

**DEPARTMENT OF THE ARMY  
HEADQUARTERS, U.S. ARMY SIGNAL CENTER OF EXCELLENCE  
AND FORT GORDON  
Fort Gordon, Georgia 30905-5735**

**USASCoE&FG Regulation  
No. 210-3 \***

**27 July 2011**

**Installations  
INSTALLATION MOTOR VEHICLE TRAFFIC CODE**

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**Summary.** This regulation establishes an installation traffic code governing the registration requirements and operation of motor vehicles on Fort Gordon and on the Pointes West Army Recreation Center.

**Applicability.** Under the provisions of DODD 5525.4. Enforcement of the State Traffic Laws on DoD Installations, this regulation applies to all operators or passengers in/on any type of mechanical conveyance on Fort Gordon, to include privately owned vehicles, military vehicles, recreational/trailers, motorcycles/mopeds, bicycles, and off-road vehicles (i.e., all terrain vehicles).

**Proponent and Exception Authority.** The proponent of this regulation is the Directorate of Emergency Services (DES). The proponent has authority to approve exceptions to this regulation that are consistent with controlling law and regulation. Exceptions to the guidance and requirements in chapters 4 and 5 must be coordinated with the Staff Judge Advocate.

**Supplementation.** Supplementation of this regulation is prohibited, unless specifically approved by Commanding General, United States Army Signal Center of Excellence and Fort Gordon (USASCoE&FG),

**Suggested improvements.** The proponent of this regulation is the Directorate of Emergency Services (DES). Users are invited to send comments and suggested improvements on Department of the Army (DA) Form 2028 (Recommended Changes to Publications and Blank Forms) to Commanding General, USASCoE&FG, ATTN: IMSE-GOR-ESP, Fort Gordon, Georgia 30905-5000 and/or submit DA Form 1045 (Army Ideas for Excellence Program (AIEP) Proposal) to the installation AIEP coordinator.

**Availability.** This regulation is only available at the USASCoE&FG publications website at: <http://www.gordon.army.mil/dhr/docmgt.htm>.

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**\*This regulation supersedes USASCoE&FG Regulation 210-3 (17 April 2001), Change 1 (7 September 2001), and MOI Memorandum, ATZH-CG, UNDATED, subject: Memorandum of Instruction (MOI) for Suspension of Driving Privileges on Fort Gordon for Intoxicated and Impaired Driving and for other Driving Offenses.**

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## **Chapter 1**

### **Introduction**

**1-1. Purpose.** To establish an installation traffic code governing the registration requirements and operation of motor vehicles on Fort Gordon and the Pointes West Army Recreation Center. This regulation establishes policy, responsibilities, and procedures for the registration and operation of vehicles on Fort Gordon IAW AR 190-5 and Georgia's Uniform Rules of the Road, Title 40, Chapters 1 and 6, Official Code of Georgia Annotated. This includes but is not limited to the following:

- a. Granting, suspending, or revoking the privilege to operate a privately owned vehicle (POV).
- b. Registration of POVs.
- c. Administration of vehicle registration and driver performance records.
- d. Parking enforcement.
- e. Driver improvement programs.
- f. Police traffic supervision.
- g. Off-installation traffic activities.

**1-2. Policy.** All persons within the boundaries of this installation are subject to the provisions of this regulation and appropriate publications. This regulation is punitive in nature, and violation of the provisions herein will subject military personnel to disciplinary and/or administrative action as appropriate. Personnel not subject to the UCMJ who fail to comply with this regulation are subject to administrative and/or criminal sanctions. A person found guilty of violating, on a military installation, any state vehicular or pedestrian traffic law, local installation vehicular or pedestrian traffic rule, or regulation made applicable to the installation under the provisions of this regulation may be subject to a fine and/or imprisonment, or both, for each violation (DODD 5525.4, Enforcement of the State Traffic Laws on DoD Installations). All persons are subject to judicial processing under the U.S. Magistrate Court system. The violation of any provision of this regulation is separately punishable as a violation of a lawful general order or regulation under Article 92, UCMJ. These punitive provisions may also be the basis for a commissioned, warrant, noncommissioned or law enforcement officer to issue a lawful order to a service member IAW Article 91, UCMJ. IAW with AR 190-5, only administrative actions (reprimand, assessment of points, loss of on-post driving privileges, or other actions), may be initiated against service members for off-post violations of this regulation.

**1-3. References.** Required and related publications are listed in Appendix A.

**1-4. Explanation of Abbreviations and Terms.** See Glossary

**1-5. Responsibilities.**

a. Director of Emergency Services (DES):

(1) Establish, maintain, and control installation vehicle registration as directed by the installation commander, IAW AR 190-5, chapter 3.

(2) Ensure that traffic supervision is properly integrated in the overall installation traffic safety program.

(3) In coordination with the Chief of the Fire Department, the DES will designate and post fire lanes where appropriate on Fort Gordon.

(4) Investigate intoxicated or impaired driving offenses occurring on the installation and coordinate with outside law enforcement agencies to obtain evidence of offenses by individuals under military jurisdiction

(5) Process military and civilian personnel for suspension and revocation of on post driving privileges IAW Chapter 4, below.

(6) At his or her discretion cause to be inspected any vehicle being operated on the installation if there exists reasonable suspicion of a crime or violation of a traffic regulation or the installation commander's policy.

(7) Exclude or remove from the installation or impound any vehicle used as an instrument in a crime, suspected of being stolen, abandoned, or being operated by a person under the influence of drugs or with a blood, breath, or urine alcohol concentration of 0.08 or more grams of alcohol per 100 milliliters of blood or 0.08 grams of alcohol per 210 liters of breath.

(8) Exclude or remove from the installation any vehicle not meeting vehicle inspection standards. (Military Police personnel are authorized to instruct drivers of vehicles, unsafe for operation, to park such vehicles and conduct on-site repairs or have the vehicle towed from the installation).

(9) Fort Gordon Law Enforcement Personnel may deny the right of entry to the installation to an individual, or order the removal of any vehicle, when the operator or person responsible for the vehicle refuses to consent to an inspection of their vehicle or its contents, IAW the guidance in Chapter 3 of this regulation.

(10) In coordination with the Director of Public Works and the Fort Gordon Installation Safety Office establish speed limits, locations for traffic control devices and traffic control points, and other regulatory guidance necessary to ensure the safe and orderly flow of motor vehicle traffic.

(11) Enforce speed limits, traffic control devices, traffic control points, and other regulatory guidance necessary to ensure the safe and orderly flow of motor vehicle traffic.

(12) Immediately issue notification of the immediate suspension of driving privileges to any person lawfully apprehended on the installation, pending the resolution of the following charges:

(a) Refusal to submit or successfully complete lawfully requested chemical test(s) for blood/breath alcohol content.

(b) Driving Under the Influence (to include being in physical control) of a vehicle when their blood/breath alcohol content is equal to or greater than 0.08 percent by volume or in violation of the laws of the state of Georgia as assimilated.

(13) Expeditiously compile and forward to the Office of the Staff Judge Advocate (OSJA), documentation sufficient to impose a suspension/revocation of installation driving privileges.

b. Director of Public Works (DPW):

(1) Conduct formal traffic engineering studies in close coordination with the DES.

(2) Apply traffic engineering measures (to include traffic control devices) to reduce the number and severity of traffic accidents.

(3) Install traffic and “no parking” signs, signals, and pavement markings as directed by the DES in compliance with the standards in the current Manual on Uniform Traffic Control Devices for Streets and Highways.

c. Fort Gordon Installation Safety Office will be responsible for executive oversight of the Traffic Safety Program.

d. Commanders:

(1) Ensure that members of their command comply with suspension or revocation orders issued by the installation commander or his/her designated representative.

(2) Ensure that a copy of this regulation is readily available in each unit orderly room and that all newly assigned personnel, including personnel on temporary duty (TDY), are aware of the contents.

(3) Ensure that military members of their command attend Military Traffic Hearings as directed by the reverse side of the Armed Forces Traffic Ticket, DD Form 1408.

e. Drivers of authorized emergency vehicles:

(1) Avoid the unnecessary use of lights and sirens.

(2) Obey established speed regulations when not engaged in an emergency call. Military Police and other emergency vehicles may exceed the established speed regulations in pursuit of law violators or when responding to an emergency.

(3) Obey all other traffic regulations when not engaged in an emergency call or authorized police action; however in an emergency they may park in any location, proceed through stop signs, and make unauthorized turns provided these actions do not endanger other personnel or property. When not in an emergency they may park in any area that does not endanger public safety or interfere with the flow of traffic.

f. Office of the Staff Judge Advocate (OSJA):

(1) The Deputy Staff Judge Advocate (DSJA) performs duties as the designated reviewer for on post driving privilege suspension and revocation cases UP AR 190-5, 2-6c. The Staff Judge Advocate (SJA) will be the alternate designated reviewer.

(2) The DSJA and the SJA, as the primary and alternate designated reviewers, will process suspension and revocation actions against military and civilian personnel IAW Chapter 4, below.

(3) The SJA appoints a hearing officer to conduct hearings in DUI cases in which the suspended driver requests in order to restore driving privileges pending the resolution of the driving charge. See para. 4-3, below.

(4) The SJA appoints a hearing officer to conduct hearings in DUI cases in which the suspended driver requests restored driving privileges after a final disposition of drunken driving charges. See para. 4-3, below.

(5) Prosecute traffic offenses in U.S. Magistrate Court.

(6) Supervise the adjudication process and administration of appeal actions concerning driving suspension and revocation actions of this regulation.

(7) Appoint judge advocates to serve as Military Traffic Hearing Officers UP of Chapter 5 of this regulation.

## **Chapter 2**

### **Fort Gordon Traffic Violations**

**2-1. Vehicular and Pedestrian Traffic Rules in Addition to Vehicular and Pedestrian Traffic Laws of the State of Georgia.** Vehicular and pedestrian traffic rules and regulations for Fort Gordon are hereby promulgated IAW with AR 190-5, paragraph 4-2 and DoD Directive 5525.4. All persons on Fort Gordon shall comply with the locally established vehicular and pedestrian traffic rules and regulations found in paragraphs 2-2 through 2-8. Where the rules prescribed in paragraphs 2-3 through 2-8 conflict with Georgia law, assimilated as described in paragraph 2-2, the rules in paragraphs 2-3 through 2-8 are controlling, will supersede assimilated state law, and will be enforced under this Regulation.

**2-2. Assimilation of the Vehicular and Pedestrian Traffic Laws of the State of Georgia.** Georgia state vehicular and pedestrian traffic laws that are now or may hereafter be in effect are



expressly adopted and made applicable on Fort Gordon to the extent provided by DoD Directive 5525.4 and AR 190-5. All persons on Fort Gordon shall comply with the vehicular and pedestrian traffic laws of the State of Georgia. The vehicular and pedestrian traffic laws of the State of Georgia in effect at the time of an alleged violation will be the applicable law. Current vehicular and pedestrian traffic laws of the State of Georgia can be found at <http://www.lexis-lexis.com/hottopics/gacode/default.asp>.

### **2-3. Speed Limits.**

- a. Ten (10) MPH when approaching or passing troop formations travelling on the same roadway as the passing vehicle.
- b. Ten (10) MPH in parking lots and areas where troop formations are present.
- c. Twenty-five (25) MPH unless otherwise posted.
- d. As otherwise posted.
- e. No person shall operate a vehicle at a reduced speed, sufficient to impede or block normal and orderly movement/flow of traffic, unless a safety requirement exists.
- f. School zones and other areas where speed limits are reduced to below twenty-five (25) MPH, on a regular basis, shall have flashing yellow lights when the lowered speed limits are in effect.

### **2-4. Other Moving Violations.**

- a. Headphones or earphones will not be worn when operating any vehicle (to include a bicycle). Earphones are allowed for cell phone hands-free devices, but may only be worn in one ear.
- b. The use of cell phones or any other communication device while operating any type of vehicle is prohibited except for receiving or placing calls in performance of duties from tactical or emergency vehicles or other mission-critical duties, to include law enforcement use of in-car mobile data terminals and other in-car electronic devices. You will be presumed to be using the cell phone if you are holding it in your hands for any purpose, to include placing or answering a call, sending or receiving text messages, checking for voice mail messages, or obtaining GPS or other data. Hands free devices, such as speakers and earphones, are authorized for use with cell phones while operating a vehicle.

(1) This section shall not apply to authorized emergency and law enforcement personnel using cell phones or other communications devices in the furtherance of their emergency and law enforcement duties.

(2) In addition, IAW Executive Order No. 13513, federal employees shall not engage in text messaging when driving a GOV, when driving a POV while on official Government business or

when using electronic equipment supplied by the Government while driving on or off post. See Executive Order No. 13513, 1 October 2009.

