



DEPARTMENT OF THE ARMY
INSTALLATION MANAGEMENT COMMAND
HEADQUARTERS, UNITED STATES ARMY GARRISON HUMPHREYS
UNIT #15228
APO AP 96271-5228

AMIM-HML (RN 100)

6 December 2024

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Command Policy #18, Suspension/Revocation of Driving Privileges

1. References:

- a. AR 190-5, Motor Vehicle Safety Traffic Supervision, 22 May 2006
- b. USFK Regulation 190-1, Military Police Motor Vehicle Traffic Supervision, 18 February 2021

2. The proponent for this policy is the Directorate of Emergency Services (DES).

3. This policy is effective immediately. It remains in effect until rescinded or superseded.

4. Applicability: This policy applies to personnel (Service Members, Family Members, Civilians, contractors, Host Nation personnel and visitor) authorized to operate motor vehicles and Personal Transportation Devices (PTDs) for Area III and on Camp Humphreys and outlying installations under USAG-Humphreys (USAG-H) command and control. For the purposes of this policy, Area III will mean Camp Humphreys and all outlying installations under USAG-Humphreys control.

5. Purpose: This policy sets responsibilities and procedures for the suspension of driving privileges for Area III.

6. General: This policy is punitive in nature and violations of the provisions herein may subject military personnel to disciplinary and/or administrative actions. Failure to comply with this policy by applicable personnel in Area III may subject them to administrative actions or sanctions. The Garrison Commander or appointed Deputy to the Garrison Commander is the driving privilege suspension/revocation authority.

7. Suspensions: Driving privileges may be suspended whenever an individual consistently violates the installation traffic regulations, as determined by the suspension/revocation authority. Suspensions will apply to individuals when other measures such as counseling, remedial drivers training, and rehabilitation programs fail to improve driver performance. A suspension may not exceed six months, regardless of failure to improve performance. At the end of the suspension period, the individual may request permission to obtain a new USFK motor vehicle operator's permit through their commander/supervisor. This requires the first commander/supervisor above the

individual, a commander/supervisor in the rank/grade no lower than LTC/COL/GS-14/GS-15, submit a memorandum for record requesting reinstatement of the individual's on post driving privileges.

a. The suspension/revocation authority will **immediately** suspend the driving privileges of any individual who commits a serious driving offense outlined in USFK 190-1, Appendix B, Section B-16 while awaiting adjudication or administrative due process of another driving offense.

b. The suspension/revocation authority may also suspend an individual's driving privileges for the following:

1) Failure to remove or cover indecent/obscene/offensive matter on a Privately Owned Vehicle (POV), or to remove the POV displaying the indecent/obscene/offensive matter from the installation after being asked to do so.

2) Owning or operating an unregistered POV/PTD.

3) Abuse of alcohol or any controlled substances both illicit and prescribed.

4) Habitual acts of negligent/reckless operation of a POV/PTD.

5) Numerous (two or more) parking violations within a 60-day period.

8. Revocation: The revocation of driving privileges is a severe administrative measure to be imposed for serious moving violations, to be used when available corrective actions fail to produce satisfactory driving habits. Revocation of driving privileges will be imposed for a specific period, but never less than six months.

a. For Driving Under the Influence offenses (*incidents when the operator is in physical control of a motor vehicle, and the Breath Alcohol Content (BrAC) is 0.030% or higher in accordance with (IAW) the Republic of Korea Road Traffic Act dated 25 June 2021 under Korean Traffic Law Article 44 (Prohibition on Driving while Intoxicated)*) with reliable evidence readily available, the suspension/revocation authority has established procedures and designated Military Police to **immediately** confiscate the operator's permit (USFK 134-EK). Military Police (MP) will immediately suspend the driving privileges and provide a copy of the revocation to the suspected subject, whether on/off post, pending resolution of the allegation.

b. Reliable evidence includes, but is not limited to, witness statements, MP or Korean National Police (KNP) law enforcement reports, chemical test results (if completed), refusal to comply with and complete chemical testing, CCTV footage, suspect's statements (spontaneous/written), Standardized Field Sobriety Test (SFST), or Preliminary Breath Test (PBT) results.

c. For Host Nation employees and visitors, MPs will notify and escort KNP onto the

installation to conduct their investigation and apply their suspensions/revocations for Host Nation personnel and their visitors only. Other applicable personnel will be handled by the suspension/revocation authority for Area III.

d. The suspension/revocation authority will revoke all POV/PTD and military driving privileges for a mandatory one-year period when it is determined that:

1) The person was lawfully apprehended for Driving Under the Influence and refused to submit to or complete a test to determine BrAC or Blood Alcohol Content (BAC).

2) An operator of a POV/PTD refused consent to chemical testing for alcohol or drug content of their blood, breath, or urine under "implied consent". Refusals will automatically result in a one-year revocation of driving privileges and their USFK Driver's License will be **immediately** confiscated by MPs. A license holder must attend, successfully complete, and present proof of completion of an Army Substance Abuse Program (ASAP) or Army Drug and Alcohol Prevention Training (ADAPT) Program, and remedial drivers training to the suspension/revocation authority after any offense involving alcohol or controlled substances.

