CAC & FLVN Reg. 190-5

Fort Leavenworth Police Department

Motor Vehicle Traffic Supervision

Headquarters
Combined Arms Command & Fort Leavenworth
415 Sherman Avenue
Fort Leavenworth, KS 66027
1 September 2026

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Leavenworth 415 Sherman Avenue
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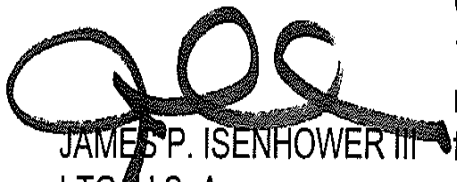
MOTOR VEHICLE TRAFFIC SUPERVISION

FOR THE COMMANDER:



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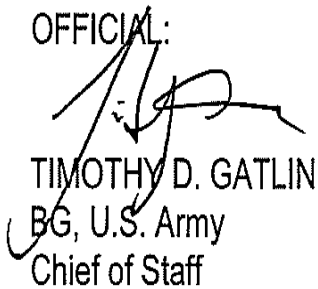

TIMOTHY D. GATLIN
BG, U.S. Army
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Summary. This version of CAC & FLVN Regulation 190-5 incorporates revisions to the process for license suspensions; and updates the traffic code, and eliminates vehicle registration and parking policy letter.

Applicability. This regulation applies to all persons who are within Fort Leavenworth. Portions of this regulation that prohibit specific conduct are punitive, and violations of those provisions may subject offenders to punishment under the UCMJ or administrative action.

History. This regulation replaces CAC & FLVN Regulation 190-5, dated 01 February 2011.

Proponent. The proponent of this regulation is the Directorate of Emergency Services (DES).

Improvements. Users may submit recommended changes on a DA 2028 to the DES, Fort Leavenworth, KS 66027.

Supplementation. No supplementation is permitted without permission of the CG, CAC & FLVN.

Distribution. This publication is available electronically.

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Chapter 1
Introduction

1-1. Purpose. Operating a motor vehicle on the United States Military Reservation of Fort Leavenworth (Fort Leavenworth) is a privilege that is granted by the Installation Commander or his/her designee. Persons who accept this privilege must comply with all applicable laws, Department of War guidance, Army Regulations, and this regulation.

1-2. Applicability. This regulation complements Army Regulation 190-5 and applies to all persons who are within Fort Leavenworth, including members of the Armed Forces, Family members, retirees, DOD-affiliated civilian employees, visitors, guests, and all other persons regardless of their status.

1-3. Responsibilities.

a. The Garrison Commander, on behalf of the Installation Commander, will act as the appellate authority for any appeal from the suspension or revocation of a person's driving privileges.

b. The Staff Judge Advocate will:

(1) Appoint on behalf of the Installation Commander, a Judge Advocate to serve as the installation Hearing Officer.

(2) Assign a judge advocate who is not the hearing officer to review any appeals from the suspension or revocation of a person's driving privileges.

c. The Directorate of Emergency Services (DES) will:

(1) Enforce this regulation and all applicable laws on Fort Leavenworth.

(2) Maintain a system of records that accurately records a person's driving history, to include the imposition of points under this regulation and any suspension or revocation of a person's driving privileges.

(3) Propose the suspension or revocation of a person's driving privileges in accordance with this regulation to the Garrison Commander's Office, through the Administrative Law Office, for processing.

d. Military Units and Directorates will:

(1) Be responsible for discipline and welfare concerning traffic safety and parking within their unit footprint.

(2) Ensure assigned personnel are familiar with this regulation as well as policies for unattended children and public safety (bicycles, child restraints, and unattended children in vehicles).

e. Command Emphasis: (CGSC Students and Tenant Units) shall stress this regulation to its subordinates in order to reduce confusion and increase accountability

Chapter 2
Traffic Code

2-1. Punitive. The provisions of Chapter 2, Traffic Code, of this regulation are punitive, and a violation of any of these provisions may subject the person to punishment under the Uniform Code of Military Justice or administrative actions through their Directorate. Serious violations may result in the loss of driving privileges and /or access to the installation. Violations while operating a GOV will be handled differently than violations made while operating a POV. Points will be assessed against on post driving privileges for both POV and GOV operators.

