MEMORANDUM OF UNDERSTANDING

SUBJECT: US Army Garrison Italy Assistance with Host Nation Traffic Violations

1. References:
   a. Italian Road Code, January 2019
   b. Italian Ministry of Transportation Memorandum, 26 Mar 2003
   c. Motor Vehicle Registration Office (MVRO) Memorandum, 23 Nov 2015

2. Purpose: To provide guidance to personnel assigned to the United States Army Garrison Italy communities regarding Host Nation (Italy) procedures for processing traffic tickets.

3. Procedures:
   a. Italian Road code 201: states that the Italian Government has 360 days from the time the violator becomes identified, to make notification of a traffic ticket, when the violator is not a resident of Italy. The notification will be made in person, by law enforcement or ticket process servers, or by the organization that issued the citation through the postal service. Notifications are considered valid and complete when delivered at the residence, domicile or military installation of the violator, according to the registration, DMV records or the driver’s license.

   b. Italian Road Code Article 202, 1: states that tickets must be paid within 60 days from notification. If the violator pays the amount due within 5 days of the notification the amount due is reduced by 30%. If the ticket is not paid within 60 days of notification, the fine can double. This reduction does not apply for tickets that also confiscate the vehicle or suspend the driver’s license.

   c. Italian Road Code Article 204,2: states that violators can dispute a ticket notice once they have received official notification. The violator can solicit in writing to the local Judge of the Peace within 30 days, or to the local Prefetto within 60 days. It is recommended the violator pay the sum of the ticket and then file their dispute to avoid an increased fee, should their dispute not be resolved in their favor.
d. Host Nation Notification by Mail. Notification can be completed by certified mail, where the violator signs for it, which will also be the official date of notification. If not, the notification will be left at the post office. If the mail is picked up within 10 days of the notice, then that is the notification date. After 10 days, notification is considered to have occurred on the 10th day.

4. Assistance to Host Nation Authorities.

a. Motor Vehicle Registration Office Memorandum issued on 23 November 2015, authorizes the release of DoD registered vehicle information to host nation authorities regarding legal matters.

b. Italian Ministry of Transportation Memorandum issued on 26 March 2003, requires the MVRO to provide monthly the information regarding Armed Forces Italy cover plates. It further states this information can be used for law enforcement or legal issues.

5. The United States Army Garrison Italy Provost Marshal Office assist Host Nation authorities in the identification and locating violators operating Armed Forces Italy (AFI) plated vehicles, utilizing the following process:

a. Italian authorities provide a list violators AFI vehicle plates to the SETAF Carabinieri Office.

b. SETAF Carabinieri submits this list to the USAG Italy Vehicle Registration office to identify the registered owner of the AFI plated vehicle by the 8th of each month.

c. The USAG Italy Vehicle Registration office obtains the registered owners information and returns the list to the SETAF Carabinieri by the 21st of each month. The Vehicle Registration Office will notify the SETAF Carabinieri if circumstances exist which will prevent submission of the owner's information.

d. The SETAF Carabinieri forward this list to the USAG Italy Provost Marshal Operations Office for accountability, tracking and oversight. The Operations Office provides the list to host nation interpreters to notify the violators of the need to report to the SETAF Carabinieri in reference to a ticket. The interpreters attempt to contact the violator utilizing the information contained in the Installation Access Control System (IACS) database and in Local Area Network Email. If they are unable to make contact after several attempts, the violator’s information is returned to the Operations Office where it is placed into a database, broken down by Brigade-Battalion-Company, which is forwarded to the Brigade/Battalion Commanders for action.

e. Once notified the violator reports to the SETAF Carabinieri office to receive official notification of their traffic ticket and given the opportunity to pay the ticket
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immediately, pay at a later date, or dispute the violation in accordance with paragraph 3 of this memorandum.

6. Permanent Change of Station (PCS). Personnel on Permanent Change of Station orders are required to clear the Provost Marshal Office. During the clearing process, if they have a pending violation notice with Host Nation authorities, the Provost Marshal Office will not clear them until the SETAF Carabinieri have made notification to them in person. Once notification is completed, they can complete the clearing process. If U.S. persons fail to pay the citation, it could result in a debt collection notification from the Italian Government at their next duty station or home of record.

7. For more information concerning Italian violation procedures, contact the Provost Marshal Operations Office at 634-7525.

Attachments:

- MVRO Access Memorandum
- MOU Cover Plates