- c. The use of radar or laser detection devices to indicate the presence of speed recording instruments or to transmit simulated erroneous speeds is prohibited.
- d. The use of any electric sound generating device or amplification sources, used in a manner so that the sound is audible to the human ear twenty-five (25) feet from the source is prohibited except when such sound sources are used by authorized emergency vehicles, law enforcement vehicles, or as a warning device.
- e. Motor vehicles will not be operated on the roadways of Fort Gordon with tinting material affixed to the front windshield. Tinting material will not be placed over the vehicle headlights, taillights, or license plate. Tinting on the rest of the vehicle will not reduce light transmission to less than 32 percent, plus or minus 3 percent, or increase light reflection to more than 20 percent. This provision does not apply to authorized emergency vehicles, law enforcement vehicles, buses, limousines, or any other vehicle with before-market factory tinting.
- f. Vehicles will stop and yield the right of way to pedestrians entering marked crosswalk zones until the pedestrian has cleared the roadway. Additionally, runners crossing 25th Street at the Barton Field track locations have the right of way and motorists must stop and yield to them.
- g. Motorcycles and mopeds. For motorcycles and other self-propelled, open, 2-wheel, 3-wheel, and 4-wheel vehicles powered by a motorcycle-type engine, the follow traffic rules apply IAW AR 385-10 and AR 190-5:
  - (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 or fairing.
  - (3) Personal protective equipment (PPE). The following PPE is mandatory for the following personnel while operating or riding as a passenger on a motorcycle, moped, or ATV: all military personnel at any time, on or off the installation; all military civilian personnel in a duty status, on or off the installation; all personnel in or on a DoD owned motorcycle; and all persons at any time on the installation.
    - (a) Helmets certified to meet U.S. Department of Transportation standards (49 C.F.R. §571.218) and properly fastened under the chin
    - (b) Impact or shatter resistant goggles, wraparound glasses, or full-face shield properly attached to the helmet must meet or exceed ANSI Safety Code Z87.1, for impact and shatter resistance. A windshield alone is not proper eye protection
    - (c) Sturdy footwear, leather boots, or over the ankle shoes must be worn.

(d) A long sleeved shirt or jacket, long trousers, and full fingered gloves or mittens designed for use on a motorcycle must be worn.

(e) A brightly colored outer garment during the day and reflective upper garment during the night. Military uniforms do not meet this criterion. The outer garment shall be clearly visible and not covered. Reflective belts are not authorized in lieu of a safety vest.

h. Restraint systems (seat belts):

(1) Restraint systems will be worn by all operators and passengers of U.S. Government vehicles on or off the installation.

(2) Restraint systems will be worn by all persons (service members, DOD civilians, family members, guests, and visitors) driving or riding in a POV on the installation.

(3) 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.

(4) Drivers will not allow the number of people riding in a vehicle to exceed the number of factory installed seatbelts.

(5) Every driver of a motor vehicle on the installation must provide an appropriate child passenger restraint system for children under age six (6) and must secure the child as follows:

(a) A child from birth up to one (1) year of age or who weighs less than twenty (20) pounds must be properly secured in a rear-facing child safety seat, which meets the standards prescribed by the National Highway Traffic Safety Administration.

(b) A child who is at least one (1) year of age but less than six (6) years of age and who weighs at least twenty (20) pounds but less than forty (40) pounds must be secured in a forward-facing child safety seat which meets the standards prescribed by the National Highway Traffic Safety Administration.

(c) A child who is at least one (1) year of age but less than six (6) years of age and who weighs at least forty (40) pounds but not more than eighty (80) pounds must be secured by a belt-positioning booster seat. The belt-positioning booster seat must be used with both lap and shoulder belts. A booster seat must not be used with a lap belt alone.

(d) If a child who is at least one (1) year of age but less than six (6) years of age and who weighs more than eighty (80) pounds, the child may be restrained in an adult safety belt. If a child is less than six (6) years of age and can sit with his back straight against the vehicle seat

back cushion, with their knees bent over the vehicle's seat edge without slouching, the child may be seated in a regular back seat and secured by an adult safety belt.

(e) A child who is less than six (6) years of age must not occupy a front passenger seat of a motor vehicle. This restriction does not apply if the motor vehicle does not have rear passenger seats or if all rear passenger seats are occupied by other children less than six (6) years of age.

i. Headlights will be turned on when windshield wipers are in operation.

j. Driver distractions. Vehicle operators will be attentive at all times and will exercise due care and caution at all times while their vehicle is under their control. Activities such as eating, drinking, operating radios, CD players, global positioning device, and so on should only be done when the vehicle is safely parked, unless otherwise not possible. The wearing of any other portable headphones, earphones, or other listening devices (except for hands-free cellular phones) while operating a vehicle is prohibited.

k. Vehicle operators will maintain complete control of their vehicle at all times, thus ensuring their vehicle is operated in a safe and prudent manner.

l. It is the responsibility of every vehicle operator to ensure they have sufficient clearance between their vehicle and any other vehicle or fixed object to allow for safe movement/passage.

m. Vehicle mechanical requirements: In addition to the requirements of Georgia Code regarding motor vehicle requirements, O.C.G.A. Title 40, Chapter 8, Article 1, the following will apply:

(1) Fenders, doors, body, bumper will be properly maintained to preclude the hazard of sharp or protruding edges and points.

(2) Door, trunk, and hood hinges will be tightly secured in the manner intended by the manufacturer. Securing of doors, trunk, and hood by use of ropes, chains, or other devices is prohibited except when the transport of items prohibit proper securing of the trunk. However, in no case will litter, debris, or items be allowed to spill into the roadway.

(3) Devices which release smoke, produce excessive odors, or produce excessive noise are prohibited.

(4) The display or use of any oscillating, flashing, rotating or strobe lighting, and displaying or using any siren, except on authorized emergency vehicles or as a warning device, is

prohibited. Authorized maintenance vehicles are permitted to display yellow and/or white warning lights while performing duties which may interfere with normal traffic flow.

## **2-5. Traffic Rules for Bicyclists and Other Non-Motorized Vehicles.**

- a. Bicyclists are required to obey all traffic laws IAW Georgia Traffic Laws, O.C.G.A. § 40-6-290 through 299. Bicyclists will wear helmets at all times and clothing with reflective material during hours of reduced visibility. When dismounted, rules pertaining to pedestrians apply.
- b. Bicyclists will move with the flow of traffic and not impede the operation of motor vehicles. Whenever possible, bicyclists will ride as near to the right side of the road as practical.
- c. A bicycle being operated at night will be equipped with a working headlight, taillight, and reflectors, which are visible to 300 feet.
- d. No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped. Riding double on a bicycle is prohibited with the exception of a tandem built bicycle. Child carriers are authorized.
- e. All personnel riding bicycles, including children riding in child carrier, must wear a properly fastened and approved helmet as described by the Consumer Public Safety Commission (CPSC). See 16 CFR Part 1203.
- f. Skateboards, rollerblades, roller skates, and scooters will not be used in any place where there is danger due to immediate vehicular traffic. This includes roadways, the shoulder of the road, bicycle paths, and parking lots during business hours.
- g. Use of skateboards, rollerblades, roller skates, and scooters are prohibited in the following business areas at all times:
  - (1) Bowling Alleys
  - (2) Shoppettes
  - (3) Theater
  - (4) Burger King
  - (5) Child Development Centers

(6) The Gordon Club

(7) The Court Yard

h. Use of skateboards, rollerblades, roller skates, and scooters are prohibited during hours of darkness.

i. Use of skateboards, rollerblades, roller skates, and scooters are permitted during daylight hours at the following:

(1) Sidewalks (except in the business area noted)

(2) Playgrounds

(3) Empty parking lots (except in the business areas noted)

(4) PX and Commissary parking lots one hour after closing until dark.

(5) Other areas which do not interfere with vehicular traffic.

j. Individuals are prohibited from using things such as benches, ramps, and other permanent structures to aid in performing stunts.

k. All personnel using skateboards, rollerblades, roller skates, and scooters must wear a properly fastened and helmet that meets CPSC bicycle helmet requirements.

l. The use of headphones or earphones while using skateboards, rollerblades, roller skates, and scooters is prohibited.

**2-6. Traffic Rules for Pedestrians.** Because Fort Gordon experiences a large number of units and individuals using the roadways on a daily basis, formations, individual runners/walkers and motorists, the following rules will be enforced.

a. Troop formations.

(1) Formations will only be held at designated training areas (ex: Barton Field, tracks, gyms, sports complexes).

(2) No running/marching is allowed on Avenue of the States, 19th Street from Chamberlain Avenue to Gordon Highway, Rice Road, 15<sup>th</sup> Street, and Chamberlain Avenue.

(3) Formations must remain on the right side of the roadway, taking no more than one lane. Troop formations will double time across roadways. When traffic signals are in the area of the troop crossing, troops will wait until traffic is halted by the traffic signal.

(4) Road guards must have reflective vests as specified in TRADOC Regulation 385-2, regardless of weather conditions. Flashlights are required during periods of limited visibility.

(5) Formations must have a “straggler NCO”, equipped with reflective vest and flashlight who will be responsible for safety of marching/running stragglers.

(6) Formations must utilize DPTMS approved run routes or gain approval in writing from DPTMS for exceptions.

b. Individual runners, walkers, and other pedestrians.

(1) Pedestrians, to include runners and walkers, must obey all traffic control devices unless otherwise directed by law enforcement personnel.

(2) Wearing any device that obstructs the runners/walkers hearing (walkman, radio, etc.) is prohibited on all roadways. An earphone for a cell phone hands-free device may be worn in one ear only. Headphones, radios, etc., may be worn on Barton Field or other designated off-road tracks.

(3) Pedestrians, to include runners, must use sidewalks and designated crosswalks when available. Pedestrians and runners will travel on the left side of the roadway facing traffic when sidewalks are not available.

(4) Reflective arm and leg bands, vests, or belts are required during hours of limited visibility such as before sunrise, after sunset, and during foggy or rainy conditions. Wearing of light colored clothing is highly recommended.

(5) Runners will not run on Avenue of the States, 19th Street from Chamberlain Avenue to Gordon Highway, Rice Road, 15th Street, and Chamberlain Avenue. Individual runners/walkers are permitted to use sidewalks along these streets.

(6) Streets will not be used as playgrounds. Playing, sports, and games are strictly prohibited in roadways.

(7) All DOD and contractor personnel who are exposed to traffic hazards as a part of their assigned duties will wear fluorescent or reflective personal protective equipment.

**2-7. Regulation of Parking on the Installation.**

a. No Parking Areas. Law enforcement personnel will enforce violations of this paragraph as parking in an unlawful area. Parking is prohibited in the following areas in addition to those listed in O.C.G.A. Title 40 Chapter 6 Article 10 and offending vehicles may be ticketed, immobilized, and/or towed and stored at owner's expense at an off-post contract towing storage facility:

(1) Upon grass or seeded areas or any other area containing vegetation which is maintained by mowing, to include, but not limited to, roadsides, lawns, athletic fields, and flower beds. Exceptions, e.g. parking for outdoor concerts, rodeos, and MWR events must be approved by the Traffic Section and the Garrison Commander.

(2) On any sidewalk or running track.

(3) Within 25 feet of buildings, except in areas officially designated as authorized parking areas by the Garrison Commander or his designated representative.

(4) Within 20 feet of a pedestrian crosswalk.

(5) In front of a trash dumpster or on the service-vehicle approach to any trash dumpster.

(6) Within 15 feet of a fire hydrant.

(7) In reserved parking spaces for authorized personnel (as identified in paragraph 2-8, below).

(8) In any non-paved area not specifically designated for parking, including any roadway, roadway shoulder, or driveway not specifically marked for parking (e.g. grass, dirt.)

(9) When occupying more than one parking space or if individual stalls are not marked, parked in a manner that prevents other vehicles from using the parking areas.

(10) In designated handicapped parking spaces without permit/decal.

(11) In front of a public or private driveway.

(12) Within thirty (30) feet upon the approach of any flashing signal, stop sign, yield sign, or traffic control signal.

(13) On roadways designated and marked as fire lanes.

(14) In a "tow-away" or "no parking" zone that is so marked with proper signs at the direction of the DES.



b. Miscellaneous Parking Violations. Law enforcement personnel will enforce violations of this paragraph as unlawful parking.

(1) Children under the age of twelve (12) and pets shall not be left in parked vehicles without the responsible person being in the vehicle or in the vehicle's immediate vicinity.

(2) Recreational vehicles (RV - boats, personal watercrafts, all terrain vehicles, campers, and trailers, etc.) will not be stored in parking lots. Recreational vehicles may only be stored in the recreational vehicle self storage parking lots adjacent to Automotive Branch at the corner of 30th Street and 3rd Avenue. The POC for accessing and utilizing on-post RV storage lots is the Auto Craft Center at (706) 791-7256.

(3) Recreational vehicles will not be parked in housing areas, along the curb or roads leading to the housing area, or in any other parking lot or area not officially designated by the Provost Marshal or Garrison Commander for the parking of these vehicles. The vehicles may be parked in an individual's driveway or under the carport for up to one (1) duty day prior to and following a recreational outing. Such parking must not interfere with the normal flow of traffic, create safety hazard, or interfere with other reserved spaces.

(4) No person shall park a vehicle for the purpose of displaying it for sale other than in the authorized POV sales lot at the intersection of 31st Street and 3rd Avenue. Vehicles offered for sale at this location must be registered as provided by installation policy in Chapter Three of this regulation. Vehicles being operated on a daily basis may display a removable "For Sale" sign no larger than 20" x 20". These vehicles, with the "For Sale" sign displayed, may not remain in any parking lot for more than twenty-four (24) consecutive hours.

