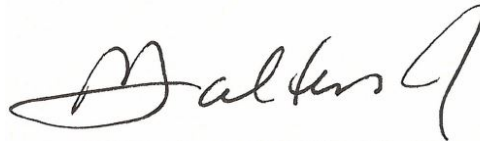


Department of the Army
United States Army Intelligence
Center of Excellence and Fort Huachuca
Fort Huachuca, Arizona 85613-7000

*FH Regulation 190-5

12 April 2018

Military Police
MOTOR VEHICLE TRAFFIC CODE



ROBERT P. WALTERS, JR.
Major General, USA
Commanding

Summary. This revised regulation covers policies and procedures for the control of traffic on Fort Huachuca (FH).

Applicability. This regulation applies to all persons engaged in vehicular or pedestrian traffic and to all persons who maintain or operate a vehicle on this installation.

Supplementation. Supplementation of this regulation is prohibited without prior approval from the Commander, United States Army Garrison (USAG), Attention: IMHU-ES.

Suggested improvements. The proponent of this regulation is the Directorate of Emergency Services (DES), USAG. Users may send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) through channels to Commander, USAG, ATTN: IMHU-ES, Fort Huachuca, AZ 85613-7012.

Availability. This publication is available solely on the Fort Huachuca intranet page at <https://army.deps.mil/netcom/sites/106HUA/necpub/visitors/docs/SitePages/Home.aspx>

*This regulation supersedes Fort Huachuca Regulation 190-5, dated 20 November 2014.

Summary of Changes

1. Paragraph 9.e.(3) – changes requirements to protective clothing
2. Paragraph 9.e.(5)(a) thru (d) – deletes all, to include “Operators of covered OHVs and covered SUVs will not be required to wear visibility gear inside the vehicle.”
3. Edits format to correct numbering due to above changes.
4. Corrects Paragraph 19. Prohibited items to Paragraph 18. and corrects numbering throughout publication.

Table of Contents

| | Paragraph | Page |
|---|------------------|-------------|
| Purpose | 1 | 3 |
| References | 2 | 3 |
| Explanation of abbreviations and terms..... | 3 | 3 |
| Responsibilities | 4 | 3 |
| Policies | 5 | 3 |
| Types of citations issued..... | 6 | 4 |
| Driving privileges..... | 7 | 4 |
| Commercial vehicles and large groups requesting installation access..... | 8 | 6 |
| Requirements for operating motorcycles, mopeds, motor assisted cycles and off-highway vehicles (OHV) | 9 | 6 |
| Requirement for operating bicycles and tricycles..... | 10 | 8 |
| Skateboarding and Rollerblading | 11 | 9 |
| Implied consent..... | 12 | 10 |
| Driving suspensions and revocation..... | 13 | 11 |
| Towing, inventorying, searching, impounding, and disposing of privately-owned vehicles (POVs)..... | 14 | 14 |
| Rules of the road..... | 15 | 15 |
| Pedestrian movement | 16 | 21 |
| Miscellaneous requirements..... | 17 | 22 |
| Prohibited items | 18 | 25 |
| Appendixes | | |
| A. References | | 26 |
| B. Point Assessment for Moving Traffic Violations..... | | 28 |
| C. Suspension and Revocation of Driving Privileges | | 31 |
| D. Traffic Fines..... | | 34 |
| Glossary..... | | 39 |

Use of masculine pronoun refers to both male and female.

1. Purpose. The purpose of this regulation is to establish the policies applicable to the control of traffic, both civilian and military, on any area within or under the jurisdiction of the US Army Military Reservation, Fort Huachuca, Arizona which are not otherwise established in the listed references.

2. References. Referenced and required publications are listed in Appendix A. Prescribed and referenced forms are also listed in Appendix A. Fort Huachuca forms are available at <https://army.deps.mil/netcom/sites/106HUA/necpub/visitors/docs/SitePages/Home.aspx> and higher echelon forms are available at <https://armypubs.army.mil>.

3. Explanation of abbreviations and terms. Abbreviations and special terms used in this regulation are explained in the glossary.

4. Responsibilities.

a. The Garrison Commander has overall responsible for the suspension/revocation of driving privileges on the installation.

b. The Department of Emergency Services (DES) will administer the policies in this regulation.

c. All personnel operating a vehicle, motorcycle, bicycle, skateboard, scooter, or Off-Highway Vehicle (OHV) and all pedestrians on this installation will comply with this regulation and other applicable laws and regulations.

5. Policies.

a. This installation enforces Arizona traffic and United States Department of Transportation laws.

b. Failure to comply with this regulation may subject the offender to administrative action or punishment under Title 18, United States Code (USC), Uniform Code of Military Justice (UCMJ), Section 13 or Title 40, (USC), Section 318c, and appropriately assimilated Title § 28, Arizona Revised Statutes (ARS). Any administrative actions specified in this regulation are not exclusive remedies but are in addition to appropriate punitive actions.

c. Disciplinary authority is withheld from military commanders exercising summary court-martial convening authority for military personnel for the following offenses, FH GP 12-39:

(1) Driving under the influence of alcohol, drugs, or driving while impaired.

(2) Owner knowingly and willingly permitting a physically impaired person to operate his or her motor vehicle (party to a crime), that is, allowing another to drive under the influence of alcohol or drugs.

(3) Any other traffic offense deemed a felony under the ARS.

(4) For Civilians, there is no summary court-martial convening authority for these offenses.

6. Types of citations issued.

a. Central Violations Bureau (CVB) form (U.S. District Court Violation Notice) is issued for routine traffic or misdemeanor violations that require the recipient to do one of the following:

(1) Pay the fine assessed on the citation by mailing to:

Central Violations Bureau
P.O. Box 71363
Philadelphia, PA 19176-1363 or Online at <http://www.cvb.uscourts.gov>

(2) Contest the citation and appear in the U.S. Magistrate Court or trial. To request appearance before the federal magistrate, the violator need not take action. Non-payment of the fine results in the U.S. Magistrate Court notifying the violator through mail of the appointed date and time of the hearing.

b. Department of Defense (DD) Form 1408 (Armed Forces Traffic Ticket) is a military citation that:

(1) Police forward through command channels to the Soldier's unit or Department of the Army (DA) Civilian's organization informing the unit commander or supervisor of the violation.

(2) Requires no payment of fines.

(3) Allows the unit commander or supervisor to take appropriate administrative or judicial action.

(4) DD Form 1408 must be returned to the Fort Huachuca Military Police Station within 14 days of receipt.

(5) The DES/Provost Marshal maintains the citation when issued to a Family member, contractor, or a Civilian not affiliated with the government.

(6) On duty law enforcement officials under the operational control of the DES are the only persons authorized to issue CVB forms and DD Forms 1408.

7. Driving privileges.

a. The operating of a motor vehicle on a military installation is a conditional privilege extended by the senior installation commander. Operators will:

(1) Comply with laws and regulations governing motor vehicle operation on the installation.

(2) Possess, at all times, while operating a motor vehicle and produce upon demand of law enforcement personnel:

(3) A valid state certificate of registration.

(4) A valid state driver's license.

(5) Proof of financial responsibility (insurance).

b. Proof of financial responsibility. Personnel must agree to comply with the following requirements:

(1) The insurance policy shall be designated by explicit description or by an appropriate reference all motor vehicles for which coverage is granted. If coverage is provided for a fleet of seven or more motor vehicles, the maximum payable for any one accident is the limit of liability stated in the policy. There is no accumulation of coverage for each separate vehicle covered.

(2) The policy shall ensure the person named in the policy as the insured and any other person as insured who uses the motor vehicle or motor vehicles with the express or implied permission of the named insured against loss from the liability imposed by law for damages arising out of the ownership, maintenance, or use of the motor vehicle or motor vehicles within the United States or the Dominion of Canada, subject to limits exclusive of interest and costs, for each motor vehicle as follows:

(3) Fifteen thousand dollars (\$15,000) because of bodily injury to or death of one person in any one accident.