2-2. Assimilative Crimes Act. Through Title 18, United States Code, Section 13, many Kansas criminal and traffic statutes are applicable to Fort Leavenworth. This regulation complements those statutes and, unless expressly stated herein, does not preempt them. The precedence based on the individual's status or affiliation will dictate whether the UCMJ, Federal Code, or the Kansas Statutes Annotated (KSA) will be used for charging the individual by Law Enforcement.

2-3. Operator Requirements. No person shall operate a Privately Owned Vehicle (POV), personal or commercial, on Fort Leavenworth unless that person has a valid driver's license that is issued by his or her state jurisdiction and is operating a vehicle that has been lawfully registered and has been insured in accordance with Kansas state law. No Person shall operate a Government Owned Vehicle (GOV), which includes GSA leased vehicles, without proper training and unit level training/licensing.

2-4. Speed Limits.

a. No person shall operate a motor vehicle at a speed in excess of the posted speed limit. No person shall drive a vehicle at a speed greater than is reasonable and prudent under the conditions and having regard to the actual hazards then existing. Consistent with the foregoing, every person shall drive at a safe and appropriate speed when: approaching and crossing an intersection or railroad grade crossing, approaching and going around a curve, approaching a hill crest, traveling upon any narrow or winding roadway, or when special hazards exist with respect to pedestrians or other traffic or by reason of weather or highway conditions.

b. Unless otherwise posted, the speed limit on the installation is 30 Miles Per Hour (MPH), 15/20 MPH in residential areas, and 10 MPH in parking lots.

c. A person violates this paragraph only when the applicable Kansas statutes do not authorize the posted speed limit.

2-5. U-Turns. No person shall perform a U-Turn within any intersection, upon any grade, or when visibility is limited.

2-6. Formations. All persons operating a motor vehicle shall yield the right-of-way to all military formations, and when passing a troop formation, no person shall operate a motor vehicle at a speed in excess of 10 Miles Per Hour (MPH).

a. A military formation shall march or run on the right-hand side of all roads. Unless approved by the Garrison Commander, no formation shall march or run on Grant Avenue, Hancock Avenue, Biddle Boulevard, or within the National Cemetery. Road guards will be utilized for safety reasons.

b. Outside of formations, personnel running on roadways, shall never be more than two abreast and will not block traffic from passing. Sidewalks will be used when available. During the hours of darkness or inclement weather, reflectorized material or lighting is required. Running or jogging on the roadway of Grant Avenue, Sherman Road, and through the Fort Leavenworth National Cemetery is forbidden.

2-7. Seatbelts and Child Restraints.

a. No person shall ride within a motor vehicle unless wearing a passenger-restraint device (e.g., a seatbelt) that is appropriate for that passenger, and no person shall operate a motor vehicle unless each passenger, to include the driver, is restrained in an age-appropriate device based on the National Highway Traffic Safety Administration (NHTSA) guidance.

b. Every driver who transports a child under the age of 14 years in a passenger car or an autocycle on a highway or roadway shall provide for the protection of such child by properly using:

(1) For a child under the age of four years an appropriate child passenger safety restraining system that meets or exceeds the standards and specifications contained in federal motor vehicle safety standard no. 213;

(2) For a child four years of age, but under the age of eight years and who weighs less than 80 pounds or is less than 4 feet 9 inches in height, an appropriate child passenger safety restraining system that meets or exceeds the standards and specifications contained in federal motor vehicle safety standard no. 213;

(3) For a child eight years of age but under the age of 14 years or who weighs more than 80 pounds or is more than 4 feet 9 inches in height, a safety belt manufactured in compliance with federal motor vehicle safety standard no. 208.

(4) If a securing location only has a lap safety belt available, the provisions of subsection (a)(2) shall not apply and the child shall be secured in accordance with the provisions of subsection (a)(3).

2-8. Parking.

Policies and Procedures:

a. The Garrison Commander is responsible for executing this policy. Organizations will submit all requests for changes to any parking areas in official memorandum format through the Directorate of Public Works (DPW) to the Garrison Commander as the Approval Authority. The Garrison Commander may suspend on post driving privileges for repeat violations of this Regulation.

b. The Director of Emergency Services is responsible for:

(1) Enforcement is in accordance with all applicable parking laws and regulations.

(2) Tracking Armed Forces Traffic Ticket (DD FM 1408) and U.S. District Court Violation Notice disposition and accumulated points. Each parking violation associated with this policy is 2 points toward suspension of installation driving privileges IAW Army Regulation 190-5. On-Post Driving privileges may also be suspended for up to 6 months if a driver continually violates installation parking regulations.

c. The Director of DPW is responsible for reviewing all requests for changes to approved parking areas.