(5) Extensive repair of POVs is prohibited in parking areas. Extensive repair is defined as work requiring the removal and replacement of major automotive parts (i.e. engine or transmission repair, brake work, etc). Such automotive repairs as changing oil, spark plugs, adjusting the timing, replacing a windshield, and flushing the radiator are permitted if waste is disposed of in an approved manner. Fluids from changing oil or flushing radiators may not be placed in the ground or water, dumped into any storm drain or sewer of any type or placed in any dumpster or other trash collecting container. These fluids may be taken to the Automotive Craft Shop for disposal. The number to reach the Automotive Craft Shop is (706) 791-2390. Vehicles may not be left unattended while on stands, blocks, or jacks.

(6) Parking of Tractor Trailer, Tractors, 18 wheel type trailers, and commercial vehicles, 1+ ton pickup, and moving vans are prohibited in the housing area and main cantonment area, unless used for a ETS, PCS, or other relocation move. Residents and guests will coordinate with the Military Police Desk Sergeant and Balfour Beatty Communities (BBC) for approval in other situations. The Military Police Desk Sergeant can be reached at (706) 791-4537, and BBC at (706) 772-7041.

c. Exceptions to the prohibitions in paragraph 2-7a and 2-7b, above.

(1) Law enforcement, fire, emergency and service vehicles are specifically exempt from the above prohibitions.

(2) The Director of Emergency Services may approve other exceptions to the prohibitions in paragraph 2-7a and 2-7b, above. Requests for exceptions should be submitted in writing to the DES Director. Examples of situations that may justify an exception include extra parking for outdoor concerts, rodeos, and other MWR events.

(3) A person does not violate the prohibitions of paragraph 2-7a and 2-7b, above if they are momentarily stopped to pick-up or discharge passengers in the areas listed in paragraph 2-7a and 2-7b. The driver must remain in the driver's seat of the vehicle and may not remain in the area for longer than 3 minutes.

d. Requirements for Parking a GOV. Person(s) responsible for a government vehicle will secure the vehicle whenever leaving it unattended. A vehicle will be considered secured when the following actions have been accomplished:

(1) Ignition is turned to the "off" or "lock" position, as appropriate, and the key is removed.

(2) Parking brake is engaged.

(3) All windows are closed.

(4) All doors are locked or fastened in the event no ignition lock is provided.

(5) A padlock will be used to secure the steering mechanism of those vehicles not having a keyed ignition switch or lockable doors.

(6) Vehicle wheels will be turned appropriately when parked on an incline or decline.

(7) If a manual transmission, the vehicle will be left in gear.

e. Persons receiving three or more parking violations in a 12-month period may have their Fort Gordon driving privileges suspended for a period of 6 months, under the procedures set forth in paragraph 4-4.

## **2-8. Reserved Parking.**

a. All authorized reserved parking will be identified by position.

b. Reserved parking for the command element is restricted to the following:

- (1) The Commanding General and Command Sergeant Major, USASCoE&FG
  - (2) The Deputy to the Commander, USASCoE&FG
  - (3) The Chief of Staff, USASCoE&FG
  - (4) The Commander and Command Sergeant Major, USAG
  - (5) Deputy Commander, USAG
  - (6) Brigade, battalion, and company commanders, CSMs, and 1SG.
  - (6) Directors, personal staff officers, and sergeants major.
  - (7) Personal and special staff/directors (DMWR, IG, etc.).
  - (8) SJA, Military Judge, DSJA, Legal Administrator, and Legal NCOIC.
  - (9) Military vehicles, handicapped persons, and visitors.
- c. Reserved parking for the Dwight D. Eisenhower Army Medical Center (DEAMC) complex and company size units/detachments or separate facilities of DDEAMC will be as authorized by the Commander, DDEAMC.
- d. Reserved parking for the Commissary, the Main Exchange, and the Mini Exchange Shopping Center (i.e., PXtra): Parking spaces may be reserved for expectant mothers, housing area mayors and families of service members killed in action.
- e. Other requested reserved parking areas for installation activities will be approved by Garrison Commander.
- (1) When additional reserved or assigned parking requirements are requested, sufficient justification including a sketch detailing the proposed reserved parking space(s), will be submitted to the DES Operations, ATTN: IMSE-GOR-ESP (prior to forwarding a work request to the DPW).
  - (2) The custodians of parking lots in "common use" areas (i.e., shared parking lots, Post Exchange, concessions, the Commissary, medical facilities outside the DDEAMC complex, installation staff activities) are authorized to erect reserved parking signs for military vehicles, handicapped persons, based on rank, and visitors upon approval of the DES. The parking lot adjacent to Signal Towers is authorized to have numbered reserved parking spaces. These parking spaces will be designated and controlled by the Installation Secretary of the General Staff (SGS).

f. All other parking spaces will be on a first-come, first-served basis with priority given to car pools.

g. Commanders and parking lot custodians are responsible for the enforcement of the reserved parking spaces established within their areas. Commanders and Directors are responsible for coordinating the installation of appropriate signage to mark reserved parking spaces. The Military Police Desk Sergeant, (706) 791-4537, will assist in identifying registered owners of unauthorized vehicles parked in reserved parking spaces. Law Enforcement Personnel will not enforce unauthorized parking in reserved spaces.

**2-9. Maximum Punishments.** A civilian found guilty of violating the vehicular or pedestrian traffic law is subject to the applicable maximum punishment provisions found in the O.C.G.A., or those promulgated IAW DODD 5525.4 and AR 190-5.

### **Chapter 3**

#### **Privately Owned Vehicles**

#### **3-1. Mandatory and Optional Registration.**

a. All POVs, to include privately leased vehicles, operated on Fort Gordon must be registered at the Vehicle Registration Office within 7 working days of arrival to Fort Gordon by the following categories of personnel or businesses:

(1) All Active Duty, Reserve, and National Guard personnel assigned, attached, or detailed to units on Fort Gordon. See para. 3-1c, below, for guidance to TDY personnel.

(2) DoD Civilians employed on Fort Gordon.

(3) Commercial firms, contractors, vendors, and concessionaires duly authorized to conduct business and/or perform services, who operate vehicles on the installation reservation more frequently than once per month.

(4) Personnel in a student status. These personnel will be issued a temporary registration decal.

(5) Personnel assigned to the Warrior Transition Unit. These personnel will be issued a temporary registration decal.

(6) Permanent party personnel with temporary tags or United States Army Europe (USAREUR) tags will obtain a temporary registration permit valid for 45 days. This will allow sufficient time to obtain a valid state registration certificate and license plate. Once obtained, permanent party personnel must apply for a regular registration decal.

b. The following persons may register their POVs on Fort Gordon:

(1) Legal dependents/family members of active duty military personnel who are not assigned, attached, or detailed to Fort Gordon but reside in the Central Savannah River Area (CSRA) and utilize the installation facilities.

(2) Retired military personnel and their family members who live in the CSRA and utilize Fort Gordon more than three times a month. Proof of use will not be required.

(3) Active duty military personnel assigned or attached to a recruiting station and/or Reserve Officers' Training Corps Detachments in the CSRA and their family members who utilize Fort Gordon more than three times a month.

(4) Reserve and National Guard personnel assigned, attached, or detailed to units in the CSRA.

c. Personnel on TDY for a period less than 6 months at Fort Gordon who's POV has a valid registration from another military installation will not be required to register their POV on Fort Gordon. Personnel on TDY at Fort Gordon with a POV not registered at their permanent duty station must obtain a temporary registration decal.

d. Commercial taxi registration on this installation will only be granted for taxis licensed by the Directorate of Family and Morale, Welfare and Recreation (DFMWR) Contracting Officer and the Contracting Officer's Representative (COR) in accordance with USASC&FG Regulation 55-7 and the current contract established by a Nonappropriated Fund (NAF) Contracting Officer. POVs identified and utilized as taxis on this installation must be licensed by the Fort Gordon Transportation Officer before being allowed to register.

### **3-2. Documentation Required for POV Registration.**

a. Certificate of Registration required by the state in which the vehicle is registered. If applicant is other than the owner, a lease agreement, power of attorney, or a notarized letter from the owner authorizing applicant to register the vehicle is required.

b. Valid driver's license required or recognized by the State of Georgia. A driver need not obtain a Georgia driver's license if his current state driver's license is valid. Active duty military personnel who have a valid license issued in a foreign country by the Armed Forces of the United States will receive a temporary registration valid for 45 days. This time frame will allow the soldier to obtain a valid state driver's license. Permanent party must then apply for permanent registration, and non-permanent party personnel must re-apply for temporary registration.

c. Identification documents required for registration will be as follows:

(1) Active duty military: Common Access Card (CAC) or Department of Defense (DD) Form 2A, United States Armed Forces Identification Card;

(2) Retired military: DD Form 2 (Retired), United States Uniformed Services Identification Card;

(3) Military dependent: DD Form 1173, Uniformed Services Identification and Privilege Card;

(4) Civilian employee: CAC Card or DA Form 1602, Department of the Army Civilian Identification (appropriated and non-appropriated personnel);

(5) Army and Air Force Exchange Service (AAFES) employee: AAFES Form 1100-16, Identification and Privilege Card Application;

(6) Contractors or concessionaires: A present a copy of their most recent pay voucher and any other documentation, as needed, to verify employment on post.

(7) Other documentation to verify current status in cases where there is a question of eligibility.

d. Commercial taxis must display appropriate registration documents IAW paragraph 3-1d, above.

e. A current vehicle license plate(s) must be attached to the vehicle, in the manufacturer's intended location, prior to receiving a 4-year registration.

f. Proof of liability insurance must be presented in the form of an insurance policy or indicated on an insurance card. Applicants must maintain liability insurance as required by the State of Georgia or the state the vehicle is registered in.

g. Bill of sale, shipping document, or previous registration will be required for proof of ownership for a moped.

h. Individuals registering a motorcycle must:

(1) Military personnel will present a Motorcycle Safety Foundation Experienced Rider or Basic Rider Course completion certificate, recognized by the National Safety Council, at the time of registration.

(2) Present a drivers license with a motorcycle endorsement, unless not required by the licensing state's law.

### **3-3. Registration Decals.**

a. Reflectorized decals will be used to provide visual means of identifying registered POV's. Decal specifications are listed below:

(1) DD Form 2220, Vehicle Decal, DOD Registered, with an additional 3/4-inch by 2-inch expiration tab, and a color coded Fort Gordon tab will be used. (See figure 3-1)

(2) Alphanumeric numbering system will be controlled through the DES Vehicle Registration Office.

b. Color scheme. DD Form 2220 is issued only in a blue format. Fort Gordon designator tab color code is as follows:

(1) Blue with white lettering will be used for all officers, commissioned or warrant, on active duty or retired, and their family members.

(2) Red with white lettering will be used for all enlisted personnel on active duty or retired and their family members.

(3) Green with white lettering will be used for all civil service, NAF, Post Exchange, and contracted employees.

(4) Black with white lettering will be used for authorized contractors, contractor employees, and personnel authorized to solicit on Fort Gordon.

c. Display and placement of decals.

(1) One DD Form 2220 with expiration tab and Fort Gordon designator tab will be issued for each POV of personnel registered on the installation.

(2) One temporary decal will be issued to each POV for a person authorized post registration who is attached to Fort Gordon less than 6 months. The temporary decal will be displayed inside the vehicle in the lower left corner of the front windshield while entering the installation.

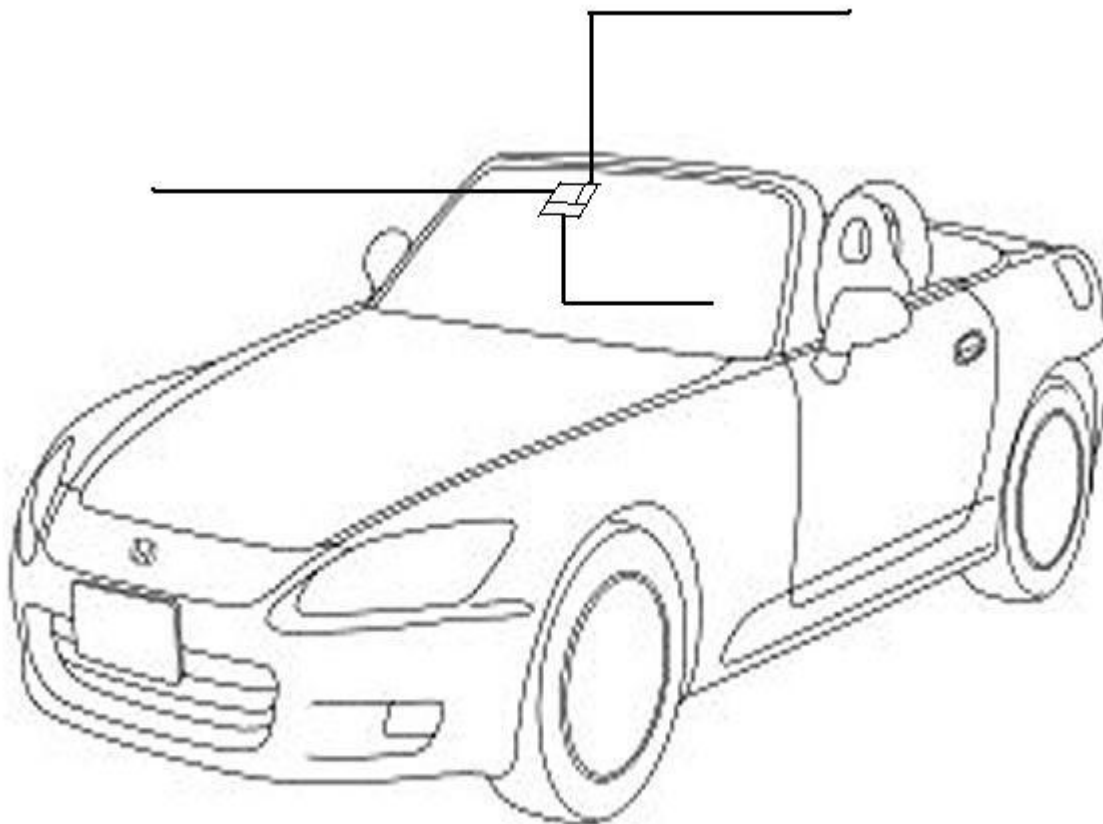
(3) All POVs, excluding motorcycles, will display the DD Form 2220 or temporary decal on the outside top center of the front windshield so as not to obscure the vision of the driver or interfere with the operation of windshield wipers. If placement would interfere with wiper operation, the decals can be placed in the bottom driver-side corner of the windshield. Request for exceptions to the two authorized placement will be addressed to the Director of Emergency Services, ATTN: IMSE-GOR-ESP. [\(See Figure 3-1\).](#)

(4) For motorcycles, the decal will be placed on the left front fork of the motorcycle.