(4) Subject to the limit for one person, \$30,000 because of bodily injury to or death of two or more persons in any one accident.

(5) Ten thousand dollars (\$10,000) because of injury to or destruction of property of others in any one accident.

(6) There may be agreement in writing between any named insured and the insurer to exclude as insured any person or persons designated by name when operating a motor vehicle.

(7) The operator's policy of liability insurance shall insure the person named as insured in the policy against loss from the liability imposed upon him or her by law for damages arising out of the use by him or her of any motor vehicle not owned by him or her, within the same territorial limits and subject to the same limits of liability as set forth above for an owner's policy of liability insurance.

c. License Plates.

(1) Military personnel and members of their immediate Family stationed at Fort Huachuca but who are nonresidents of Arizona may display valid license plates from their state of legal residence or their last duty station on their vehicle.

FH Regulation 190-5

(2) It is prohibited to drive in the State of Arizona with two different license plates (non-variety plates) on a motor vehicle; i.e., Nevada plates on the front of the motor vehicle and Georgia plates on the rear.

(3) Soldiers and Civilians returning from overseas with USAREUR, AFI and Host Country plates will have 30 days upon arriving to Fort Huachuca to register their vehicle within the continental US. Plates will not be further displayed once the vehicle has been registered in the state of their choosing and has valid state plates.

d. Vehicle inspections.

(1) Any POV entering or leaving the installation is subject to search or inspection at any time by persons having lawful authority. Prior to any search, the specific consent of the vehicle operator will be requested. If consent is withheld, search may be made if reasonable or probable cause has been found or proper authority granted. An individual who refuses permission for inspection of his or her vehicle may be required to identify him or herself and may be denied the privilege of bringing the vehicle onto or entering the installation.

(2) Search of a vehicle may be conducted incident to the lawful apprehension of an individual.

8. Commercial vehicles and large groups requesting installation access.

a. Commercially marked vehicles, construction vehicles and delivery vehicles must comply and show proof of the following:

- (1) Bill of lading (must show destination of delivery)
- (2) Vehicle registration, insurance and driver license
- (3) Inspection will be conducted on vehicle

b. Large groups and bird watchers must comply with the following:

- (1) Coordination must be made through the Fort Huachuca Public Affairs Office
- (2) The Garrison Commander, through DES, is the final approval for installation access.

9. Requirements for operating motorcycles, mopeds, motor-assisted cycles and off-highway vehicles (OHV).

a. All motorcycles or OHVs utilized on Fort Huachuca or operated on the streets and roads of the installation must adhere to the requirements in this section. Mopeds and other motor-assisted cycles are considered motorcycles on Fort Huachuca.

b. To operate a motorcycle on the roadways of Fort Huachuca, military personnel must successfully complete an approved Motorcycle Safety Course. Motorcycle Safety Training is mandatory for all active duty military personnel operating motorcycles on or off-post. The

required safety course is the Motorcycle Safety Foundation (MSF), Specialty Vehicle Institute of America (SVIA), or MSF-Based; state approved curriculum taught by certified or license instructors. Hands-on training and a performance-based and knowledge-based evaluation are required.

c. To operate an All-Terrain Vehicle (ATV) on the roadways of Fort Huachuca, military personnel must successfully complete an ATV safety course. The safety course must meet the requirements of DoD (Department of Defense) 6055.4 paragraph E3.2.3.1. Failure to attend a safety program may be considered in making Line of Duty determinations if injury occurs due to noncompliance.

d. Motorcycles, mopeds, and OHVs must have headlights turned on at all times except where prohibited by local laws and will not exceed a noise level of 85 decibels.

e. Motorcycle, moped, OHV, and Specialty Utility Vehicle (SUV) operators and passengers will wear required PPE at all times while on Fort Huachuca. Soldiers will wear required PPE on or off Fort Huachuca even during non-duty hours. Soldiers will ensure passengers are wearing appropriate PPE on or off the installation.

(1) **Helmet:**

(a) All helmets will be properly fastened under the chin.

(b) Helmets will be certified to meet DOT Safety Standard 218 or SNELL Standard M2005.

(2) **Eye protection:**

(a) Eye protection includes goggles, wraparound glasses, or a full-face shield properly attached to a helmet. A windshield or fairing does not constitute eye protection.

(b) Eye protection must be designed to meet or exceed ANSI Z87.1(z).

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

(4) **Foot Protection:** Foot protection includes sturdy over-the-ankle footwear that affords protection for the feet and ankles.

f. Motorcycles, mopeds, and OHVs operated on an installation by Soldiers and Civilians must have a minimum of two mirrors. Mirrors are mandatory for operating on the roadways on post by all personnel, regardless of the permanent station or transitory status of the operator. Mirrors are mandatory for Soldiers on and off post regardless of local or state laws. A motorcycle, OHV, or motor driven cycle operated with a passenger shall be equipped with a seat, footrests, and handrails for the passenger.

g. When operating a motorcycle or OHV, personnel will adhere to the following requirements:

(1) An off-road plate or current registration plate and an OHV decal will be securely fastened in a clearly visible position to the rear of the Vehicle or Motorcycle.

(2) Operation of OHV with **only** an OHV decal (title-only plate) on the license plate is limited to unimproved roads and unimproved dirt trails, and only when such operations do not interfere with firefighting or range activities. These OHVs will not be operated within the cantonment area or on public highways. The title-only license plate is identified by the letters "RV" displayed on it.

(3) Any motorcycle or OHV being operated on a "street" or "highway" is required to be registered at the Arizona Department of Motor Vehicle (DMV), insured, OHV emissions tested and the operator's driver's license must possess the appropriate endorsement. The registration license plate is identified by the letters "MC" displayed on it.

(4) Must be equipped with brakes, a spark arrester, and a muffler, all in good working order.

(5) OHV operators must be at least 10 years of age. Those operators between the ages of 10 to 16 years old must be under the direct supervision of an individual 18 years of age or older.

(6) Operators and passengers must wear the same protective equipment as stated in paragraph 9f and g.

(7) OHVs with only an OHV decal on the registration plate must be transported to the location of operation (non-street legal OHVs).

(8) Three-wheel OHVs **are not** permitted to operate on Fort Huachuca.

(9) Law Enforcement personnel are the only ones authorized to operate their OHVs in all areas.

(10) Maximum speed limit for OHVs and other like wheeled vehicles, unless otherwise posted, is 25 MPH.

10. Requirements for operating bicycles and tricycles.

a. All riders including Family members operating a bicycle or tricycle on the installation are required to wear a bicycle helmet approved by the American National Standards Institute or the Snell Memorial Foundation.

b. Every person operating a bicycle or tricycle upon a sidewalk will yield the right-of-way to any pedestrian and shall give an audible signal when overtaking or passing any pedestrian.

c. Every person operating a bicycle upon a roadway shall obey all vehicular traffic laws, ride as near to the right side of the roadway as is practical, exercising due care when passing a standing vehicle or one proceeding in the same direction.

d. Every bicycle, when operated after official sunset, shall be equipped with a lamp on the front which shall, in clear weather, emit a white light visible from a distance of at least 500 feet to the front. It shall also be equipped with an operable red taillight which shall be visible, in clear weather, from a distance of at least 300 feet to the rear, when directly in front of lawful low beams of headlamps on a motor vehicle. The bicyclist shall wear a reflectorized vest.

e. No bicycle shall be parked upon a street, sidewalk, or against a building in such a way as to obstruct pedestrian or vehicular traffic. Locking devices and/or chains are required whenever a bicycle is left unattended.

f. Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheel skid on dry, level, clean pavement.

11. Skateboarding and rollerblading.

a. Skateboards will not be ridden any place a person would be in danger of immediate vehicular traffic; such as, roadways (including the shoulder), bicycle paths, and parking lots during business hours. Skateboarders and rollerbladers are required to wear helmets.

b. Skateboarding and rollerblading are prohibited in the following business areas at all times:

- (1) Post Exchange.
- (2) Post Office.
- (3) Bowling Alley and Theater areas.
- (4) Shoppettes.
- (5) Post Chapel.
- (6) Commissary.
- (7) Holman Guest House.
- (8) Child Development Centers.

c. Skateboarding is prohibited during hours of darkness (after sundown).

d. Skateboarding is permitted during daylight hours at the following places:

- (1) Sidewalks (except as above).
- (2) Playgrounds.

