United States Army Garrison, Fort Detrick, Maryland

## **Section II Terms**

**Fort Detrick** - this includes all parcels of military owned property assigned to the operational responsibility of either the Commander, U.S. Army Garrison, Fort Detrick, Maryland or the Commanding General, U.S. Army Medical Research and Materiel Command and Fort Detrick. This includes but is not limited to parcels located in the following Maryland communities: Frederick, Glen Haven, and Forest Glen.

**Driving** - means operating a motor vehicle on an active roadway with the motor running, including while temporarily stationary because of traffic, a traffic light or stop sign, or otherwise. It does not include operating a motor vehicle with or without the motor running when one has pulled over to the side of, or off, an active roadway and has halted in a location where one can safely remain stationary.

**Motor Vehicle** - A vehicle propelled by an engine. For the purposes of this regulation, a motorcycle, moped, and motor scooter (even those operating on an engine which has an internal combustion engine with a capacity of 50 cubic centimeters piston displacement or less) is defined as a motor vehicle, and the operators of these vehicles must meet all driving and operating requirements specified for vehicles in this regulation.

**Park** - The standing of a vehicle, whether occupied or not, other than temporarily for the purpose of and while actually engaged in loading and unloading merchandise or passengers.

**Parking on Roads** - The stopping of a vehicle parallel to the curb or shoulder, headed in the direction of traffic with curbside wheels within 18 inches of the curb or edge or roadway except when angle parking is authorized by appropriate signs or markings.

**Road** - Any street, and additionally, any driving lane in a parking lot.

**Stop** - A complete cessation of movement.

**Texting or Text Messaging** - means reading from or entering data into any handheld or other electronic device, including for the purpose of simple message system (SMS) texting, e-mailing, instant messaging, obtaining navigational information, or engaging in any other form of electronic data retrieval or electronic data communication.