(5) Where a service member already has a decal affixed from a previous assignment or installation and the decal is legible and clearly visible the registrant will not be required to comply with the placement requirements specified in paragraph 3-3c(3) & (4), above. However, this does not relieve the service member from properly registering the vehicle and affixing Fort Gordon specific decals IAW this chapter.

d. All registration decals and temporary permits will be maintained in such a condition that it will be clearly visible and legible. When a decal or temporary permit becomes illegible, lost, damaged, or mutilated, the registrant will obtain a new registration decal or permit from the Vehicle Registration Office.

e. Handicapped parking. The state in which the vehicle is licensed will issue handicapped license plates or authorization permits/decals.



**Figure 3-1**



**3-4. Re-registration and Termination of Registration.**

a. On-post vehicle registration must be updated prior to expiration.

b. Registration termination:

(1) Vehicle registration is terminated when the operator's installation driving privilege is revoked or State driver's license is suspended or revoked.

(a) When vehicle registration is terminated in conjunction with the revocation of installation driving privileges, the affected person must apply to reregister the POV after the revocation of the driving privileges expires.

(b) Vehicle registration will not be terminated if other family members having installation driving privileges require use of the vehicle.

(c) The operator will be given fourteen (14) days notice before the registration is terminated. During this time the operator may appeal the revocation to the Garrison Commander and may provide verification of additional family members authorized to use the vehicle.

(2) Vehicle registration is terminated if the owner sells or disposes of the POV, is released from active duty, separated from the Service, or terminates civilian employment with a military Service or DOD Agency.

(3) The owner is other than an active duty military or civilian employee and discontinues regular operations of the POV on the installation.

(4) In the case of contractor owned vehicles, the contract is terminated.

(5) The owner fails to comply with the registration requirements or conditions.

(6) The vehicle is used to transport contraband items (e.g. controlled substances) with the registrant's knowledge or under circumstances showing the registrant was negligent in not knowing of the use on or off the installation.

c. When clearing Fort Gordon, all personnel are required to clear through the Vehicle Registration Office. DOD personnel PCSing to another DOD installation in the contiguous U.S. will retain their decals; all other personnel will remove decals from the vehicle. A Soldier's family members who remain in the CSRA will be allowed to retain Fort Gordon vehicle registration.

**3-5. Registration penalties.** Failure to comply with the provisions of this regulation governing mandatory registration may result in the suspension of installation driving privileges for a period not to exceed 60 days. Suspension actions will be processed in accordance with AR 190-5 and Chapter 4 of this regulation.

**3-6. Installation Motor Vehicle Access.**

- a. Gates 1, 2, and 5 are Fort Gordon's only authorized points of entry or exit for POVs. Entry to or exit from other locations must be coordinated with the DES, DPW, Directorate of Logistics (DOL), or Chief, Range Control Branch, Directorate of Plans, Training, Mobilization and Security (DPTMS), as appropriate.
- b. Gate 3 will be used for access of commercial vehicles.
- c. Motor vehicle operators will be stopped and asked to produce identification for themselves and all passengers over sixteen (16) years of age.
- d. Access to the installation will be denied to:
  - (1) Individuals who have been barred from the installation.
  - (2) Individuals who refuse to furnish valid identification.
  - (3) Individuals who refuse to consent to an inspection of their vehicle or its contents.
- e. Implied Consent.
  - (1) Blood, breath, or urine tests. Persons who drive on the installation shall be deemed to have given their consent to evidential tests for alcohol or other drug content of their blood, breath, or urine when lawfully stopped, apprehended, or cited for any offense allegedly committed while driving or in physical control of a motor vehicle on Fort Gordon to determine the influence of intoxicants.
  - (2) Impoundment. Any person granted the privilege to operate or register 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 it is parked illegally, or for unreasonable periods, as determined by the installation commander or applicable authority, interfering with military operations, creating a safety hazard, disabled by accident, left unattended in a restricted or controlled area, or abandoned. Such persons further agree to reimburse the United States for the cost of towing and storage should their motor vehicle be removed or impounded.
- f. For their safety, personnel checking identification at entrance gates will remain within one hundred (100) feet of the guard shack when checking identification and will use protective equipment in place for their post.

**3-7. Removal, Impoundment, and Disposition of Vehicles.****a. Removal:**

(1) The DES or PMO may order the removal of any vehicle from Fort Gordon, when the person responsible for the vehicle refuses to consent to an inspection of their vehicle or its contents and there is a reasonable suspicion of criminal activity or a violation of a traffic regulation.

(2) The DES or PMO may order the removal of any vehicle from Fort Gordon, when the person responsible for the vehicle refuses to consent to an inspection of their vehicle and the DES or PMO determine that the continued presence of the vehicle is prejudicial to good order and discipline of Fort Gordon.

b. Any person granted the privilege to operate on a Fort Gordon shall be deemed to have given his or her consent for the removal and temporary impoundment of the operated vehicle IAW AR 190-5, para. 2-3 and chapter 6. Such persons further agree to reimburse the United States for the cost of towing and storage should their motor vehicle be removed or impounded. Impounded vehicles will be towed and stored at owner's expense at an off-post contract towing storage facility. Daily storage fees will be assessed by the contract towing service. If the vehicle is unclaimed after 120 days, the contractor towing service may dispose of the vehicle in accordance with Georgia law and DoD 4160.21-M.

c. Prior to impounding and towing a vehicle the DES shall make a reasonable effort to locate and notify the owner of any impending vehicle impoundment. If the DES is able to contact them, the owner shall be given a reasonable opportunity to move the vehicle by a legal means, but in no event should impounding and towing be delayed if safety or military operations are unduly impacted.

**d. Vehicles may be impounded and towed if:**

(1) The vehicle interferes with military operations or creates a safety hazard.

(2) The vehicle is illegally parked UP of paragraph 2-7, above. Prior to impounding and towing the vehicle, the Fort Gordon law enforcement personnel shall make a reasonable effort to locate the owner so the owner may immediately remove the vehicle.

(3) The vehicle is disabled by an accident and the owner or operator is unable to arrange for immediate removal of the vehicle.

(4) The driver has been cited for operating the motor vehicle without a valid driver's license, vehicle insurance, or vehicle registration, and is unable to arrange for immediate removal of the vehicle.

e. Regardless of where they are parked, vehicles that are left unattended for ten (10) duty days without movement are presumed abandoned and may be towed to and stored at owner's expense

at an off-post contract towing storage facility IAW AR 190-5, Chapter 6. Prior to impoundment the DES will:

(1) Attempt to locate and contact the owner of the alleged abandoned vehicle prior to the placement of a DD Form 2504 (Abandoned Vehicle Notice). If the owner is deployed, TDY, or convalescing, the unit will be responsible for the removal of the vehicle or will coordinate the parking of the vehicle for an extended period with the DES Director.

(2) The vehicle will be towed no sooner than three (3) days after the placement of a DD Form 2504. Once the vehicle has been towed and impounded by an off post contracting service, the owner incurs all cost for the return of their vehicle.

(3) If the vehicle is unclaimed after 120 days, the contractor towing service may dispose of the vehicle in accordance with Georgia law and DoD 4160.21-M.

f. When vehicles are impounded for evidentiary purposes impoundment will be accomplished IAW AR 190-5, paragraph 6-4(b).

g. Personnel found in violation of parking regulations on Fort Gordon may have wheel locks (devices prohibiting movement of a vehicle) applied to their vehicles for the purpose of immobilization/identification. Immobilization of a vehicle is discretionary and should not be used if safety or military operations are unduly impacted by the continued presence of the vehicle.

## **Chapter 4**

### **Driving Privileges**

**4-1. Requirements for Driving Privileges.** Driving a government vehicle or POV on the Fort Gordon installation and the Pointes West Army Recreation Center is a privilege granted by the installation commander. Persons accepting this privilege must comply with this regulation, AR 190-5, and Title 40, and any other applicable section of the Georgia Code. The specific requirements for operating a motor vehicle on a military installation are found at AR 190-5, paragraph 2-1.

**4-2. Operating a Government Owned Vehicle while Driving Privileges are Suspended or Revoked.** Suspension/Revocation of driving privileges is limited to POV operation only. The suspended/revoked individual's commander/supervisor will determine whether the individual will be permitted to operate a government owned vehicle during the revocation/suspension. If an individual's commander/supervisor authorizes the suspended/revoked person to operate a government owned vehicle during the suspension/revocation period, the commander will ensure that the individual carries a written military authorization on their person while operating a military vehicle. At no time is a commander authorized to allow anyone to operate a government owned vehicle without a valid state driver's license.

**4-3. Suspension and Revocation of Driving Privileges for Intoxicated and Impaired Driving.**

- a. Policy. Installation driving privileges will be immediately suspended based on credible evidence of driving under the influence (DUI) or failure to submit to blood, breath, or urine tests for alcohol or other drugs.
- b. The DES conducts investigation of intoxicated and impaired driving occurring on the installation and coordinates with outside law enforcement agencies to obtain evidence of off-post offenses committed by individuals under military jurisdiction.
- c. The DES gathers evidence and prepares reports of incidents. The report will contain all reliable evidence and the drivers' contact information and driving history. Reliable evidence includes witness statements, military or civilian police report of apprehension, chemical test results (if complete), refusal to consent to complete chemical testing, videotapes, statements by the apprehended individual, field sobriety or preliminary breath test results, and other relevant evidence.
- d. The DES will review and immediately suspend installation driving privileges for persons who are determined to have been driving while intoxicated or impaired with an alcohol concentration of .08 or more grams of alcohol per 100 milliliters of blood or .08 grams of alcohol per 210 liters of breath, or persons under the age of 21 with an alcohol concentration of .02 or more grams of alcohol per 100 milliliters of blood or .02 grams of alcohol per 210 liters of breath; or the person refuses to submit or successfully complete a lawfully requested chemical test(s) for blood/breath alcohol content, IAW paragraph 3-6e of this regulation, AR 190-5, paragraph 2-3, or the law of the relevant jurisdiction. See AR 190-5, paragraph 4-11 for blood alcohol concentration standards. The suspension is for one (1) year. The DES will notify persons of suspension and provide a copy to OSJA for review along with supporting evidence.
- e. The DES issues notices to military personnel (for both on-post and off-post offenses) and civilians (for on-post offenses only) that their on-post driving privileges will be suspended effective immediately upon receipt of the notice and will automatically become a revocation for 1 year, IAW AR 190-5, paragraph 2-4a(3). See Appendix B-1. DES will provide a copy of the notice to the chain of command of a Soldier, or to an employee's Director or first line supervisor in the grade of GS12 or above (or equivalent).
- f. The DES provides incident reports and copies of suspension notices to the OSJA as soon after the apprehension as possible, but under no circumstances in more than five (5) calendar days after DES possesses the evidence necessary for its report of the incident.
- g. The notice of suspension will contain the following:
  - (1) That the suspension may become a revocation under AR 190-5, paragraph 2-4b.
  - (2) The right to request, in writing, a hearing before the Installation Commander or his designee to determine if post driving privileges will be restored pending resolution of the charge;

and that such request must be made within fourteen (14) calendar days of the final notice of suspension.

(3) The right of military personnel to be represented by counsel at their own expense and to present evidence and witnesses at their own expense. The right of DOD civilian employees to have a personal representative present at the administrative hearing in accordance with applicable laws and regulations.

(4) Written acknowledgment of receipt to be signed by the individual whose privileges are to be suspended or revoked.

h. The SJA or Deputy SJA (DSJA) will review investigations to ensure that documentary evidence supports issuance of notices of suspension and notify the affected drivers and their chains of command/supervision of their decision within ten (10) calendar days from the issuance of the notice of suspension by the DES. See Appendices B-2, B-3, B-4 and B-5.