- (3) Empty parking lots (except as above).
- (4) Other areas that do not interfere with vehicular traffic.

12. Implied consent.

a. Any person who operates a motor vehicle on Fort Huachuca gives consent to a test or tests of the person's blood, breath, urine, or other bodily substance for the purpose of determining alcohol concentration or drug content if the person is arrested or apprehended for any offense arising out of acts alleged to have been committed in violation of ARS, Title 28, Chapter 4 or Article 111 of the UCMJ while the person was driving or in actual physical control of a motor vehicle while under the influence of intoxicating liquor or drugs or if the person is under twenty-one years of age with spirituous liquor in the person's body. A person who is dead, unconscious or otherwise in a condition rendering the person incapable of refusal is deemed to not have withdrawn the consent provided by this paragraph the test or tests may be administered.

b. Breath-testing device operational procedures and screening breath-testing devices will be used during the initial traffic stop as a field sobriety testing technique, along with other field sobriety testing techniques, to determine if further testing is needed on an evidential breath-testing device.

c. According to manufacturer operating instructions. The screening-breath testing device must be listed on the NHTSA conforming products list (58 FR 48705).

d. Evidential breath-testing devices will be used as follows:

(1) Observe the person to be tested for at least 15 minutes before collecting the breath specimen. During this time, the person must not drink alcoholic beverages or other fluids, eat, smoke, chew tobacco, or ingest any substance.

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

(3) Perform preventive maintenance as required by the instruction manual to include calibration checks.

e. An individual subject to the UCMJ who does not consent to chemical testing, as described above, may nonetheless be subject to an involuntary extraction of bodily fluids, including blood and urine, only in accordance with the following options:

(1) A search authorization may be granted by a commander (if non-Driving Under the Influence (DUI) offense, i.e. drunk on duty), a military magistrate or a military judge.

(2) A search warrant must be granted by a federal magistrate for Civilians.

(3) The extraction will be conducted by law enforcement phlebotomist.

(4) A nonconsensual blood draw is an invasive act; it should only be used when the military member is suspected of a serious offense and the blood draw is necessary for prosecution.

13. Driving suspensions and revocations.

a. Installation driving privileges will be suspended or revoked whenever an individual repeatedly violates installation traffic regulations or has had his or her state driver's license suspended or revoked according to this regulation. Suspensions and revocations for moving violations will be based on point assessments IAW AR 190-5, Chapter 5 and Appendix C of this regulation.

b. Installation driving privileges will be immediately suspended for active duty personnel, Family members of the military services, DoD Civilian personnel and others with installations' driving privileges, regardless of the location of the geographic location of the intoxicated driving incident, pending resolution of the incident. Suspension is authorized for non-DoD affiliated Civilians only with respect to incidents occurring on the installation. After a review of available information, installation driving privileges will be immediately suspended pending resolution of an intoxicated driving accident in the following circumstances:

(1) Refusal to take or complete a lawfully requested chemical test to determine contents of blood for alcohol or other drugs.

(2) Operating a motor vehicle with a blood alcohol content (BAC) of 0.08 percent by volume (0.08 grams per 100 milliliters) or higher or in violation of the law of the jurisdiction that is being assimilated on the military installation.

(3) An arrest report or other official documentation of the circumstances of an apprehension for intoxicated driving.

c. The Garrison Commander reserves the right to administratively suspend, or revoke for cause, the installation driving privileges of any individual. This includes, but is not limited to:

(1) For offenses other than intoxicated driving, suspension or revocation of the installation driving privilege will not become effective until the installation commander or designee notifies the affected person and offers that person an administrative hearing. Suspension or revocation will take place 14 calendar days after written notice is received unless the affected person makes an application for a hearing within this period. Such application will stay the pending suspension or revocation for a period of 14 calendar days.

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

(3) 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 hearing authority will determine the effective date on a case-by- case basis.

(4) 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 Garrison 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 IAW AR 190-5, paragraph 2-10.

(5) Reviews normally will be accomplished within the first normal duty day following final assembly of evidence.

(6) For active duty military personnel, final written notice of suspension for intoxicated driving will be provided to the individual's chain of command for immediate presentation to the individual.

(7) For Civilian personnel, written notice of suspension for intoxicated driving will normally be provided without delay via certified mail. If the person is employed on the installation, such notice will be forwarded through the military or civilian supervisor. When the notice of suspension is forwarded through the supervisor, the person whose privileges are suspended will be required to provide written acknowledgement of receipt of the suspension notice.

d. Notices of suspension for intoxicated driving will include the following:

(1) The fact that the suspension can be changed to a revocation.

(2) The right to request, in writing, a hearing before the Garrison Commander or designee if post driving privileges will be restored pending resolution of the charges; and that such request must be made within 14 calendar days of the final notice of suspension.

(3) The right of military personnel to be represented by counsel at his or her own expense and to present evidence and witnesses at his or her own expense. The Garrison Commander will determine the availability of any local active duty representatives requested.

(4) The right of DoD Civilian employees to have a personal representative present at the administrative hearing in accordance with applicable laws and regulations.

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

e. 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 Garrison 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.

f. Hearing on suspension actions under paragraph 12d (1) thru (5) for drunk or impaired driving pending resolution of charges will cover only the following pertinent issues of whether:

(1) The law enforcement official had reasonable grounds to believe the person was driving or in actual physical control of a motor vehicle under the influence of alcohol or other drugs.

(2) The person was lawfully cited or apprehended for a driving under the influence offense.

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

(4) The person refused to submit to the test for alcohol or other drug content of blood, breath, or urine; failed to complete the test; submitted to the test and the result was 0.08 or higher BAC, or between 0.05 and 0.08 in violation of the law of the jurisdiction in which the vehicle is being operated if the jurisdiction imposes a suspension solely on the basis of the BAC level; or showed results indicating the presence of other drugs for an on-post apprehension or in violation of State laws for an off-post apprehension.

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

g. For revocation actions under paragraph 12b for intoxicated driving, the revocation is mandatory on conviction of other findings that confirm the charge. (Pleas of nolo contendere are considered equivalent to guilty pleas.)

(1) Revocations are effective as of the date of conviction or other findings that confirm the charges. Test refusal revocations will be in addition to any other revocation incurred during a hearing. Hearing authority will determine if revocations for multiple offenses will run consecutively or concurrently taking into consideration if offenses occurred on same occasion or different times, dates. The exception is that test refusal will be one year automatic revocation in addition to any other suspension.

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

(3) Revocations cancel any full or restricted driving privileges that may have been restored during suspension and the resolution of charges. Requests for restoration of full driving privileges are not authorized.

h. The Army Vehicle Registration System will be utilized to maintain infractions by individuals on Army installations.

i. All military personnel charged with intoxicated driving will be referred to the appropriate programs, IAW AR 190-5, paragraph 2-8.

14. Towing, inventorying, searching, impounding, and disposing of Privately-Owned Vehicles (POVs).

a. Law Enforcement Personnel have the authority to impound and remove, at the owner's expense, vehicles in public areas that are impeding traffic, threatening public safety, lack of proof of financial responsibility, or are deemed a liability to the government.

b. Vehicle impoundment may occur when one of the following is present:

(1) A vehicle is disabled by a traffic accident.

(2) A vehicle is suspected to have been abandoned and the owner cannot be contacted.

(3) The driver of the vehicle does not have a valid driver license or permit.

(4) A driver operating a vehicle who is required by law to have a certified ignition interlock system and is operating a vehicle without a functioning certified ignition interlock device.

(5) Having no proof or is not in compliance with the financial responsibilities in section 7b.

(6) Operating a vehicle while under the influence of alcohol or any other intoxicating substances.