(1) DPW is the only organization authorized to emplace, remove or change any parking sign(s) in nonresidential areas and to stripe designated parking areas in nonresidential areas.

(2) DPW and Michaels Military Housing are the only two organizations authorized to emplace, remove or change any parking sign(s) on the installation or in residential areas.

Parking Spaces: All vehicles must park within marked or designated parking spaces, excluding emergency response personnel in the performance of their duties. Parking spaces are marked or designated as follows:

a. White striping on roadways or in parking lots denoting angle, straight or parallel parking spaces.

b. Permanent appropriate signage, either locally recognized signage or IAW the Manual of Uniform Traffic Control Devices (MUTCD).

c. Concrete bumpers located in unimproved or gravel parking lots.

d. Yellow striping or curbing to denote the end or limit of a parking line or row. Common locations for yellow striping are near fire hydrants, street corners, historical tour signs, at intersections that would obscure the driver’s sight angles, and at the end of a parking line or row.

Designated Parking: The following positions are authorized reserved parking:

a. Installation Level Command: General Officers, Deputy to the Commanding General, Chief of Staff, Garrison Commander, Deputy to the Garrison Commander, and Command Sergeants Major.

b. Subordinate CAC Organizations: General Officers, Senior Executive Service (SES), Commanders, Command Sergeants Major, First Sergeants, and Government-Owned vehicles. Directors, Staff Officers/NCOs are not authorized marked or designated parking spaces.

c. Tenant units: General Officers, Senior Executive Service (SES), Commanders, Command Sergeants Major, First Sergeants, and Government Vehicles. Directors and Staff personnel are not authorized parking spaces.

d. Commissary and PX: Americans with Disabilities Act or ADA Parking and one each of the following; Medal of Honor Recipients/General Officer, Gold Star Family Members, and Expecting Mother(s).

e. Wayside Historical Marker Parking: Each wayside location is authorized one parking space located in the closest adjacent parking space to the actual historical marker designated by an appropriate historical wayside parking sign. Wayside parking is designated for historical wayside visitors only and limited to 30 minutes. The Buffalo Soldier Monument is authorized 5 visitor parking spaces and will be utilized by Buffalo Soldier Monument visitors only.

f. Lewis and Clark Center, Abrams Loop Parking is authorized the following parking spaces; Medal of Honor, Commandant, Deputy Commandant, Civilian Aide to the Secretary Army (CASA), and CGSC Command Sergeant Major.

g. The CGSC Physical Security Department is responsible for monitoring and issuing F-Tag parking and is located and the Lewis and Clark Center, 100 Stimson Avenue, Room 2532. Only the facilities listed below are authorized to implement an F-Tag parking program:

(1) Truesdell Hall – north and south parking lots.
(2) Lewis and Clark Center = southern parking lots adjacent to Stimson Avenue.

h. Eisenhower Hall – 13 General Officer, Distinguished Visitors/VIP parking spaces located west of the facility and adjacent Smith Lake. When no Distinguished Visitors/VIPs are present CGSC will place “open parking” signs to allow for public parking to minimize disruption in the Fort Leavenworth community.

i. Americans with Disabilities Act (ADA) Parking Standards: For every 25 parking spaces in a parking lot and/or area, there must be one designated ADA/Handicapped reserved parking space. Adequate ADA parking for the installation workforce will be accommodated if space is available.

j. Parking lots controlled by electronic means do not require reserved parking; however, any designated parking spaces within these lots will be assigned according to this policy.

k. Resident parking: Housing unit numbers will designate resident parking spaces. Hang tag permits may be issued by Michaels Military Housing. Violations of this paragraph will be filed with the Housing Office.

l. Customer service-oriented organizations are authorized customer parking. Customer service organizations are defined as organizations that provide customer care activities that support the delivery of a product or core service. Organizations may request designated customer parking spaces through the approval process.

m. Organizations may request to add Military/Government-Owned/Leased Vehicle (GOV) parking commensurate to vehicle density and available parking spaces, not to exceed 5% of available parking spaces per designated parking lot.

n. Electric Government Owned/Leased Vehicle (GOV): Electric vehicle charging locations. A location that is designed to allow a GOV to be plugged into a charging source for the battery. Only GOVs may be parked and charged in the electric GOV charging stations.

o. Special Event Parking. Coordination will be made with the Directorate of Emergency Services for designated parking areas during special events, official functions, or major exercises. All coordination for special events at the Lewis and Clark Center will be made through the Command and General Staff College Physical Security representative at the Lewis and Clark Center.