(1) Should either the SJA or DSJA decide to convert the suspension to a revocation, then the affected drivers will be notified in writing that their privileges are revoked and that a hearing may be requested within fourteen (14) calendar days of receipt of the OSJA decision to revoke the driving privileges. See Appendices B-8 and B-9. The SJA or DSJA will direct that driving privileges be revoked for a mandatory period of one (1) year in the following circumstances, IAW AR 190-5, paragraph 2-4b(3):

(a) The installation commander or designee has determined that the person lawfully apprehended for driving under the influence refused to submit to or complete a test to measure the alcohol content in the blood, or detect the presence of any other drug as required by the law of the jurisdiction or installation traffic code or by Service directive.

(b) 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.

(2) Should either the SJA or DSJA disapprove the suspension, then the affected drivers will be notified in writing that their privileges are reinstated.

(3) Should either the SJA or DSJA approve the suspension, then the affected drivers will be notified in writing that the immediate suspension of their privileges was ratified.

i. The PMO maintains a driving suspension/revocation database and effects reinstatement. The Military Justice Division will also maintain records of suspensions and revocations.

j. The SJA or DSJA returns signed copies of suspension reviews to the DES and mails copies of memorandums/letters that approve or disapprove suspensions to the affected drivers and maintain return receipts. The SJA or DSJA provides copies of the memorandums/letters that approve or disapprove suspensions to the DES and Administrative and Civil Law and Military Justice Division.

k. The SJA or DSJA will conduct a hearing, if requested by the suspended driver, in order to consider restoration of driving privileges pending the resolution of the driving charge.

(1) Requests for hearings must be made, in writing, through the Administrative and Civil Law Division, within fourteen (14) calendar days of the effective date of the notice of suspension.

(2) The SJA or DSJA appoints a hearing officer to conduct hearings within fourteen (14) calendar days of the receipt of the request.

(3) The hearing will only consider the issues allowed under AR 190-5, paragraph 2-6 (c)(9).

(4) The hearing officer will provide a memorandum of findings to the SJA or DSJA.

(5) The SJA or DSJA will decide whether to maintain or vacate an already approved suspension.

(6) The SJA or DSJA will notify the affected driver of the decision to maintain or vacate the suspended driving privileges within fourteen (14) calendar days after the hearing.

(7) If a hearing is requested, it must take place within 14 calendar days of receipt of the request. The suspension for intoxicated driving will remain in effect until a decision has been made by the installation commander or designee, but will not exceed 14 calendar days after the hearing while awaiting the decision. If no decision has been made by that time, full driving privileges will be restored until such time as the accused is notified of a decision to continue the suspension.]

(8) The SJA or DSJA will also inform the affected driver that if the offense does not ultimately result in a conviction for intoxicated or impaired driving, then the affected driver may request a second hearing to determine whether the driving privileges will be restored, or the suspension continues UP of AR 190-5, paragraph 2-9. See paragraph 4-3l, below.

(9) This administrative hearing is distinct from any judicial hearing and only applies to on-post driving privileges.

(10) The affected driver is responsible for providing the OSJA and DES with the results on the outcome of the driving charge within fourteen (14) calendar days of resolution. If any hearing or court dates are delayed more than sixty (60) days from the date of the hearing request, the affected driver will notify the SJA or DSJA and DES of the new hearing or court dates.

(11) Failure to notify the OSJA or DES of hearing or court dates could result in suspension or revocation of driving privileges. Unless otherwise provided, the driving charge is presumed to be resolved within sixty (60) days of the date of hearing. Unless otherwise notified by the affected driver, the affected driver's on-post driving privileges will be impacted as though they had been found guilty of the driving charge.

l. Within fourteen days of a request, the OSJA will hold hearings in order to restore driving privileges after a final disposition indicates a finding of not guilty, charges are dismissed or reduced to an offense not amounting to intoxicated driving, or where an equivalent determination is made in a non-judicial proceeding.

(1) The Installation Commander authorizes the SJA or DSJA to designate any judge advocate or civilian attorney in the OSJA, not involved in law enforcement or client representation duties, to conduct the above hearings.

(2) A driving privileges hearing officer (DPHO) will be appointed and a hearing held consistent with the procedures set out in paragraph 4-4f, below.

(3) The SJA or DSJA appoints a DPHO to conduct hearings within fourteen (14) calendar days of the receipt of the request. The hearing officer may request additional documentation to be provided prior to the hearing. Any delays cause in obtaining this documentation will be attributable to the requestee.

(4) Notification of final disposition along with requests for hearings must be made through the Administrative and Civil Law Division. The requestor will provide supporting documentation of the not-guilty finding, reduction in charges, or dismissal.

(5) The hearing officer will determine if the exceptions in AR 190-5, paragraph 2-9 apply. The requestor has the burden of showing these exceptions do not apply.

(6) The hearing officer will provide a memorandum of findings to the SJA or DSJA.

(7) The SJA or DSJA will decide whether to maintain or vacate the driving suspension.

(8) The OSJA will notify the affected driver of the decision to maintain or vacate the suspended driving privileges within fourteen (14) calendar days after the hearing.

(9) The DES enters driving privilege suspensions into the intoxicated or impaired driving suspension database upon written notification of OSJA review of the reports. A copy of this written notice will be retained in the DES and mails copies of memorandums/letters that approve or disapprove suspensions to the affected drivers and maintain return receipts. For civilian personnel, the DES provides them a copy of DS-1205 (Administrative License Suspension) and sends a copy to the Georgia Department of Driver Services.

(10) The DES modifies the intoxicated driving suspension database if either SJA or DSJA disapproves a suspension.

m. Driving in violation of a suspension or revocation imposed under this regulation will result in the original period of suspension or revocation increasing by 2 years for civilians and 5 years for active duty military, and may be grounds for other disciplinary action.



**4-4. Suspension and Revocation for Other than Intoxicated or Impaired Driving.**

a. The DES investigates the offenses and provides evidence that may warrant suspension or revocation of driving privileges to the designated reviewers for cases involving suspension and/or revocation for other than intoxicated or impaired driving. The designated reviewer for these cases will be the SJA or DSJA, who determine if suspension or revocation is warranted, and, if so, notifies the affected driver in writing of the intent to suspend or revoke driving privileges. Written notification will be issued through registered return receipt mail in the case of civilians and through the chain of command for active duty military personnel. See Appendices B-6 and B-7.

b. Notifications will inform the affected driver that the suspension or revocation will be effective fourteen (14) calendar days after receipt of the notice unless the affected driver requests a hearing within fourteen (14) calendar days. Such request will stay the pending suspension or revocation for a period of 14 days.

c. The OSJA will inform DES if the affected driver requests a hearing the notice of suspension or revocation. Where the request was within fourteen (14) calendar days the DES will stay the pending suspension or revocation for a period of 14 days.

d. A DPHO will be appointed by the SJA or DSJA and a hearing held consistent with the procedures set out in paragraph 4-4f, below.

e. The DPHO will conduct a hearing, if requested by the affected driver, in order to determine if driving privileges will be suspended or revoked.

(1) Inasmuch as the hearing is an administrative proceeding the standard of evidence to be applied by the DPHO is a preponderance of the evidence.

(2) The alleged offender will have the opportunity to provide evidence on his/her behalf and cross-examine any witnesses. Prior to the hearing, the alleged offender may consult with a military lawyer, or consult with a civilian lawyer at no expense to the government.

(3) The hearing is administrative and not judicial in nature; therefore, the DPHO is not bound by the rules of evidence prescribed for trials by courts-martial or for court proceeding generally. Accordingly, anything which in the minds of reasonable persons is relevant and material to an issue may be accepted as evidence. All evidence will be given such weight as is warranted under the circumstances.

(4) If the DPHO determines the charge to be founded, then the offender may present evidence in extenuation and mitigation prior to the levy of sanctions.

(5) The DPHO will provide a memorandum of findings to the SJA or DSJA.

(a) If it is determined as a result of a hearing to suspend or revoke the affected person's driving privilege, the suspension or revocation will become effective when the person receives

the written notification of such action. In the event that written notification cannot be verified either through a return receipt for mail or delivery through command channels, the DHPO will determine the effective date on a case-by-case basis.

(b) If the revocation or suspension is imposed after such hearing, the person whose driving privilege has been suspended or revoked will have the right to appeal or request reconsideration. Such requests must be forwarded through command channels to the installation commander within 14 calendar days from the date the individual is notified of the suspension or revocation resulting from the administrative hearing. The suspension or revocation will remain in effect pending a final ruling on the request. Requests for restricted privileges will be considered per paragraph 4-5, below.

(c) If driving privileges are temporarily restored pending resolution of charges, the period of revocation (after final authority determination) will still total the mandatory 12 months. The final date of the revocation will be adjusted to account for the period when the violator's privileges were temporarily restored, as this period does not count towards the revocation time.

f. Driving privileges will also be suspended based on points accumulation IAW AR 190-5, chapter 5 and Chapter 5 of this regulation. Soldiers who accumulate 12 traffic points within 12 consecutive months, 18 points within 24 consecutive months, or who receive a single citation worth 6 or more points, will have their on-post driving privileges suspended.

g. Driving in violation of a suspension or revocation imposed under this regulation will result in the original period of suspension or revocation increasing by 2 years for civilians and 5 years for active duty military, and may be grounds for other disciplinary action.

#### **4-5. Probation, Restricted Driving Privileges, and Reinstatement of Driving Privileges.**

a. Requests for probation or restricted driving privileges must meet the minimum requirements of AR 190-5, paragraph 2-10. Requests should present evidence proving severe family hardship, adverse military mission impact, or other mitigating matters. Requests for probation or restricted driving privileges for service members must include recommendation from their chain of command. Requests for probation or restricted driving privileges for civilians may include recommendations from supervisors.

(1) Intoxicated or impaired driving. Requests for probation or restricted driving privileges for intoxicated or impaired driving must be forwarded through the Office of the Staff Judge Advocate, Attn: Administrative Law Division, to the Installation Commander.

(2) Other than intoxicated or impaired driving. Requests for probation or restricted driving privileges for other than intoxicated or impaired driving should be forwarded through the Office of the Staff Judge Advocate, Attn: Administrative Law Division, to the Garrison Commander, and must include recommendation from their chain of command.

b. The SJA or DSJA are authorized to approve restricted driving privileges on behalf of the Garrison Commander where the following conditions are met:

(1) The individuals driving privileges were suspended because they did not have a valid driver's license, a valid vehicle registration, or valid liability insurance;

(2) The individual can show by clear and convincing evidence that they were not aware at the time that they did not have a valid driver's license, a valid vehicle registration, or valid liability insurance;

(3) The individual can show by clear and convincing evidence that their ignorance of the status of their driver's license, vehicle registration, or liability insurance was not unreasonable or because of a lack of due diligence; and

(4) The individual can provide valid documentation showing they have a current driver's license, current vehicle registration, and liability insurance.

c. The terms and limitations on a restricted driving privilege (for example, authorization to drive to and from place of employment or duty, or selected installation facilities such as hospital, commissary, and or other facilities) will be specified in writing and provided to the individual concerned.

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

e. Reinstatement of driving privileges shall be automatic, provided all revocations applicable have expired, proper proof of completion of remedial driving course and/or substance abuse counseling has been provided, and reinstatement requirements of individual's home State and/or State the individual may have been suspended in, have been met.

f. As a condition precedent for receiving probationary driving privileges, restricted driving privileges or restoring suspended installation driving privileges for intoxicated and impaired driving, affected drivers must present evidence that they have completed remedial drivers training, and an alcohol/drug program, IAW paragraph 4-7, below and 190-5, paragraph 2-5b and 2-8.

**4-6. Suspensions of Driving Privileges.** Installation driving privileges may be suspended for a period not to exceed 6 months, under the procedures set forth in paragraph 4-4, above, for the following traffic violations:

a. Reckless driving.

b. Owner willfully permitting a physically impaired person to operate the owner's vehicle.

c. Fleeing the scene of an accident involving property damage only.

- d. Speed contests.
- e. Speeding over 20 MPH above the posted speed limit.
- f. Less than safe driving, with a blood alcohol content (BAC) of .05g or higher, in accordance with AR 190-5.
- g. Uniformed members of the Armed Forces who have committed a second violation of the prohibition against driving while operating a cell phone or other communication device will have their installation driving privileges suspended for seven days.