3) There has been a conviction, non-judicial punishment, or an administrative determination that a Driving Under the Influence offense was committed. Official documentation of the conviction is required as the basis for the revocation.

4) An owner of a vehicle willfully or negligently failed to maintain the minimum liability insurance required by this policy letter or Host Nation law(s).

9. Suspension Penalties: The following penalties will be assessed should the suspension/revocation authority determine they are warranted:

a. Up to 30 days for:

1) Failure of vehicle operator or occupants to use available restraint system devices while vehicle is moving.

2) Failure to wear an approved helmet and/or protective equipment as outlined in USFK 190-1 while operating or riding on a motorcycle, moped, or PTD.

3) Wearing/using headphones while driving and/or use of a non-hands free Mobile Personal Electronic Device (MPED) while driving.

4) Failure to stop for school crossing signals or school/government buses while loading or unloading.

5) Failure to yield the right of way to emergency vehicles.

- 6) Failure to obey instructions from a law enforcement officer or traffic warden.
- 7) Transferring license plates to another POV or motorcycle without properly deregistering and registering the plates the new POV or motorcycle.
- 8) Interference with official traffic control devices or signals. No person will, without lawful authority, alter (or make attempts to alter), deface, knock down, or remove any official traffic control device, signal, any inscription, shield, or insignia.
- 9) Operating a POV/PTD on any sidewalk, to include emergency lanes within housing/barracks/SLQs.
- 10) Parking in any unauthorized parking space (**2 or more times within 60 days**) in violation of USAG Humphreys Command Policy #14, Installation Parking.

b. Up to 90 days for:

- 1) Any offense in paragraph 9.a above, committed within 60-days of an initial offense of any listed in paragraph 9.a.
- 2) Allowing any person to operate a POV without a USFK License, ROK License, International License, or learner's permit (with original state or country issued license) for the vehicle class being operated at the time.
- 3) Failing to register a POV, to include operation of an unregistered POV (constituting two offenses).
- 4) Parking in any unauthorized parking space (**3 violations within 60 days**) in violation of USAG Humphreys Command Policy #14, Installation Parking.

c. Up to 180 days for:

- 1) A third repeated offense for any action listed in 9.a and/or 9.b, committed within 180 days of the previous violation(s).
- 2) The accumulation or surpassing of 12 traffic points with the operator's USFK Driver's License within a 1-year period, or 18 traffic points within a 2-year period. IAW Section 7 of this Command Policy, the offender must complete remedial drivers training and show proof of successful completion before reissuance of driving privileges and USFK Driver's License.
- 3) Failure of the operator to use the available restraint system devices approved for a child and/or infant while the vehicle is in motion.
- 4) Reckless driving (the willful or wanton disregard for safety of persons and property).

5) Using or allowing someone else to use a USFK License in an unlawful or fraudulent manner.

6) A Non-SOFA member operating a USFK registered POV.

10. Revocation Penalties:

a. Up to 12 months, but no less than six months for:

1) Fleeing or eluding law enforcement after committing a traffic violation.

2) Reckless driving: Any person who operates a vehicle in a willful or wanton disregard for the safety of persons or property is guilty of reckless driving.

3) Any person who operates a POV/PTD/GOV under the influence of any intoxicant. (Automatic 1-year revocation)

4) Any person who operates a POV/PTD/GOV under the influence of drugs. Drugs include illegal, prescription, or over-the-counter drugs that can result in impairment of a person's ability to safely operate a motor vehicle.

11. Reinstatement of Driving Privileges: After the termination of an individual's suspension period, driving privileges are not automatically reinstated. Persons whose driving privileges were revoked/suspended/ or restricted shall, at the termination of their suspension, revocation, or restriction period, request permission through their commander or supervisor to have their driving privileges reinstated. The commander or supervisor, in the rank/grade no lower than LTC/COL/GS-14/GS-15, will ensure all required training (remedial drivers training/ASAP/ADAPT) have been completed, requiring proof of satisfactory completion. The LTC/COL/GS-14/GS-15 commander/supervisor of the individual will submit a Memorandum for Record (MFR) with attached certification of satisfactory completion of training requesting the reinstatement of the individual's driving privileges. Once received, the MFR will be forwarded to the approving authority, identified as the Deputy to the Garrison Commander, for reinstatement decision. When the Deputy to the Garrison Commander sends back their decision of **approved/not approved** on the reinstatement of privileges, a copy will be furnished to the USAG Humphreys Provost Marshal Office at building 859, Key Street, to the Traffic Accident Investigations Section, to be filed in the individual's suspension packet.

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12. The POC for this policy is the USAG Humphreys/Area III Provost Marshal's Office at DSN 755-9917, or from a cellular device 0503-355-9917.

RYAN K. WORKMAN
COL, AR
Commanding

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USAG Humphreys Website