Prohibited Parking:

a. Outside of marked or designated stalls/spaces or where signs prohibit; to include time limited customer parking. Organizations are prohibited from designating parking lots for employees only, to include sticker and hang tag parking; the only exception is the F tag parking described above in paragraph 5(g).

b. Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a Law Enforcement Officer or official traffic control device, no person shall:

(1) Stop, Stand, or Park a vehicle:

(a) In front of a fire hydrant or within 15 feet on either side of a fire hydrant, marked fire lanes and within 20 feet of the driveway entrance to any fire station.

(b) Where yellow or red curbing prohibit.

(c) Seeded areas.

(d) On sidewalks, crosswalks or within an intersection.

(e) On Hancock or Biddle Avenues adjacent the Fort Leavenworth National Cemetery.

(f) Along streets, roadways and on road shoulders where prohibited parking is indicated or where official signs prohibit (Automatic Vehicle Barrier, Fire Lane, etc.).

(g) On the roadway side of vehicle stopped or parked at the curb or edge of roadway

(h) In front of recycling or waste dumpsters.

(i) Parked within 15 feet of a roadway intersection or within 30 feet upon the approach to any flashing signal, stop sign, yield sign, or traffic control signal located at the side of the roadway.

(j) Within 15 feet on each side of a mailbox in family housing areas, prohibiting mail delivery.

(k) Parked with the left side of the vehicle to the left side curb on a two-way street (facing oncoming traffic).

(l) Vehicles parked on Fort Leavenworth must display a current state vehicle registration.

(m) Mopeds and scooters under 50cc will park around bicycle racks provided adjacent to the buildings. Mopeds and scooters will not be parked or secured in areas where they will cause a nuisance or an eyesore, block access to walking lanes, ADA parking clearance, or otherwise impede the flow of traffic.

(n) On railroad tracks, on bridges, or elevated structures.

(o) No person shall park a recreational vehicle or a trailer, to include a boat trailer, any place other than that which has been designated by the Garrison Commander as a recreational vehicle or trailer parking lot. Notwithstanding the foregoing, one recreational vehicle may be parked for one overnight period to permit loading or unloading.

(p) Any other location in which the vehicle interferes with the orderly flow of traffic, creates a safety hazard to other roadway users or the general public, or interferes official Government Operations, street cleaning, snow removal operations or emergency operations during natural disaster or critical incident, fire or cleanup.

(q) No vehicle will be permitted to stand unattended without first stopping the engine, locking the ignition, removing the key from the ignition, effectively setting the parking brake thereon, and when standing on any grade, turning the front wheels to the curb or side of the roadway. This does not pertain to vehicles with remote starting capabilities.

(r) A nonhandicapped person who is transporting a handicapped person in a motor vehicle, regardless of whether that motor vehicle displays a handicapped registration, shall not park or stand that motor vehicle in a handicapped spot if the handicapped person has no intention of leaving the vehicle. The placard shall be displayed on the mirror or dashboard in a highly visible location. The person that the placard is registered to shall not be used by another in order to use ADA Parking.

2-9. Vehicle Repairs. No person shall conduct vehicle repair or maintenance activities outside of the DFMWR Auto Craft Shop, unless those repairs are limited to ensuring that the vehicle is operational within 24 hours. Some examples are: replacing a flat tire or battery, brake pad replacement, etc. No major vehicle repairs are authorized. Major repairs consist of engine/transmission removal or installation. At no time will a vehicle be left on jackstands overnight or unattended for an extended period of time, as this poses a safety hazard. For residential areas, refer to the Housing Policy/Rental Agreement.

2-10. Abandoned Vehicles. No person shall abandon a motor vehicle that is either that person's motor vehicle or a motor vehicle that the person was operating. Due to the safety, environmental, and force protection concerns law enforcement will conduct abandoned vehicle investigations. Signs of abandonment are disabling damage, expired registration, illegal parking, and leaking fluids. A vehicle may be towed, at the owner's expense, for obstruction of government operations (snow removal, evacuations, natural disasters, etc.).

2-11. Sleeping or Loitering in a Motor Vehicle. No person shall sleep overnight or loiter within a parked motor vehicle.