**4-7. Approved Traffic Safety and Alcohol/Drugs Program Requirements.**

a. Any military member assessed points for a traffic violation on Fort Gordon may be ordered by their commander, the Garrison Commander, or Installation Commander to attend an approved Traffic Safety class on driving safety and will be required to attend a Traffic Safety class if their on-post driving privileges are suspended. The Office of the Garrison Commander will have executive oversight of the Traffic Safety Program, although units may conduct their own Traffic Safety programs in lieu of the Garrison program. If the traffic violation involves alcohol or illegal drugs, the military member will also be required to attend an approved alcohol/drug program in accordance with paragraph 4-5e, above. Failure to attend either the approved Traffic Safety class or the approved alcohol/drug program or both, if required, will result in suspension of installation driving privileges until successful completion. Requests for deferral from the approved Traffic Safety or alcohol/drug program classes for deployed or TDY military members should be forwarded through command channels to the Garrison Commander.

b. As a condition for retaining installation driving privileges, civilian personnel cited for a traffic violation on Fort Gordon will, at the discretion of the Garrison Commander, be given the opportunity to attend an approved Traffic Safety class described in paragraph 4-7a above. All civilians whose driving privileges are suspended will also be given the opportunity to attend the Traffic Safety class. Attendance is voluntary, but failure to attend the class, when offered, will result in suspension of driving privileges until the affected driver completes the course. Civilians whose driving privileges have been suspended because of alcohol or drug related driving offenses must also complete an approved alcohol/drug abuse program at their own expense IAW paragraph 4-5e above. Installation driving privileges will not be reinstated until completion of the approved Traffic Safety class or the approved alcohol/drug course or both, if required. Requests for deferral from the approved Traffic Safety or alcohol/drug abuse program classes should be submitted to the Garrison Commander through the civilian employee's supervisor, if employed on Fort Gordon, or through the Garrison Commander's office for civilians, contractors, dependents, and retirees.

**Chapter 5****Adjudication of Traffic Offenses****5-1. Armed Forces Traffic Tickets.**

a. Policy. The Commanding General, USASCoE&FG, has withheld the authority from subordinate commanders to impose nonjudicial punishment for on-post minor moving traffic violations listed in Table 5-1. This policy does not prohibit subordinate commanders (including, but not limited to, the Commander, DDEAMC and his subordinate commanders and the Commander, 7th Signal Command and his subordinate commanders or tenant unit commanders), from imposing punishment for on-post DUI incidents, reckless driving offenses, and non-moving violations (i.e. offenses involving vehicle registration or driver's licenses), or violations of policy letters addressing vehicle use and possession by trainees.

- b. Minor Moving Violations: Moving traffic offenses for military personnel, recorded on DD Form 1408, Armed Forces Traffic Ticket, are referred to the Fort Gordon Military Traffic Hearing Officer (THO) for a Military Traffic Hearing.
- c. Minor Non-Moving Violations: Non-moving traffic offenses for military personnel, recorded on DD Form 1408, Armed Forces Traffic Ticket are forwarded to the military member's company level commander for appropriate disposition.
- d. Commanders who wish to impose nonjudicial punishment or prefer court-martial charges for on-post minor moving traffic violations may submit a written request through the SJA (ATZH-JA-MJ), ATTN: Military Justice Division, USASCoE&FG. Approval of these requests is at the discretion of the Commanding General, USASCoE&FG.
  - (1) The request will identify the Soldier, list the offense(s), and provide detailed reasons for the exception to policy.
  - (2) The request and any subsequent approval, must be accomplished prior to arraignment in U.S. Magistrate Court.
- e. Commanders will take appropriate action regarding moving and non-moving violations. Commander must counsel their personnel regarding non-moving violations and provide a copy to the DES

## **5-2. Fort Gordon Military Traffic Hearings.**

- a. Disposition of minor moving traffic violations committed by members of the armed forces on the Fort Gordon Military Installation will be accomplished in an administrative Military Traffic Hearing presided over by a Traffic Hearing Officer.
- b. Only law enforcement officials under the supervision (either direct or per memorandum of understanding) of DES are permitted to issue DD Form 1408 for Traffic Offenses. All DD Form 1408s issued on Fort Gordon will be routed through the DES. The law enforcement official issuing the DD Form 1408 for a minor moving traffic violation will provide the following information on the back of the DD Form 1408:

By the order of the installation commander you will appear at a Military Traffic Hearing at the time and location noted:

- (1) The Military Traffic Hearing Location.
  - (2) The Time and Date of Required Attendance at the Military Traffic Hearing.
- c. The Special Assistant United States Attorney, or other military attorney designated by the SJA, will perform the duties of the Traffic Hearing Officer (THO).
- d. Traffic Hearings will be administered according to policies set forth in this chapter.

(1) Service members will report to the Military Traffic Hearing at the date and time provided on the violation notice (DD Form 1408). Service members needing to reschedule their hearing will contact the Office of the Staff Judge Advocate, Special Assistant United States Attorney (SAUSA). Service members who fail to appear at two consecutive Military Traffic Hearings will be found guilty in absentia and will be assessed the maximum number of points for the alleged infraction. Failure to attend a scheduled hearing is also punishable by punitive or adverse administrative action. Violations of the order described in paragraph 5–2b, above, may subject offenders to punishment under the UCMJ and/or administrative action.

(2) The Hearing Officer will process all cases referred by the Provost Marshal's Office.

(3) Traffic Hearing Officers will accept pleas, conduct non-adversarial hearings, and assess points for moving violations.

(4) The finding of the Installation Traffic Hearing Officer is considered a finding that the service member committed the cited violation for purposes of AR 190-5, paragraph 5-3(c).

(5) Pleas, testimony, and statements made at the Installation Traffic Hearing to the Traffic Hearing Officer cannot be used against the service member in any judicial, non-judicial, reprimand, separation, or reduction action with respect to the moving violation only. Statements are admissible in an action for any other related or unrelated misconduct.

(6) All Soldiers will appear at the Military Traffic Hearing in duty uniform. Members of other services will appear in a commensurate uniform.

e. Those alleged offenders that elect to plead guilty to the allegation(s) contained in the citation or ticket will have their cases adjudicated immediately at the current Military Traffic Hearing. The alleged offender may then submit to the Traffic Hearing Officer any evidence in extenuation and mitigation prior to the levy of sanctions.

f. Those alleged offenders desiring to contest the citation or ticket will have their cases assigned to the next scheduled Military Traffic Hearing. The procedure for a contested hearing will consist of the following steps:

(1) The THO will conduct the hearing. In open session, he/she will receive all proof to be considered. Inasmuch as the Traffic Hearing is an administrative proceeding the standard of evidence to be applied by the THO is that a preponderance of the evidence.

(2) The alleged offender will have the opportunity to present evidence on his/her behalf and cross-examine any witnesses. Prior to the hearing, the alleged offender may consult with a military lawyer, or consult with a civilian lawyer at no expense to the government. An alleged offender may be represented at the Military Traffic Hearing proceedings by a civilian attorney at no expense to the government; however, Servicemembers are not entitled to representation by a Legal Assistance or Trial Defense Service attorney at the proceedings.

(3) Proceedings pursuant to this regulation are administrative and not judicial in nature; therefore, the presiding official is not bound by the rules of evidence prescribed for trials by courts-martial or for court proceedings generally. Accordingly, anything which in the minds of reasonable persons is relevant and material to an issue may be accepted as evidence. All evidence will be given such weight as is warranted under the circumstances.

(4) If the THO determines the charge to be founded, then the offender may present evidence in extenuation and mitigation prior to the levy of sanctions.

g. The authority to impose the following sanctions is delegated to the Hearing Officer:

(1) Assess administrative traffic points against the post driving privileges of the offender up to the maximum number indicated for each offense in Table 5-1 and IAW AR 190-5.

(2) Require the offender to write an essay.

(3) Require the offender to watch a Driver's Training video and/or pass a multiple choice exam.

(4) Dismiss the citation.

(5) The THO may also make minor modifications to an offense to reflect the facts of the situation (for example a violation for speeding 40 m.p.h. in a 25 m.p.h. zone may be amended to speeding 35 m.p.h. in a 25 m.p.h. zone).

(6) The THO is authorized to impose additional training requirements and recommend other administrative actions to the service members' commander.

(7) The THO may also refer offenses to the Service member's chain of command for additional appropriate action.

h. Soldiers who accumulate 12 traffic points within 12 consecutive months, 18 points within 24 consecutive months, or who receive a single citation worth 6 or more points, will have their on-post driving privileges suspended. The DES will be responsible for tracking traffic points and issuing suspensions for excessive traffic points using the procedures in paragraph 4-4, above. Upon assessing six (6) points or more for a single incident, the THO will report the hearing results within ten (10) days of the hearing to the DES, concerning suspension of the violator's on-post driving privileges.

i. The THO will provide a list of uniformed members of the Armed Forces who are found by the THO to have committed their first violation of the prohibition against driving while operating a cell phone or other communication device to the Chief of Staff, USASCoE&FG. Uniformed members of the Armed Forces who are found by the THO to have committed a second violation of the prohibition against driving while operating a cell phone or other communication device will have their installation driving privileges suspended for seven days.



j. There is no appeal to any sanction imposed by the THO, except where the imposed sanction triggers suspension or revocation of driving privileges. An appeal to the suspension or revocation of driving privileges must be submitted IAW the procedures specified in Chapter 4, above.

k. The THO will ensure that the results of all cases processed in the Traffic Hearing are forwarded to the Installation Provost Marshal's Office.

### 5-3. United States District Court Violation Notice.

a. The United States Magistrate Court adjudicates traffic offenses recorded on United States District Court Violation Notice (CVBs) for civilians. CVBs are referred for prosecution by the SAUSA.

b. Only law enforcement officials under the supervision (either direct or per memorandum of understanding) of the DES are permitted to issue CVBs for Traffic Offenses. All CVBs issued on Fort Gordon will be routed through the DES

<b>Table 5-1. Point assessment for moving traffic violations</b>	
<b>VIOLATION</b>	<b>POINTS</b>
Use of Cell Phone While Driving a Motor Vehicle. This policy does not prohibit the careful use of cell phones and other communications devices by emergency and law enforcement personnel in the exercise of their duties.	3
Wearing a Headphone, Ear Phone or Ear Bud While Driving a Motor Vehicle: Does not include devices for use with Cell Phone. Includes operators of all vehicles with two or more wheels.	3
Speed Contests.	6
Speed Too Fast for Conditions.	2
Speed Too Slow for Traffic Conditions or Impeding the Flow of Traffic: Causing a potential safety hazard.	2
Failure of Operator or Occupants to Use Restraint System Devices While Moving: The Operator is assessed points.	2
Failure to Properly Restrain Children in a Child Restraint System While Moving: Only when child is under 4 years of age or younger or the weight of the child does not exceed 45 pounds.	2
Driving 1-10 Miles Per Hour Above Posted Speed Limit.	3
Driving Over 10, but Not More Than 15 Miles Per Hour Above Posted Speed Limit.	4
Driving Over 15, but Not More Than 20 Miles Per Hour Above Posted Speed Limit.	5
Driving Over 20 Miles Per Hour Above Posted Speed Limit: This may also be cited as reckless driving, and if so, the citation will be referred to the Commander for imposition of punishment.	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, Traffic Instructions by 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: When no official sign is involved.	3
Improper Turning Movements: When no official sign is involved.	4
Failure to Wear an Approved Helmet or Reflectorized Vest While Operating 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: Used for other than minor vehicle safety defects or when a driver or registrant fails to correct a minor defect such as a burned out headlight not replaced within the grace period on a warning ticket.	2
Driver Involved in an Accident Deemed Responsible: Added to points assessed for specific offences.	1
<b>Notes:</b>	
1. When two or more violations are committed on a single occasion, points may be assessed for each individual violation.	
2. This measure should be used for other than minor vehicle safety defects or when a driver or registrant fails to correct a minor defect (for example, a burned out headlight not replaced within the grace period on a warning ticket).	

## Chapter 6

### Motor Vehicle Traffic Accident Reports and Citations

#### 6-1. Military Police Traffic Accident Reports (DA Form 3946).

a. DA Form 3946 (Military Police Traffic Accident Reports) will be used to report motor vehicle traffic accidents when any of the following circumstances exists:

- (1) Government owned vehicle or property is involved.
- (2) Personal injury or death.
- (3) Property damage exceeding \$1,000.00.
- (4) Hit and run.

b. The DA Form 3946 will be attached to the Military Police Report (DA Form 3975). Only law enforcement officials under the supervision (either direct or per memorandum of understanding) of the DES are permitted to issue DA Form 3946. All DA Form 3946s issued on Fort Gordon will be routed through the PMO.

#### 6-2. Information copies.

- a. Information copies of motor vehicle accident reports will be furnished to the Installation Safety Office.
- b. Personnel involved in motor vehicle traffic accidents may receive copies of the report upon personal request to the DES / Military Police Administration Section no sooner than 20 working days after the accident or the investigation is completed.

**6-3.-Armed Forces Traffic Ticket (DD Form 1408)**

- a. IAW AR 190-5, DD Form 1408 (Armed Forces Traffic Ticket) will be used to issue motor vehicle traffic citations to military personnel by Fort Gordon law enforcement personnel. ]
- b. In the case of a moving violation, under the “special instructions” section on the reverse side of the DD Form 1408 the offender will be notified of the location and time of the military traffic hearing of which he or she will attend. The law enforcement official issuing the DD Form 1408 for a minor moving traffic violation will provide the following information on the back of the DD Form 1408:

By the order of the installation commander you will appear at a Military Traffic Hearing at the time and location noted:

- (1) The Military Traffic Hearing Location.
- (2) The Time and Date of Required Attendance at the Military Traffic Hearing.