(7) The vehicle is blocking an emergency exit door of any public place (installation theater, club, dining hall, hospital, and any other public facility).

(8) A vehicle is parked illegally, impedes the flow of traffic or is threatening public safety.

(9) The vehicle interferes with emergency operations during a natural disaster or fire or must be removed from the disaster area during cleanup operations.

c. DD Form 2504 (Abandoned Vehicle Notice) will be conspicuously placed on POVs considered unattended. This action will be documented in the MP desk blotter or journal.

d. The owner will be allowed three days from the date the POV is tagged to remove the vehicle before impoundment action is initiated. If the vehicle has not been removed after three days, it will be removed by a towing service. A DD Form 2505 (Abandoned Vehicle Removal Authorization) will be completed and issued to the contractor by DES.

e. After the vehicle has been removed, the DES will complete DD Form 2506 (Vehicle Impoundment Report) as a record of actions taken.

(1) An inventory listing personal property will be done to protect the owner, law enforcement personnel, the contractor, and the commander.

(2) Closed containers inside the vehicle need not be inventoried. Such articles should be opened only if necessary to identify the owner of the vehicle or if the container might contain explosives or otherwise present a danger to the public. Listing the container and sealing it with tape will suffice.

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

f. Vehicle has been used in a crime or contains evidence of criminal activity.

(1) When the POV is to be held for evidentiary purposes, the vehicle will initially be taken to the Fort Huachuca Criminal Investigation Division (CID) Resident Agency Impound lot.

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

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

g. Any incident for which Law Enforcement Personnel deem it necessary for law enforcement purposes.

h. When a vehicle is towed, it is the responsibility of the owner or operator to pay for the Civilian towing service.

15. Rules of the road.

a. The following speed limitations are established for vehicles operating on the installation:

(1) When approaching or passing a column of troops - 10 miles per hour.

(2) Administrative and housing areas - 15 miles per hour.

(3) Open highways and roads, unless otherwise posted - 25 miles per hour.

- (4) Service drives and parking areas – 10 miles per hour.
- (5) School zones, when posted - 15 miles per hour.

b. No person, while operating a vehicle, shall permit any other person to ride while standing in trucks, on running boards (except emergency vehicles), on top of loads or fenders, or other unsafe positions while the vehicle is moving or about to move.

c. No person driving or in charge of a motor vehicle will permit it to stand unattended without first stopping the engine, locking the ignition (if so equipped), removing the key, and effectively setting the parking brake; and when standing upon a grade, turning the front wheels in such a manner that the vehicle will be held by the curb or leave the highway on the nearest side should the parking brake fail.

d. No person shall open the door of a motor vehicle on the side available to moving traffic until it is reasonably safe to do so and can be done without interfering with the movement of other traffic. No person shall leave a door open on the side of a vehicle available to moving traffic for a period longer than necessary to load or unload passengers.

e. No person shall leave a vehicle unattended on roads or streets of the installation, except in housing areas. In the event mechanical failure prevents immediate removal of the vehicle, the driver will take necessary action to prevent the vehicle from obstructing traffic and will immediately notify the Military Police of the location of the vehicle and the expected time of removal.

f. No person shall stop, stand, or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with the directions of law enforcement personnel or traffic control devices in any of the following places:

- (1) Upon cultivated lawns or seeded areas.
- (2) Within 15 feet of any permanent building, except designated parking areas.
- (3) In-service driveways or other passageways where width precludes passing by another vehicle.
- (4) Within 15 feet of a fire hydrant, pumping connection, or post indicator valve, except in parking lots where parking within 5 feet is authorized unless otherwise prohibited by posted signs.
- (5) Within 20 feet of a marked crosswalk.
- (6) Within 20 feet of an intersection.
- (7) Within 30 feet on the approach to any flashing beacon, stop sign, yield sign or traffic control signal located at the side of a roadway.
- (8) Within 20 feet of a fire department driveway.

(9) Where indicated by yellow or white painted curbing with black lettering or red painted curbing.

g. Except for emergencies, official business, or other bona fide reasons, individuals will not occupy vehicles which are parked in parking lots or unlighted areas during the hours of darkness. A bona fide reason is defined as an act done in good faith; for example, waiting for someone to exit a building or observing the view from Reservoir Hill during the time permitted. These actions are, however, subject to question by law enforcement personnel.

h. Neither children under the age of 9 years nor any animals will be left unattended in parked vehicles at any time. Minor children or animals left unattended in parked vehicles could constitute a violation of Article 92 UCMJ (violation of lawful general order), ARS § 8-3613A, Contributing to the Delinquency of a Child; ARS § 13-3623, Child Abuse; and/or ARS § 13-2910, Cruelty to Animals.

i. Accidents and accident reporting.

(1) The driver of any vehicle involved in an accident shall stop immediately at the scene of such accident or as close as possible. The driver shall remain at the scene of the accident except as necessary to obtain first aid or to contact law enforcement personnel. In addition, the driver shall remain at the scene of the accident until he or she has fulfilled the requirements of subparagraphs (2) and (3), below, as applicable, and has been released by the law enforcement personnel.

(2) Driver responsibilities upon striking an unattended vehicle are as follows:

(a) Drivers will render or obtain first aid as necessary.

(b) Drivers will report the accident to the law enforcement personnel giving their name, and the location of the accident. Civilian personnel will report names, location and place of employment.

(c) Drivers will give their name, address, and the registration number of the vehicle they are driving to the driver of the other vehicle.

(3) The driver of a vehicle which collides with an unattended vehicle shall immediately stop and locate the owner of the unattended vehicle and provide the other with all pertinent information, or the driver will leave a written notice containing his name and address, in a conspicuous place, in or upon the unattended vehicle. He shall then immediately notify law enforcement personnel regardless of whether the owner of the unattended vehicle was located. The same notice shall be given to the owner and to law enforcement personnel if the object struck is a structure, fence, pole, or like object.

(4) When the driver is unable to report, the following will be accomplished:

(a) If the driver of a vehicle is physically incapable of reporting the accident as required in paragraphs (2) and (3) above and another person was in the vehicle at the time of the accident and is capable of doing so, such person shall make or cause to be made the report required of the driver.

(b) If the driver is not the owner of the vehicle, then the owner of the vehicle involved in such accident will, after learning of the accident, make the report immediately.

(5) If the driver of a vehicle is involved in an accident which results in death or injury to wildlife (except small game), he will immediately report the accident to law enforcement personnel.

j. Authorized emergency vehicles.

(1) The driver of an authorized emergency vehicle may:

(a) When responding to an emergency call, pursuing an actual or suspected violator of the law, or going to a fire, exercise the privileges listed in this section provided audible and visual signals are used, but subject to the conditions stated herein.

(b) Park in any location so long as the safety of other vehicles and persons is not endangered.

(c) Proceed past red or stop signals or stop signs after slowing down as maybe necessary for safe operation.

(d) Exceed the speed limit by 10 mph, provided doing so will not endanger life.

(2) The foregoing provisions will not relieve the driver of an authorized emergency vehicle from the duty to drive at all times with due regard for safety of all persons, nor shall such provisions protect the driver from the consequences of any reckless disregard for the safety of others.

(3) Emergency sirens or lights are only authorized for:

(a) Military Police vehicles--red and blue lights and siren.

(b) Fire Department vehicles and ambulances--red lights and siren.

(c) Wreckers, towed vehicles, oversized vehicles, and range control vehicles, Emergency Operations Center vehicles, explosive ordnance disposal vehicles, and airfield control vehicles--yellow lights.

(d) No other vehicles are authorized to display emergency flashing lights unless coordinated with the Provost Marshal and approved by the Garrison Commander.

k. Driver's licenses and Arizona vehicle registration. Under Arizona law, special provisions have been made to allow members of the Armed Forces on active duty, stationed outside their home states, to drive in Arizona.

(1) The State of Arizona provides a military vehicle registration tax exemption to military members who are stationed in Arizona with legal residence in another state or territory. The military police station office will issue the exemption form, FH Form 190-1- R-E (Affidavit in Support of Claim for Exemption of Arizona Tax (In Lieu Tax) by Non- Resident Service Personnel) with the following documentation:

(a) Most recent leave and earning statement or voter registration card from legal state of residence.