2-12. Other Offenses.

a. Careless Driving: Operating a vehicle without due regard for the width, grade, curves or other traffic on the roadways. This also applies when the operation of the vehicle is done so in a distracted manner (cell phone usage, spilt drinks, or when the driver's attention is not directed towards safe operation of the vehicle).

b. Failure to Secure Load: No vehicle shall be operated on any roadway unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking or otherwise escaped therefrom. This applies to loose equipment, accessories, or other objects that could injure or damage personnel and property. No passenger type vehicle shall be operated on any roadway with any load carried thereon extending beyond the left side of such vehicle nor extending more than six inches beyond the right side thereof.

c. Failure to Judge Proper Clearance/Distance: Unsafe operation of a vehicle while in which the driver misjudged the clearance or physical boundaries of the vehicle, resulting in a traffic collision.

d. Unsafe Starting of a Vehicle: No person shall start a vehicle which is stopped, standing, or parked unless and until such movement can be made with reasonable safety. The term starting may pertain to the ignition or the movement of said vehicle.

e. Offensive Material: No person shall have displayed any offensive bumper stickers, painting, or markings that a reasonable person would find offensive. Reasonable is defined in AR 600-20. Offensive can include but is not limited to sexist, racist, or discriminatory in any way. The use of profanity on bumper stickers, paintings, or marking is strictly forbidden. Political material is covered by DoDD 1344.10 for active duty and the Hatch Act (5 USC 7321-7326) for Federal Civilian Employees

f. Driving While Vision Obstructed: No person shall operate a vehicle with an obstructed view to the front, side, and rear of the vehicle. This includes the number of passengers, cargo being transported, or snow that can impede a driver's view of the roadway, pedestrians, and other traffic.

g. Driver Distractions. Per 32 CFR 634.25: Vehicle operators (POVs) on a DoW Installation and operators of Government Owned Vehicles shall not use cellular phones unless the vehicle is safely parked or unless they are using a hands-free device. The wearing of any other portable headphones, earphones, or other listening devices (except for hand-free cellular phones) while operating a motor vehicle is prohibited. Use of those devices impairs driving and masks or prevents recognition of emergency signals, alarms, announcements, the approach of vehicles, and human speech. DoW Component safety guidance should note the potential for driver distractions such as eating and drinking, operating radios, CD players, global positioning equipment, etc. Whenever possible this should only be done when the vehicle is safely parked.

Per KSA: 8-15,111. Text messaging prohibited; exceptions. (a) As used in this section:

(1) "Wireless communication device" means any wireless electronic communication device that provides for voice or data communication between two or more parties, including, but not limited to, a mobile or cellular telephone, a text messaging device, a personal digital assistant that sends or receives messages, an audio-video player that sends or receives messages or a laptop computer. "Wireless communication device" does not include a device which is voice-operated and which allows the user to send or receive a text based communication without the use of either hand, except to activate or deactivate a feature or function.

(2) "Write, send or read a written communication" means using a wireless communication device to manually type, send or read a written communication, including, but not limited to, a text message, instant message or electronic mail.

(b) Except as provided in subsections (c) and (d), no person shall operate a motor vehicle on a public road or highway while using a wireless communications device to write, send or read a written communication.

(c) The provisions of subsection (b) shall not apply to:

(1) A law enforcement officer or emergency service personnel acting within the course and scope of the law enforcement officer's or emergency service personnel's employment;

(2) a motor vehicle stopped off the regular traveled portion of the roadway;

(3) a person who reads, selects or enters a telephone number or name in a wireless communications device for the purpose of making or receiving a phone call;

(4) a person who receives an emergency, traffic or weather alert message; or

(5) a person receiving a message related to the operation or navigation of the motor vehicle.

(d) The provisions of subsection (b) shall not prohibit a person from using a wireless communications device while operating a moving motor vehicle to:

(1) Report current or ongoing illegal activity to law enforcement;

(2) prevent imminent injury to a person or property; or

(3) relay information between transit or for-hire operator and the operator's dispatcher, in which the device is permanently affixed to the motor vehicle.

h. Regardless of the applicable state's laws, no person shall operate a government-owned vehicle (on or off the installation) while using a personal-communications device.

i. No Soldier shall operate any motor vehicle (on or off the installation), whether it is a privately-owned vehicle or a government-owned vehicle, while using a personal-communications device, but a Soldier who violates this subsection while off the installation is subject to administrative action only.