OFFICIAL:

/original signed/  
ALAN R. LYNN  
Major General, USA  
Commanding

/original signed/  
JOHN MCINTYRE  
Director of Human Resources  
/Adjutant General



## **Section I**

### **Abbreviations and Acronyms**

AAFES	Army and Air Force Exchange Service (AAFES)
BBC	Balfour Beatty Communities
CAC	Common Access Card
COR	Contracting Officer's Representative
CPSC	Consumer Public Safety Commission
CSRA	Central Savannah River Area
CVB	United States District Court Violation Notice
DA	Department of the Army
DD/DoD	Department of Defense
DDEAMC/EAMC	Dwight D. Eisenhower Army Medical Center
DES	Directorate of Emergency Services
DPHO	Driving privileges hearing officer
DPW/DPWL	Directorate of Public Works
DPTMS	Directorate of Plans, Training, Mobilization and Security
DSJA	Deputy Staff Judge Advocate
DUI	Driving Under the Influence
ETS	Estimated Termination of Service
GOV	Government Owned Vehicle
MPH	Miles Per Hour
MWR/DMWR	Directorate of Family and Moral Warfare and Recreation
NAF	Nonappropriated Fund
OSJA	Office of the Staff Judge Advocate
PCS	Permanent Change of Station
POC	Point of Contact
POV	Privately Owned Vehicle
SAUSA	Special Assistant U.S. Attorney
SGS	Secretary of the General Staff
SJA	Staff Judge Advocate
TDY	Temporary Duty
THO	Traffic Hearing Officer
TSP	Traffic Safety Program
UCMJ	Uniform Code of Military Justice

**Section II****Terms****Alcohol Concentration**

Grams of alcohol per 100 milliliters of blood or grams of alcohol per 210 liters of breath.

**Bicycle**

Every device propelled by human power upon which any person may ride, having only two wheels which are in tandem.

**Commanding General, USASCoE&FG (installation commander)**

The Commanding General, USASCoE&FG is the senior commander of the USASCoE&FG. The Commanding General, USASCoE&FG is also the senior mission commander of the USASCoE&FG where that title is mentioned in Army regulations IAW AR 600-200. When temporarily absent from Fort Gordon the Commanding General, USASCoE&FG may remain in command of installations or may relinquish command and designate an acting commander IAW TRADOC Regulation 600-15 and supplemental TRADOC guidance. For purposes of this regulation, unless prohibited by contrary laws, regulation, or policy, the acting commander will exercise the same authority and have the same responsibilities as the Commanding General, USASCoE&FG.

**Crosswalk**

(A) That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or in the absence of curbs, from the edges of the traversable roadway; or

(B) Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

**CSRA**

Central Savannah River Area (CSRA) (encompasses Georgia counties of Burke, Columbia, Emanuel, Glascock, Jefferson, Jenkins, Lincoln, McDuffie, Richmond, Screvens, Taliaferro, Warren, and Wilkes; and South Carolina counties of Aiken, Allendale, Barnwell, Edgefield, Greenwood, Hampton, McCormick, and Saluda).

**Driver**

Every person who drives or is in actual physical control of a vehicle.

**Driver's license**

Any license to operate a motor vehicle issued under the laws of this state.

**Emergency Vehicles**

Every ambulance, police vehicle or bicycle, fire vehicle, civil defense emergency vehicle, emergency ambulance service vehicle, blood delivery vehicle, environment emergency response vehicle, or ordnance disposal vehicle of the Armed Forces of the United States.

**Fort Gordon**

Any references to Fort Gordon include main post, all training areas, and Pointes West Army Recreation Center and other areas under the control of the Installation Commander.

**Georgia Traffic Code**

The Georgia vehicle code is Title 40 of the State Code, established by the Georgia General Assembly. The vehicle code covers the laws governing all aspects of motor vehicles within the state. See Appendices B and C.

**Installation**

Any references to the installation includes the Fort Gordon main post, all training areas, and Pointes West Army Recreation Center and other areas under the control of the Senior Commander / Installation Commander.

**Intersection**

The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

**Law enforcement personnel (officials)**

Persons under supervision of the installation law enforcement officer who are authorized to direct, regulate, and control traffic, and to apprehend or arrest violators of laws or regulations. They are usually identified as military police, security police, civilian guards, or DOD or DA police.

**License**

Any driver's license or any other license or permit to operate a motor vehicle issued under, or granted by, the laws of this state, including:

- (A) Any temporary license or instruction permit;
- (B) The privilege of any person to drive a motor vehicle whether or not such person holds a valid license; and
- (C) Any nonresidents operating privilege as defined in this Code section.

**Local authorities**

Every county, municipal, and other local board or body having authority to enact laws relating to traffic under the Constitution and laws of this state.

**Moped**

Any two- or three-wheel device having operative capability by—

- a. Human propulsion power (or no pedals if powered solely by electrical energy).
- b. An automatic transmission.
- c. A motor that produces less than two gross brake horsepower, and—
  - (1) Propels the device at a maximum speed of not more than 30 miles per hour on level ground.
  - (2) Has a maximum engine size of 50 cubic centimeters.

**Motorcycle**

Every motor vehicle that has a seat or saddle for use of the rider and is designed to travel on not more than three wheels in contact with the ground. Mopeds and motorbikes are considered a motorcycle.

**Nonresident**

Every person who is not a resident of Georgia.

**Operator**

Any person who drives or is in actual physical control of a motor vehicle.

**Owner**

A person, other than a lien holder or security interest holder, having the property in or title to a vehicle. The term includes a person entitled to the use and possession of a vehicle subject to a security interest in or lien by another person but excludes a lessee under a lease not intended as security except as otherwise specifically provided in this title.

**Park or parking**

The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading property or passengers.

**Passenger car**

Every motor vehicle, except motorcycles, motor driven cycles, and low-speed vehicles, designed for carrying ten passengers or less and used for the transportation of persons.

**Pedestrian**

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

**Privately Owned Vehicle (POV)**

For the purpose of this regulation, a POV is defined as any non-government, self-propelled vehicle on the roads, streets, trails, or parking lots of this installation. Furthermore, a POV is powered by an electric motor or internal combustion engine, to include motor bikes, mopeds (under 50cc engines), and similar vehicles which are not considered motor vehicles according to Georgia law (e.g., all-terrain vehicles, golf carts, etc.).

**Right of way**

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**

The portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two or more separate roadways, the term 'roadway' shall refer to any such roadway separately, but not to all such roadways collectively.



**Safety zone**

The area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

**Sidewalk**

The portion of a street between the curb lines, or the lateral lines of a railway, and the adjacent property lines, intended for use by pedestrians.

**Stop or stopping**

(A) When required, means complete cessation from movement; or

(B) When prohibited, means any halting, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control sign or signal.

**Street**

The entire width between boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

**Traffic**

Pedestrians, ridden or herded animals, vehicles, and other conveyances either singly or together while using any highway for purposes of travel.

**Vehicle**

Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices used exclusively upon stationary rails or tracks.

**Visitor**

A visitor is defined as any individual not covered in paragraph 3-1 of this regulation.

APPENDIX ASection I: References

USASC&FG Regulation 55-7	COMMERCIAL TAXI OPERATIONS
USASCoE&FG Regulation 27-1	LEGAL SERVICES
TRADOC Regulation 385-2	U.S. ARMY TRAINING AND DOCTRINE COMMAND
	SAFETY PROGRAM
AAFES Form 1100-16	IDENTIFICATION AND PRIVILEGE CARD
	APPLICATION
AR 190-5	MOTOR VEHICLE TRAFFIC SUPERVISION
AR 385-10	THE ARMY SAFETY PROGRAM
DoD 4160.21-M	DEFENSE MATERIEL DISPOSITION MANUAL
DODD 5525.04	ENFORCEMENT OF THE STATE TRAFFIC LAWS ON
	DOD INSTALLATIONS
DoDI 6055.4	DOD TRAFFIC SAFETY PROGRAM
16 CFR Part 1203	SAFETY STANDARD FOR BICYCLE HELMETS
49 C.F.R. § 571.218	FEDERAL MOTOR VEHICLE SAFETY STANDARD
UCMJ	UNIFORM CODE OF MILITARY JUSTICE

Section II: Forms

CVB	VIOLATION NOTICE, UNITED STATES DISTRICT COURT
DA Form 1602	CIVILIAN IDENTIFICATION CARD
DA Form 3946	MILITARY POLICE TRAFFIC ACCIDENT REPORT
DD Form 2	ARMED FORCES OF THE UNITED STATES -
	GENEVA CONVENTIONS IDENTIFICATION CARD
	(ACTIVE)
DD Form 1173	UNIFORMED SERVICES IDENTIFICATION AND
	PRIVILEGE CARD
DD Form 1408	ARMED FORCES TRAFFIC TICKET
DD Form 2220	DEPARTMENT OF DEFENSE REGISTERED VEHICLE
DD Form 2504	ABANDONED VEHICLE NOTICE
DS-1205	ADMINISTRATIVE LICENSE SUSPENSION

## **Appendix B-1. Memorandum of Notice to Subject of Immediate Suspension of On-Post Driving Privileges for Intoxicated or Impaired Driving**

IMSE-GOR-ES

date

MEMORANDUM FOR \_\_\_\_\_

**SUBJECT: NOTICE OF IMMEDIATE SUSPENSION OF ON-POST DRIVING PRIVILEGES FOR INTOXICATED OR IMPAIRED DRIVING**

1. Your privilege to operate a privately owned vehicle, including a motorcycle, on Fort Gordon is suspended for one year effective immediately. Your privileges to drive on Fort Gordon are suspended because you drove while intoxicated or impaired or refused to submit to or complete a test to measure the alcohol content or drugs in your blood, breath, or urine.
2. Within ten duty days of your suspension, a designated reviewer in the Office of the Staff Judge Advocate (OSJA) will review the report of your offense. Should the reviewer determine that your driving privileges should be reinstated, you will be notified in writing.
3. You are notified of the following:
  - a. You have the right to request, in writing, a hearing before the Installation Commander's designated reviewer, the Deputy Staff Judge Advocate, to determine if post driving privileges will be restored pending resolution of the charge; your request for a hearing must be made within fourteen (14) calendar days of the date of this memorandum. You may request an administrative hearing to determine whether your driving privileges were suspended in error and should be restored. If a hearing is requested, it must be held within 14 calendar days of receipt of your written request. Your suspension will remain in effect pending the hearing. You will be notified of the final decision within 14 days after the hearing. Any such request must be submitted in writing to the Office of the Staff Judge Advocate, Administrative Law Division (706-791-2979), 419 B Street, Bldg 29718, Fort Gordon, GA 30905.
  - b. This suspension may become a revocation of driving privileges. IAW AR 190-5, para. 2-4, driving privileges will be revoked for a mandatory period of not less than 1 year if you refused to submit to or complete a test to measure the alcohol or other drug content in the breath or blood, or you are convicted of or administratively found to have engaged in intoxicated driving.

IMSE-GOR-ES

SUBJECT: NOTICE OF IMMEDIATE SUSPENSION OF ON-POST DRIVING PRIVILEGES  
FOR INTOXICATED OR IMPAIRED DRIVING

c. If you are a uniformed member of the armed forces, you have the right to be represented by counsel at your own expense and to present evidence and witnesses at your own expense. DoD civilian employees have the right to have a personal representative present at the administrative hearing in accordance with applicable laws and regulations.

e. Anyone whose driving privileges on Fort Gordon have been suspended or revoked for an intoxicated or impaired driving offense, must complete a remedial driving course before driving privileges may be restored

4. Should you ultimately not be found guilty of an intoxicated or impaired driving offense in a court of law, or not be found guilty under Article 15, Uniform Code of Military Justice, you may request a hearing (in addition to any hearing requested under paragraph 3, above) to determine whether your suspension should be vacated under Army Regulation (AR) 190-5, *Motor Vehicle Traffic Supervision*, 22 May 2006, paragraph 2-9.

5. You may request that the Installation Commander grant probation or restricted privileges under the conditions noted in AR 190-5, paragraph 2-10, by submitting your written request through your chain of command (if applicable). Any such request should be submitted to the address noted in paragraph 3a, above. See USASCoE&FG Regulation 210-3, paragraph 4-5.

SIGNATURE

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TYPED NAME

MAJ, MP

The Director of Emergency Services

**Appendix B-1. Memorandum of Notice to Subject of Immediate Suspension of On-Post Driving Privileges for Intoxicated or Impaired Driving**

I have read and understand this memorandum. I understand that my suspension is effective IMMEDIATELY.

RECEIPT ACKNOWLEDGED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signature

Printed Name

Address:

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Appendix B-2. Memorandum of Notice to Respondent of Reinstatement of Installation Driving Privileges (Military)

Memorandum to inform affected military drivers that the evidence does not support the initial suspension issued by the PMO.



**DEPARTMENT OF THE ARMY  
HEADQUARTERS, U.S. ARMY SIGNAL CENTER  
OF EXCELLENCE  
AND FORT GORDON  
OFFICE OF THE STAFF JUDGE ADVOCATE  
419 B STREET BLDG 29718  
FORT GORDON, GEORGIA 30905-5719**

ATZH-JA

MEMORANDUM FOR \_\_\_\_\_  
\_\_\_\_\_

SUBJECT: Notice of Reinstatement of Installation Driving Privileges

1. This is to inform you that your Fort Gordon driving privileges are reinstated.
2. I reviewed the Notice of Suspension of On-Post Driving Privileges that the Director of Emergency Services issued to you on \_\_\_\_\_, 20\_\_\_\_. I have determined that the evidence does not support the suspension of your driving privileges for intoxicated or impaired driving.