(b) Vehicle registration or title or bill of sale (contract from car dealer).

(c) Military identification card.

(2) Family members who require a tax exemption form for their sponsor must have a valid power of attorney in addition to the documents listed above.

l. Military personnel and DA Civilians operating a Government-owned or leased vehicle, both tactical and non-tactical (to include those with a gross vehicle weight rating of 10,000 lbs. or less), must have in their possession a valid Optional Form (OF) 346.

(1) The Garrison Commander may waive the requirement for contractor employed operators to possess an OF 346 (U.S. Government Motor Vehicle Operator's Identification Card (Controlled/Sensitive Form)) for non-tactical vehicles only. If the requirement is waived, alternate measures must be developed to identify drivers who are authorized to operate these vehicles for official business, and to certify that the driver possesses a valid State driver's license.

(2) Personnel with suspended or revoked driver's license will not be issued any type of OF 346 and will have current OF 346 suspended or revoked for the same time period (AR 600-55).

m. Reserved Parking.

(1) Handicapped. Handicap parking spaces are required for those individuals who are "mobility impaired" or may have a serious health impairment that would limit the distance they can comfortably walk from the car to the building. Any State issued designated handicapped license plates or a temporary state license plate designed for handicapped, displayed in the windshield is required.

(2) Approved designated reserved parking by the Garrison Commander:

FH Regulation 190-5

(a) General Officer Parking.

(b) Gold Star Family Members.

n. Open Containers.

(1) No person will consume spirituous liquor while operating or while within the passenger compartment of a motor vehicle that is located anywhere within the installation. Mobile homes and RV's may have said spirituous liquor while parked in a designated RV area.

(2) No person shall possess an open container of spirituous liquor within the passenger compartment of a motor vehicle that is located on any roads or streets of the installation. Mobile homes and RV's may have said spirituous liquor as long as it is stored away and not within the drivers area and immediate reach.

o. Any unreasonable noise, which disturbs the peace or quiet, is considered contrary to good order and discipline and is therefore prohibited. Unreasonable noise may include, but is not limited to, loud music and other sound amplifications, disruptive behavior, and offensive or abusive behavior. Sound emitted from vehicles or from items carried by pedestrians that can be heard 30 feet from the source which disturbs the peace is also considered unreasonable noise.

p. Vehicle distractions. Vehicle operators on a DoD installation and operators of government owned vehicles shall not use cell phones unless the vehicle is safely parked or the operator is using a hands-free device. The wearing of any other portable headphones, earphones, or other listening device (except for hands free cellular phones) while operating a motor vehicle is prohibited. The use of headphones or earphones while driving a motorcycle, moped, OHV, or bicycle on Army installation roads and streets is prohibited. This prohibition does not apply to military police in the performance of their official duties.

q. The authority of all commanders to impose punishment under Article 15, UCMJ, for routine on-post traffic offenses, including those involving military vehicles, is withdrawn.

(1) The phrase "routine traffic offenses" includes, but is not limited to, excessive speed, failure to observe traffic signs, minor moving violations not resulting in personal injury, and similar offenses. The phrase "minor traffic offenses" does not include reckless driving offenses, or those involving military vehicle accidents in maneuver areas (FH Garrison Policy 13-39).

(2) The Military Justice Division will process routine traffic offenses that occur on Fort Huachuca in the US Magistrate's Court.

(3) Fines will be assessed to both Soldiers and Civilians when a Central Violation Bureau (CVB) is issued. No fines are assessed when using the DA Form 1408. CVB will be issued, and fines assessed, IAW Appendix D.

(4) In exceptional circumstances, any commander may request, in writing, an exception to this policy to permit Article 15 for an on-post traffic offense.

16. Pedestrian movement.

a. Individuals in charge of the movement of foot troops will observe the following:

(1) Whenever practical, avoid moving troops on traffic ways.

(2) Whenever practical, troops must not be moved on main thoroughfares (Winrow, Smith, Squier, Canelo, Irwin, Allison, Carter, Whitside, Hatfield, and Brainard).

(3) Avoid using traffic ways during peak traffic hours (0700 - 0800, 1100 -1300, and 1530 -1630, weekdays).

(4) Troop movement on thoroughfares or during peak traffic hours, as outlined above, which cannot be avoided, will be coordinated with the military police traffic section to assist in traffic supervision and safety.

(5) When moving on traffic ways, move in a column not exceeding three files abreast, as near to the right curb or shoulder as possible with the flow of traffic. The formation will not exceed one-half of the road width, unless the roadway is reserved for the movement.

(6) Road guards will halt traffic from all directions while troops are crossing roadways and must wear reflective belt or vests while performing this duty.

(7) Two personnel will march 15 meters in front of the column and two personnel 15 meters behind the column. These individuals will carry a lighted flashlight, lantern, or baton during darkness and wear a reflective belt and/or vest at all times.

(8) For marching formations, 10-meter intervals will be maintained between units.

(9) Physical training formations will utilize the running routes designated by the Garrison Commander for unit runs.

(10) Unit physical training, such as warm-up exercise and formation running, will not be conducted within any housing area or on streets adjacent to any housing area on this installation. This does not apply to baseball and football fields. Where it is necessary to march groups of personnel through or adjacent to a housing area to reach a training site, such movement will be conducted silently in such a manner as not to disrupt traffic flow or the decorum of the neighborhood through which movement is being made.

b. Individuals running, jogging, or walking along roadways will move on the left side facing traffic and stay off the paved surface. Wearing headphones is prohibited while moving on streets; for example, jogging, skating, walking, bicycling, and driving motor vehicles.

c. No persons shall solicit free motor vehicle rides by hitchhiking or other means of signaling to the occupants of passing vehicles.

d. The driver of any vehicle upon any highway or street shall yield the right-of-way to a pedestrian crossing such highway or street within any clearly marked crosswalk, except at intersections where the movement is being regulated by traffic officers or traffic direction devices.

17. Miscellaneous requirements.

a. Requirements for the use of restraint devices are as follows:

(1) Child restraint requirements.

(a) All children under the age of 5 years of age shall be properly secured in a child passenger restraint system (car seat).

(b) All children who are age 5 to 8 and less than 4 feet 9 inches in height shall be properly secured in a child passenger restraint system.

(c) A child passenger safety seat is an infant or child passenger restraint system that meets federal standards for crash-tested restraint systems as set by the National Highway Traffic Safety Administration.

(2) Other restraint requirements.

(a) All persons are required to wear seat belts on or off the installation while operating and/or riding in Government-owned, leased, or rented vehicles which are operated by Government employees (Active, Guard, Reserve, DAC's, NAF and Contractors).

(b) All personnel operating or riding in POVs are required to use installed seat belts while on the installation.

b. Transportation of any government property off the installation in a POV is prohibited unless the vehicle operator possesses an authorization by a Civilian supervisor, immediate commander, or a commissioned officer in charge of the activity concerned.

c. Government property purchased from the Defense Reutilization and Marketing Office may be transported off the installation if the purchaser has in his possession a copy of the sales receipt for items purchased. This sales receipt will be displayed upon demand of the Military Police.

d. Any vehicle transporting explosives (not to include small arms ammo) as cargo or a part of a cargo upon a roadway will display four reflectorized signs, at least eight inches high, marked "Explosives" with white letters on a red background. One shall be displayed on each side, the rear, and the front of the vehicle.

e. No person shall discard lit cigarettes/cigars onto the ground or out of a window (Fort Huachuca Garrison Policy 019). Failure to abide is a violation of Article 92 and Article 134 of the UCMJ.

f. Vehicle loads.

(1) Whenever the load of any vehicle extends to the rear by 4 feet or more beyond the bed or body of such vehicle, there will be, displayed at the extreme rear end of the load, a red light or lantern during the hours of darkness and a red flag or cloth not less than 12 inches square, so the entire flag is visible to the driver of an approaching vehicle during daylight hours.