\_\_\_\_\_  
LTC, JA  
Deputy Staff Judge Advocate

CF: IMSE-GOR-PM

Appendix B–3. Memorandum of Notice to Respondent of Reinstatement of Installation Driving Privileges (Civilian)

Memorandum to inform affected civilian drivers that the evidence does not support the initial suspension issued by the PMO.





**DEPARTMENT OF THE ARMY  
HEADQUARTERS, U.S. ARMY SIGNAL CENTER  
OF EXCELLENCE  
AND FORT GORDON  
OFFICE OF THE STAFF JUDGE ADVOCATE  
419 B STREET BLDG 29718  
FORT GORDON, GEORGIA 30905-5719**

Staff Judge

Advocate

Date: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dear \_\_\_\_\_:

This is to inform you that your Fort Gordon driving privileges are reinstated.

I reviewed the Notice of Suspension of On-Post Driving Privileges that the Director of Emergency Services issued to you on \_\_\_\_\_, 20\_\_\_\_. I have determined that the evidence does not support the suspension of your driving privileges for intoxicated or impaired driving.

Sincerely,

\_\_\_\_\_  
Lieutenant Colonel, U.S. Army  
Deputy Staff Judge Advocate

Copy Furnished:  
IMSE-GOR-PM

Appendix B-4. Memorandum of Notice to Respondent of Ratification of Suspension of Installation Driving Privileges for Intoxicated or Impaired Driving (Military)



**DEPARTMENT OF THE ARMY  
HEADQUARTERS, U.S. ARMY SIGNAL CENTER  
OF EXCELLENCE  
AND FORT GORDON  
OFFICE OF THE STAFF JUDGE ADVOCATE  
419 B STREET BLDG 29718  
FORT GORDON, GEORGIA 30905-5719**

ATZH-JA

MEMORANDUM FOR \_\_\_\_\_  
\_\_\_\_\_

SUBJECT: Notice of Ratification of Suspension of Installation Driving Privileges for  
Intoxicated or Impaired Driving

1. As the Fort Gordon Installation Commander's designee, I am informing you that your Fort Gordon driving privileges, (suspended) (revoked) as of \_\_\_\_\_, will continue to be (suspended) (revoked).
2. I reviewed the Notice of Suspension of On-Post Driving Privileges that the Director of Emergency Services issued to you on \_\_\_\_\_, 20\_\_\_\_. I have determined that the evidence supports the (suspension)(revocation) of your driving privileges for intoxicated or impaired driving.

LTC, JA  
Deputy Staff Judge Advocate

Appendix B-5. Memorandum of Notice to Respondent of Ratification of Suspension of  
Installation Driving Privileges Intoxicated or Impaired (Civilian)



**DEPARTMENT OF THE ARMY  
HEADQUARTERS, U.S. ARMY SIGNAL  
CENTER OF EXCELLENCE  
AND FORT GORDON  
OFFICE OF THE STAFF JUDGE ADVOCATE  
419 B STREET BLDG 29718  
FORT GORDON, GEORGIA 30905-5719**

DATE

Office of the Staff Judge Advocate

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dear \_\_\_\_\_:

As the Fort Gordon Installation Commander's designee, I am informing you that your Fort Gordon driving privileges, suspended as of \_\_\_\_\_, will continue to be suspended.

I reviewed the Notice of Suspension of On-Post Driving Privileges that the Director of Emergency Services issued to you on \_\_\_\_\_, 20\_\_\_\_, and the report prepared by the Provost Marshals Office. I have determined that the evidence supports the suspension of your driving privileges for intoxicated or impaired driving.

Sincerely,

Lieutenant Colonel, U.S. Army  
Deputy Staff Judge Advocate

Appendix B-6. Notice of Suspension or Revocation for Other than Intoxicated or Impaired  
Driving (Military)



**DEPARTMENT OF THE ARMY  
US ARMY INSTALLATION MANAGEMENT  
COMMAND  
DIRECTORATE OF EMERGENCY SERVICES,  
FORT GORDON  
675 RICE ROAD, BUILDING 32422  
FORT GORDON, GEORGIA 30905-5730**

IMSE-GOR-ES

DATE

MEMORANDUM FOR \_\_\_\_\_  
\_\_\_\_\_

SUBJECT: Notice of Suspension of Installation Driving Privileges

1. As the Fort Gordon Installation Commander's designee, I am informing you that your Fort Gordon driving privileges are (suspended) (revoked) effective 14 calendar days from the date of your receipt of this notice, unless you request in writing a hearing within 14 calendar days from the date of your receipt of this notice. Your request for a hearing will stay (that is, place on hold) the pending (suspension) (revocation) for a period of 14 calendar days.

2. The proposed (suspension) (revocation) is based on a report that on \_\_\_\_\_, 20\_\_, you (describe the event) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

3. Submit any written request for a hearing to the Office of the Staff Judge Advocate (OSJA), Administrative Law Division, 419 B Street, Fort Gordon, GA 30905. You have the right to be represented by counsel at your own expense and to present evidence and witnesses at your own expense.

4. If the driving privileges hearing officer does not hold a hearing within 14 calendar days after it receives your request for a hearing, the (suspension) (revocation) will not become effective until you are granted a hearing and you are notified of the decision. If you request that the hearing be continued to a date beyond the 14 calendar day period, then the (suspension) (revocation) will become effective immediately on your receipt of notice that your request for continuance has been granted. The (suspension) (revocation) remains in force pending a hearing at a scheduled hearing date.

TYPED NAME  
MAJ, MP  
The Director of Emergency Services

IMSE-GOR-ES

SUBJECT: Notice of Suspension of Installation Driving Privileges

I have read and understand this memorandum.

RECEIPT ACKNOWLEDGED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Signature:

Printed Name:

Rank:

Address:

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Appendix B-7. Notice of Suspension or Revocation for Other than Intoxicated or Impaired  
Driving (Civilian)



**DEPARTMENT OF THE ARMY  
US ARMY INSTALLATION MANAGEMENT  
COMMAND  
DIRECTORATE OF EMERGENCY SERVICES,  
FORT GORDON  
675 RICE ROAD, BUILDING 32422  
FORT GORDON, GEORGIA 30905-5730**

DATE

Directorate of Emergency Services

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dear \_\_\_\_\_:

As the Fort Gordon Installation Commander's designee, I am informing you that your Fort Gordon driving privileges are (suspended) (revoked) effective 14 calendar days from the date of your receipt of this notice, unless you request in writing a hearing within 14 calendar days from the date you receive this notice. Your timely request for a hearing will stay (that is, place on hold) the pending suspension for a period of 14 calendar days.

The proposed (suspension) (revocation) is based on a report that on \_\_\_\_\_, 20\_\_\_\_, you (describe the event)\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_.

Submit any written request for a hearing to the Office of the Staff Judge Advocate (OSJA), Administrative Law Division, 419 B Street, Fort Gordon, GA 30905. You have the right to be represented by counsel at your own expense and to present evidence and witnesses at your own expense. Department of Defense civilian employees have the right to have a personal representative present at the hearing.

If the driving privileges hearing officer does not hold a hearing within 14 calendar days after it receives your request for a hearing, the (suspension) (revocation) will not become effective until you are granted a hearing and you are notified of the decision. If you request that the hearing be continued to a date beyond the 14 calendar day period, the (suspension) (revocation) will become effective immediately upon your receipt of notice that your request for continuance has been granted. The (suspension) (revocation) remains in force pending a hearing at a scheduled hearing date.

Sincerely,

TYPED NAME  
MAJ, MP  
The Director of Emergency Services

Appendix B-8. Memorandum of Notice to Respondent of Revocation of Installation Driving Privileges (Military)



DEPARTMENT OF THE ARMY  
HEADQUARTERS UNITED STATES ARMY SIGNAL  
CENTER OF EXCELLENCE AND FORT GORDON  
OFFICE OF THE STAFF JUDGE ADVOCATE  
419 B STREET BLDG 29718  
FORT GORDON, GEORGIA 30905-5719

ATZH-JA

MEMORANDUM FOR \_\_\_\_\_

SUBJECT: Notice of Revocation of Installation Driving Privileges

1. The Commander, US Army Signal Center of Excellence and Fort Gordon designated the Deputy Staff Judge Advocate to review and authorize immediate suspension of installation driving privileges IAW AR 190-5, paragraphs 2-4 and 2-6. As the Installation Commander's designee, I am informing you that your Fort Gordon driving privileges are revoked effective upon receipt of this notice.
2. This revocation is based on my review of Military Police Report Number \_\_\_\_\_. That report contained evidence that on \_\_\_\_\_, you refused to submit to, or complete, a test to measure the alcohol content in your blood, breath or urine after a lawful request. Your refusal triggers a mandatory revocation of driving privileges for one year UP of AR 190-5, paragraph 2-4b(3).)
2. This revocation is based on my review of official documentation of your conviction, nonjudicial punishment, or a military or civilian administrative action resulting in the suspension or revocation of your driver's license for intoxicated driving.)
3. The one year revocation will end \_\_\_\_\_, one year after the date the original suspension was imposed.
4. You may submit a written request for a hearing to the Office of the Staff Judge Advocate, Administrative Law Division, 419 B Street, Fort Gordon, GA 30905. At the hearing you have the right to be represented by counsel and to present evidence and witnesses at your own expense. This request must be submitted within 14 calendar days from receipt of this notice.
5. Anyone whose driving privileges on Fort Gordon have been suspended for an intoxicated or impaired driving offense must complete a remedial driving course before driving privileges may be restored IAW USASC&FG Regulation 210-3, paragraph 13h.
6. If you need additional information, please contact, \_\_\_\_\_ (DPHO).

\_\_\_\_\_  
LTC, JA

CF: IMSE-GOR-PM

Deputy Staff Judge Advocate

ATZH-JA

SUBJECT: Notice of Revocation of Installation Driving Privileges

I have read and understand this memorandum.

RECEIPT ACKNOWLEDGED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signature:

Printed Name:

Rank:

Address:

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Appendix B-9. Memorandum of Notice to Respondent of Revocation of Installation Driving Privileges (Civilian)



**US Army Signal Center of Excellence**  
**DEPARTMENT OF THE ARMY**  
**HEADQUARTERS, U.S. ARMY SIGNAL**  
**CENTER OF EXCELLENCE**  
**AND FORT GORDON**  
**OFFICE OF THE STAFF JUDGE ADVOCATE**  
**419 B STREET BLDG 29718**  
**FORT GORDON, GEORGIA 30905-5719**

**27 July 2011**

DATE

Office of the Staff Judge Advocate

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dear \_\_\_\_\_:

The Commander, US Army Signal Center of Excellence and Fort Gordon designated the Deputy Staff Judge Advocate to review and authorize immediate suspension of installation driving privileges IAW AR 190-5, paragraphs 2-4 and 2-6. As the Installation Commander's designee, I am informing you that your Fort Gordon driving privileges are revoked effective upon receipt of this notice.

(This revocation is based on my review of Military Police Report Number \_\_\_\_\_. That report contained evidence that on \_\_\_\_\_, you refused to submit to, or complete, a test to measure the alcohol content in your blood, breath or urine after a lawful request. Your refusal triggers a mandatory revocation of driving privileges for one year UP of AR 190-5, paragraph 2-4b(3).)

(This revocation is based on my review of official documentation of your conviction, nonjudicial punishment, or a military or civilian administrative action resulting in the suspension or revocation of your driver's license for intoxicated driving.)

The one year revocation will end \_\_\_\_\_, one year after the date the original suspension was imposed.

You may submit a written request for a hearing to the Office of the Staff Judge Advocate, Administrative Law Division, 419 B Street, Fort Gordon, GA 30905. At the hearing you have the right to be represented by counsel and to present evidence and witnesses at your own expense. This request must be submitted within 14 calendar days from receipt of this notice.

Anyone whose driving privileges on Fort Gordon have been suspended for an intoxicated or impaired driving offense must complete a remedial driving course before driving privileges may be restored IAW USASC&FG Regulation 210-3, paragraph 13h.

If you need additional information, please contact, \_\_\_\_\_ (DPHO).

Sincerely,



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Lieutenant Colonel, U.S. Army  
Deputy Staff Judge Advocate

**Appendix B**

**Driving Privileges Suspension/Revocation Documents and Notification**

B-1. Notice of Suspension of On-Post Driving Privileges for Intoxicated or Impaired Driving

B-2. Notice of Reinstatement of Installation Driving Privileges (Military)

B-3. Notice of Reinstatement of Installation Driving Privileges (Civilian)

B-4. Notice of Ratification of Suspension for Intoxicated or Impaired Driving (Military)

B-5. Notice of Ratification of Suspension for Intoxicated or Impaired Driving (Civilian)

B-6. Notice of Suspension or Revocation for Other than Intoxicated or Impaired Driving (Military)

B-7. Notice of Suspension or Revocation for Other than Intoxicated or Impaired Driving (Civilian)

B-8. Notice to Respondent of Revocation of Installation Driving Privileges (Military)

B-9. Notice to Respondent of Revocation of Installation Driving Privileges (Civilian)