(2) No passenger type vehicle shall be operated on any roadway with load carried thereon extending more than 6 inches beyond the line of the fenders on the right side.

(3) No vehicle shall be driven or moved on any roadway unless such vehicle is so constructed or loaded as to prevent any of the load from dropping, shifting, leaking, or otherwise escaping. Sand may be dropped for the purpose of securing traction, or water or other substance may be sprinkled on a roadway in cleaning or maintaining such roadway.

(4) The movement of oversize and overweight loads will be accomplished only after clearance from the Directorate of Emergency Services. When the load could contact existing telephone or power lines or damage road surfaces, the Director of Public Works will be contacted prior to movement.

g. Repair of vehicles.

(1) Vehicle maintenance, which will render the vehicle inoperative, will not be performed in public parking lots and areas. Emergency repairs required to restart a stalled vehicle are not considered maintenance and may be performed as necessary to start the vehicle and keep it running.

(2) No maintenance or repair of a vehicle will be undertaken in quarters or troop area parking areas unless the repair or maintenance can be completed in one day during the hours of daylight. Exceptions to this provision must be approved by the DES in writing.

(3) Vehicles will not be parked in quarters or troop area parking lots unless all tires are in contact with the ground. Leaving the vehicle resting on a jack, a vehicle stand, or blocks is prohibited.

(4) Major automotive repairs (such as, engine; transmission; rear-end rebuilds; and removal of hood, fenders, etc.) are considered major work and will be done only at the Recreational Services Auto Craft Shop, commercial garage, or other location off the installation.

(5) Minor automotive repairs (such as changing and rotating tires, tune-ups, oil changes, lubrications, body work, and wiring (not requiring stripping the vehicle, etc.) may be performed in public areas on post, provided safety hazards are not created and other persons are not inconvenienced and the decorum of the area is not degraded. Repairs will at all times adhere to all applicable environmental protection laws. Additionally, all debris must be thoroughly cleaned up after the work is completed and oil spills reported to the military police.

h. The following are requirements of the storage of privately owned boats, baggage trailers, and recreational vehicles:

(1) All recreational vehicles (to include but not limited to camping, utility, boat trailers, motor homes, and livestock trailers) will be parked in the Recreational Vehicle Lot (RVL) located on Cushing Street. The RVL access is controlled by MWR rents located at Irwin and Jim Streets.

(2) All vehicles listed in the subparagraph above will be assigned a space by MWR rents. All vehicles in the RVL must have:

(a) Proof of valid state registration, if required by the state licensing the vehicle. Some states do not require the registration of small baggage trailers. The Military Police Desk will verify state requirements at the time of registration.

(b) Adequate liability insurance coverage is required if the state of registration requires such insurance.

(3) Parking and storage of recreational vehicles.

(a) Temporary storage; for example, loading of motor homes, trailers, and mounted camper bodies and storage in driveways or other legal parking areas adjacent to quarters, when preparing for a trip and departure is imminent, will be authorized for 96 hours prior to departure. Unloading will be considered in the same light upon return from a trip and prior to moving the vehicle to the RVL. Temporary storage requires a reasonable and prudent application by the owner and is authorized as a convenience to the owner.

(b) In all instances, all trailers will be stored so as to avoid the following: denying assigned parking areas to personnel authorized their use; creating traffic hazards by denying free passage of other vehicles on the installation streets and roadways; presenting an unsightly appearance to neighbors or the visiting general public; and creating a safety or sanitation hazard. Unmounted/unhitched trailers/camper bodies/shells may not be temporarily stored in the quarters areas without prior approval from Michaels Military Housing.

i. The following are requirements for transportation of privately owned weapons and ammunition:

(1) Privately owned weapons and ammunition may be brought onto the installation only in accordance with FH Regulation 190-11 and FH Access Policy 033.

(2) Privately owned registered weapons will be transported directly to places of authorized use by the most direct route.

(3) Weapons must be registered on the installation pursuant to FH Regulation 190-11.

(4) Weapons must be carried unloaded in a case, holster, or scabbard in plain view in the passenger compartment or in a storage compartment, trunk, pack, rack, luggage, or glove compartment.

(5) Under no circumstances will weapons or ammunition be stored in a vehicle to include Motor Homes and RVs except in accordance with FH Regulation 190-11, paragraph 12(e).

(6) Those in violation of the above listed procedures may receive an immediate suspension of all on-post weapons privileges. Additionally, possession of an unregistered privately owned weapon on Fort Huachuca in violation of FH Regulation 190-11, FH Access Policy 033 or this Regulation is prohibited. Violators of these regulations are subject to prosecution under applicable State and Federal Law to include the UCMJ, 32 CFR 210.3, 18 USC 1382 & 50 USC 797.

18. Prohibited items.

a. The use of radar, or laser, detector devices to indicate the presence of speed recording instruments or to transmit simulated erroneous speeds are prohibited on any DoD installations. Devices are prohibited from openly being displayed on the installation.

b. Visible displays on or in vehicles of stickers, decals, flags, signs, or by any other means, that are deemed obscene, offensive, vulgar, profane, controversial, racially charged, or detrimental to good order and discipline on the installation or which bring discredit on the Armed Forces.

Appendix A

References

Section I

Required Publications

AR 190-5

Motor Vehicle Traffic Supervision

AR 190-45

Law Enforcement Reporting

AR 600-55

Army Driver and Operator Standardization Program

Arizona Revised Statutes, Title § 28

Section II

Related Publications

DODI 6055.4

DOD Traffic Safety Program

Uniform Vehicle Code and Model Traffic Ordinance

USAICoE Policy 13-39

Transfer to Federal Magistrate Court of Soldiers Driving Under the Influence of Alcohol and/or Drugs

USAICoE Policy 13-44

Registration of Privately Owned Firearms

US Army Garrison Policy 019

Discarding of Cigarettes/Cigars

US Army Garrison Policy 033

Fort Huachuca Access

UCMJ

Uniform Code of Military Justice Manual for Courts-Martial United States

5 USC 2302 (b)(10)

Prohibited personnel practices

23 USC 402

Highway Safety Programs

Section III

Prescribed Forms

FH Form 190-1-R-E

Affidavit in Support of Claim for Exemption of Arizona Tax (In Lieu Tax) by Non-Resident Service Personnel

CVB Form

Central Violations Bureau

DD Form 1408

Traffic Ticket, Armed Forces

DD Form 2504

Abandoned Vehicle Notice

DD Form 2505

Abandoned Vehicle Removal Authorization

DD Form 2506

Vehicle Impoundment Report

DD Form 2507

Notice of Vehicle Impoundment

Section IV Referenced

Forms

DA Form 348

Equipment Operator's Qualification Record

DA Form 3626

Vehicle Registration/Driver Record

DA Form 4137

Evidence/Property Custody Document

OF Form 346

U.S. Government Motor Vehicle Operator's Identification Card (Controlled/Sensitive Form)

Appendix B

Point Assessment for Moving Traffic Violations (See Note 1.)

| | Points Assessed |
|---|-----------------|
| Reckless driving (willful and wanton disregard for the safety of persons or property (11-901 USC)) | 6 |
| Owner knowingly and willfully permitting a physically impaired person to operate his or her motor vehicle | 6 |
| Fleeing the scene (hit and run) - property damage only | 6 |
| Driving vehicle while impaired (blood-alcohol content more than 0.05 percent and less than 0.08 percent). | 6 |
| Speed contests | 6 |
| Exceeding stated speed limit or speed too fast for conditions: | |
| 1 to 10 miles per hour over posted speed limit | 3 |
| 11 to 15 miles per hour over posted speed limit | 4 |
| Over 15 but not more than 20 miles per hour over posted speed limit | 5 |
| Over 20 miles per hour over posted speed limit | 6 |
| Speed too fast for traffic conditions | 2 |
| Speed too slow for traffic conditions | 2 |
| Failure of operator or occupants to use available restraint system devices while moving (operator assessed points) | 2 |
| Failure to properly restrain children in a child restraint system while moving (when child is under 5 years of age) | 2 |
| Following too close | 4 |
| Failure to yield right-of-way to emergency vehicle | 4 |
| Failure to stop for school bus or school—crossing signals | 4 |
| Failure to obey traffic signals or traffic instructions of an enforcement officer, or traffic warden, or any official regulatory traffic sign or device requiring a mandatory stop, yield right-of-way, denying entry, or required direction of traffic | 4 |

| | |
|--|---|
| Improper passing | 4 |
| Failure to yield (no official sign involved) | 4 |
| Improper turning movements (no official sign involved) | 3 |
| Wearing headphones or earphones while driving motor vehicles (two or more wheels) | 3 |
| Failure to wear an approved helmet and/or reflective vest; wear proper eye protection, full-fingered gloves, long trousers and footwear that extends past the ankle while operating or riding on a motorcycle, moped, or three-wheeled or four-wheeled vehicle powered by a motorcycle-like engine | 3 |
| Improper overtaking | 3 |
| Other moving violations (involving driver behavior only) | 3 |
| Operating an unsafe vehicle (See Note 2.) | 2 |
| Driver involved in accident is deemed responsible (only added to points assessed for specific offense) | 1 |
| Cell Phone Violation | 2 |

Notes:

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

Appendix C
Suspension and Revocation of Driving Privileges

| | |
|---|---|
| Driving a motor vehicle while a habitual user or under the influence of any narcotic or while under the influence of any other drug (including alcohol) to the degree rendering a person incapable of safe operation. | One year revocation is mandatory on determination of facts by the Garrison Commander. |
| Any felony in the commission of which a motor vehicle is used. | One year revocation is mandatory on determination of facts by the Garrison Commander. |
| Fleeing the scene of an accident involving death or personal injury (hit and run). | One year revocation is mandatory on determination of facts by the Garrison Commander. |
| Perjury or making a false affidavit or statement under oath to responsible officials. | One year revocation is mandatory on determination of facts by the Garrison Commander. |
| Commission of an offense for which mandatory revocation is required on conviction. | Suspension dependent upon determination of facts by the Garrison Commander, not to exceed one year. |
| Is incompetent to drive a motor vehicle, such as mental or physical impairment (not including alcohol or drug use). | Suspension dependent upon determination of facts by the Garrison Commander, not to exceed one year. |
| Has committed an offense in another state, which if committed on the installation would be grounds for suspension or revocation. | Suspension dependent upon determination of facts by the Garrison Commander, not to exceed one year. |
| Has permitted the unlawful or fraudulent use of an official driver's license. | Suspension dependent upon determination of facts by the Garrison Commander, not to exceed one year. |
| Has been convicted of fleeing or attempting to elude a police officer. | Suspension dependent upon determination of facts by the Garrison Commander, not to exceed one year. |

FH Regulation 190-5

| | |
|---|---|
| Has been convicted of racing on the highway | Suspension dependent upon determination of facts by the Garrison Commander, not to exceed one year. |
| Second one year suspension or revocation of driving privileges within five years. | Suspension dependent upon determination of facts by the Garrison Commander, not to exceed two years. |
| Accumulation of 12 points within 12 months, or 18 points within 24 months. | Suspension dependent upon determination of facts by the Garrison Commander, not to exceed six months. |
| Failure to attend the Remedial Driver's training within 60 days of receipt of notification of requirement, due to a four or more traffic point assessment for a traffic accident. | Suspension of driving privileges until completion of course. |
| Driving while driver's license or installation driving privileges are under suspension or revocation. | 2-5 year revocation is mandatory on determination of facts by the Garrison Commander. |
| Refusal to submit to or failure to complete chemical tests (implied consent) | 1-year revocation is mandatory on determination of facts by the Garrison Commander. |
| Manslaughter or negligent homicide by vehicle resulting from the operation of a motor vehicle. | 1-year revocation is mandatory on determination of facts by the Garrison Commander. |
| Driving or being in actual physical control of a motor vehicle under the influence of intoxicating liquor (0.08 or greater). | 1-year revocation is mandatory on determination of facts by the Garrison Commander. |
| Perjury or making false affidavit or statement in regard to having or possessing financial responsibility (ARS 28-1253) | 1-year revocation is mandatory on determination of facts by the Garrison Commander. |
| Unauthorized use of a motor vehicle belonging to another which act does not amount to a felony. | 1-year revocation is mandatory on determination of facts by the Garrison Commander. |
| Commission of an offense for which mandatory revocation is required on conviction. | Suspension dependent upon determination of facts by the Garrison Commander, not to exceed 1-year. |

| | |
|---|--|
| Is incompetent to drive a motor vehicle, such as mental or physical impairment (not including alcohol or drug use). | Suspension dependent upon determination of facts by the Garrison Commander, no to exceed 1-year. |
| Death or personal injury (hit and run). | 1-year revocation is mandatory on determination of facts by the Garrison Commander. |
| Perjury or making false affidavit or statement. | 1-year revocation is mandatory on determination of facts by the Garrison Commander. |
| Failure to Maintain Insurance | Suspended Driving Privileges for 90 days |

Appendix D

Traffic Fines (Fines are based on Arizona state law and are subject to change.)

| Violation Code and Offense Description | Fine or Sanction |
|---|---|
| 4-244.02 Underage drinking and driving | MCA |
| 4-251A1 Open alcoholic container in motor vehicle | MCA |
| 13.1603 Criminal littering | MCA |
| 28-448.A Failure to Give Notice of Address or Name Change | \$ 115.00 |
| 28-622.A Failure to comply with police officer | MCA |
| 28-622.01 Unlawful flight from Law Enforcement | MCA |
| 28-644.A1 Failure to Obey a Traffic Control Device | \$ 135.00 |
| 28-645.A1A and 28-645A2B Green Traffic Control Signals | \$ 135.00 |
| 28-645.A3A Fail to stop for a Red Traffic Control Signals | \$ 135.00 |
| 28-645.A3B and 28-645A3C Illegal Turns on Red Light | \$ 135.00 |
| 28-645.A3D Pedestrian crossing on Red Light | \$ 115 .00 |
| 28-646.A2 Pedestrians at Don't Walk Signal | \$ 115.00 |
| 28-646.B Loitering in Roadway | \$ 115.00 |
| 28.647.1 Failure to stop for a Red Flashing Signal | \$ 115.00 |
| 28.647.2 Failure to use caution enter intersect flashing yellow | \$ 115.00 |
| 28-650 Warning Devices at Construction Sites | \$ 195.00 |
| 28-651 Use Private Property to Avoid Traffic Control Device | \$ 135.00 |
| 28-661.A1 Failure to stop at scene of Accident w injuries. | MCA |
| 28-662.A1 Failure to stop at scene of Accident | MCA |
| 28-662.A2 Leaving the scene of an accident | MCA |
| 29-664.A Leaving the scene of an accident | MCA |
| 28-693 Reckless driving | MCA |
| 28-695 Aggressive driving | MCA |
| 28-701.A Speed Greater than Reasonable and Prudent | \$ 14 per mile over speed limit (minimum sanction \$28) |
| 28-701E Speed Less than Reasonable and Prudent | \$ 14 per mile under speed limit (minimum sanction \$28) |
| 28-701.02A2 Exceed Speed Limit by 21MPH | MCA |
| 28-701.02A3 Exceed 85 mph | MCA |

| Violation Code and Offense Description | Fine or Sanction |
|--|---|
| 28-704A Speed Not to Impede Traffic | \$14 per mile under speed limit (minimum sanction \$28) |
| 28-708.A Racing on roadway; exhibition of speed | MCA |
| 28-721 through 82.776A Passing, Turning and Signaling, Road and Lane Usage and Yielding the Right of Way | \$ 135.00 |
| 28-776B Failure to Yield to Funeral Procession | \$ 135.00 |
| 28-792A Failure to Yield to Pedestrian in Crosswalk | \$ 135.00 |
| 28-792B Passing a Vehicle Stopped for Pedestrians | \$ 135.00 |
| 28-793A through 28-793C Crossing at Other than Crosswalks | \$ 115.00 |
| 28-796A Walking on Roadway where Sidewalk Provided | \$ 115.00 |
| 28-796B Fail to Walk Facing Traffic with no Sidewalk | \$ 115.00 |
| 28-796C Hitchhiking on Roadway | \$ 115.00 |
| 28-797G Failure to Stop When Person is in School Crossing | \$ 245.00 |
| 28-813A Bicycle Rider not Using Seat | \$ 110.00 |
| 28-813B Carrying too many Persons on Bicycle | \$ 110.00 |
| 28-815D Vehicles in Bicycle Lane | \$ 110.00 |
| 28-855B Failure to Stop for a Stop Sign | \$ 135.00 |
| 28-855C Failure to Yield at a Yield Sign | \$ 135.00 |
| 28-856.1 through 28-856.3 Yielding when Emerging into Traffic | \$ 135.00 |
| 28-857A1 Fail to Stop for School Bus | \$ 490.00 |
| 28-857A2 Fail to Remain Stopped for School Bus | \$ 490.00 |
| 28-871A Stopping/Standing/Parking Violations | \$ 135.00 |
| 28-873.A1 through 28.873.A11 Stop/Standing/Parking Violations | \$ 135.00 |
| 28-884A Parking on Handicapped Parking | \$ 135.00 |
| 28-891A Backing Limitations (accident only) | \$ 150.00 |
| 28-896 Driving Vehicle at a Speed that Causes Trailer to Sway | \$ 135.00 |
| 28-897 Crossing a Fire Hose | \$ 135.00 |
| 28-903C through 28-903D Motorcycle Passing Violations | \$ 135.00 |
| 28-904A Driving on the Sidewalk | \$ 135.00 |
| 28-907A Child Restraint Violation (under 5yrs) | \$ 100.00 |
| 28-909A1 through 28.909B Seatbelts and Restraint Violations | \$ 50.00 |
| 28-921A1A through 28-964B Equipment Violations | \$ 105.00 |
| 28-965 Fuel Tank Cap Requirement | \$ 105.00 |
| 28-981.1 and 28-981.2-Vehicle Safety Requirement | \$ 105.00 |
| 28-1098A through 28-1098C Load Violations | \$ 105.00 |

Violation Code and Offense Description

Fine or Sanction

28-1098A and 28-1098B Load Violations
28-1381A2 Driving or actual physical control while under the influence

\$ 105.00

MCA

Max fines are;

\$ 1,642.00/
Screening/

Counseling,
MADD Victim
Impact Panel,
10 days in jail /
9 days jail susp
on the
condition the
defendant
completes DUI
counseling

28-1382A1 Driving or actual physical control while under the extreme influence of intoxicating liquor

MCA

Max fines are;

\$ 2,892.00,
Screening/
Counseling,
MADD Victim
Impact Panel,
30 days jail

| Violation Code and Offense Description | Fine or Sanction |
|---|--|
| 28-1383A1 Aggravated driving or actual physical control while under the influence | MCA Max fines are; \$ 4,664.00, Min 4 mos prison and forfeiture of vehicle |
| 28-1595.B Failure to show driver's license/ID | MCA |
| 28-1595.C Failure to show driver's license/ID (non-driver) | MCA |
| 28-2153.A Vehicle Registration (expired over/under 30 days) | \$ 530.00 |
| 28-2158.C Registration not in Possession | \$ 125.00 |
| 28-2354.A1 through 28-2354B3 Vehicle License Plates | \$ 125.00 |
| 28-2531.A1 Remove, deface, destroy VIN from a motor vehicle | MCA |
| 28-2531. B1 Knowingly display fictitious plates | MCA |
| 28-2531.B2 Knowingly permit use of plates by other | MCA |
| 28-2532.A Failure to Register Vehicle | \$ 605.00 |
| 28-2533.A Failure to Register Vehicle upon return from overseas | \$ 545.00 |
| 28-3151.A No valid Driver's License | MCA |
| 28-3169.A Possession and display of Driver's License | \$ 155.00 |
| 28-3222 Commercial Licenses | \$ 115.00 |
| 28-3473.A Driving while license Sus/Rev/Cancelled | MCA |
| 28-3473.B driving while license Sus/Rev/Cancelled for DUI | MCA |
| 28-3473.C Driving while license Sus/Can-MVD/court action | MCA |
| 28-3474 Permit unauthorized minor to operate a motor vehicle | MCA |
| 28-3475 Unauthorized Person to Drive | \$ 185.00 |
| 28-3478.1 Possession of cancelled or fictitious license | MCA |
| 28-3480 Operating a motor vehicle in violation of license restriction | MCA |

| Violation Code and Offense Description | Fine or Sanction |
|--|---|
| 28-4135.A through 28-4135C (First Offense) Mandatory Vehicle Insurance | MCA Max fine; \$ 940.00 and 3 month suspension |
| 28-4135A through 28-4135C (Second Offense) Mandatory Vehicle Insurance | MCA Max fine; \$ 1410.00 and 6 month suspension |
| 28-4135A through 28-4135C (Third Offense) Mandatory Vehicle Insurance | MCA Max fine; \$ 1860.00 and 12 month suspension |
| 28-4139.A Displaying of suspended plates for financial responsibility | MCA |
| 28-7056.A Criminal littering from vehicle | \$ 50.00 |
| 32 CFR Ch. V, 634.25 c(3) Use of cell phone w/ out hands free device while operating motor vehicle | MCA |
| 32 CFR 210.3(d) Violating, on a military installation, any state vehicular or pedestrian traffic law or local installation vehicular or pedestrian traffic rule or regulation made applicable to the installation under the provisions of this part. | \$50.00 or imprisonment for not more than 30 days, or both. |
| 50 USC 797 Penalty for violation of security regulations and orders | \$1000 or up to one year confinement, or both. |

Glossary

Section I Abbreviations

AR

Army Regulation

ARS

Arizona Revised Statutes

ATV

All-Terrain Vehicle

BAC

Blood Alcohol Content

COPS

Centralized Operations Police Suite

DA

Department of Army

DD Form

Department of Defense Form

DES

Directorate of Emergency Services

DoD

Department of Defense

DUI

Driving Under the Influence

IAW

In Accordance With

OF

Optional Form

OHV

Off-highway vehicle

POV

Privately-Owned Vehicle

POW

Privately-Owned Weapon

RVL

Recreational Vehicle Lot

UCMJ

Uniform Code of Military Justice

USAICoE

United States Army Intelligence Center of Excellence

USC

United States Code

Section II

Terms

Authorized emergency vehicles

Military Police vehicles, fire department vehicles, ambulances, engineer fire marshal vehicles, other state and municipal police and public safety vehicles, and other police vehicles equipped with emergency equipment, while performing official duties.

Off-road vehicle

Any privately owned motorized vehicle designed primarily for cross-country travel and used solely for that purpose.

OHV decal

A vehicle designed by the manufacture primarily for travel over unimproved terrain and having an unladen weight of 1,800 pounds or less requires the annual purchase of an OHV decal to operate on public and state lands. The OHV decal must be displayed in the upper left-hand corner of the license plate.

Pleas of nolo contendere

A plea in a criminal case by which the defendant answers the charges made in the indictment by declining to dispute or admit the fact of his or her guilt.

Point system

An administrative aid for evaluating driver performance by assessment of weighted point values for moving traffic violations.

Privately-owned vehicle

A vehicle not owned by the Government.

Recreational vehicle

All camper trailers, motor homes, mini motor homes, boats, travel trailers, truck campers, or van campers used primarily for recreational purposes and not used daily as a primary mode of transportation.

Sponsor

One who assumes responsibility for a person or group and their actions during the period of time they are on Fort Huachuca.

Very Important Person (VIP) Pass

A completed form issued by the installation commander in lieu of permanent decals, temporary registration, or visitor's passes, which allows routine access of the vehicle to the installation until expiration.