2-13. Pedestrians

a. Pedestrians; obedience to official traffic-control devices required. A pedestrian shall obey the instructions of any official traffic-control device specifically applicable to such pedestrian, unless otherwise directed by a police officer.

b. Right-of-way at crosswalks; interference with vehicular traffic; duties of drivers.

(1) When traffic-control signals are not in place or not in operation the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.

(2) No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close as to constitute an immediate hazard.

(3) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle

c. Crossing roadway at location other than crosswalk.

(1) Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

(2) Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.

(3) Between adjacent intersections at which traffic-control signals are in operation pedestrians shall not cross at any place except in a marked crosswalk.

(4) No pedestrian shall cross a roadway intersection diagonally unless authorized by official traffic-control devices; and, when authorized to cross diagonally, pedestrians shall cross only in accordance with the official traffic-control devices pertaining to such crossing movements

d. Drivers to exercise due care. Notwithstanding other provisions of this article or the provisions of any local ordinance, every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian and shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing any child or any obviously confused or incapacitated person.

e. Movement in crosswalk. Pedestrians shall move, whenever practicable, upon the right half of crosswalks.

f. Use of roadways.

(1) Where a sidewalk is provided and its use is practicable, it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.

(2) Where a sidewalk is not available, any pedestrian walking along and upon a highway shall walk only on a shoulder, as far as practicable from the edge of the roadway.

(3) Where neither a sidewalk nor a shoulder is available, any pedestrian walking along and upon a highway shall walk as near as practicable to an outside edge of the roadway, and, if on a two-way roadway, shall walk only on the left side of the roadway.

(4) Except as otherwise provided in this article, any pedestrian upon a roadway shall yield the right-of-way to all vehicles upon the roadway.

f. Soliciting rides, business or contributions; exception.

(1) No person shall stand in a roadway for the purpose of soliciting a ride.

(2) No person shall stand on a highway for the purpose of soliciting employment, business or contributions from the occupant of any vehicle.

(3) No person shall stand on or in proximity to a street or highway for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked on a street or highway.

(4) The soliciting of contributions under subsection (b) shall not be prohibited, if such person or organization has first obtained a permit authorizing such soliciting from the local authorities in their respective jurisdictions.

g. Pedestrians must yield right-of-way to authorized emergency vehicle.

(1) Upon the immediate approach of an authorized emergency vehicle making use of an audible and visual signals or of a police vehicle properly and lawfully making use of an audible signal only, every pedestrian shall yield the right-of-way to the authorized emergency vehicle.

(2) This section shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway nor from the duty to exercise due care to avoid colliding with any pedestrian.

h. Blind pedestrian's right-of-way. The driver of a vehicle shall yield the right-of-way to any blind pedestrian carrying a clearly visible white cane or accompanied by a guide dog.

i. Pedestrians under influence of alcohol or drugs; misdemeanor. A pedestrian who is under the influence of alcohol or any drug to a degree which renders such pedestrian a hazard shall not walk or be upon a highway except on a sidewalk. Violation of this section is a misdemeanor.

j. Obedience of pedestrian to bridge and railroad signals required.

(1) No pedestrian shall enter or remain upon any bridge or approach thereto beyond the bridge signal, gate or barrier after a bridge operation signal indication has been given.

(2) No pedestrian shall pass through, around, over or under any crossing gate or barrier at a railroad grade crossing or bridge while such gate or barrier is closed or is being opened or closed.

2-14. Motorcycles. No person shall operate a motorcycle, moped, mini-bike or other self-propelled, open, 2-wheel, 3-wheel, or 4-wheel vehicle that is powered by a motorcycle-type engine unless:

a. The vehicle is burning a headlight at all times the vehicle is in operation and possesses a working brake light and rearview mirrors that are attached to both sides of the motorcycle. If the vehicle does not possess turn signals, no person shall operate such a vehicle without displaying hand signals.

Per KSA: 8-1550, All signals herein required given by hand and arm shall be given from the left side of the vehicle in the following manner and such signals shall indicate as follows:

- *Left turn.* Hand and arm extended horizontally.
- *Right turn.* Hand and arm extended upward.
- *Stop or decrease speed.* Hand and arm extended downward.

b. The operator and all passengers wear an approved motorcycle helmet; impact or shatter resistant eye protection that meet or exceed the ANSI Safety Code Z87.1, such as wraparound glasses, goggles, or a full-face shield (the windshield alone is insufficient to meet this requirement); sturdy hard-soled ankle-covering shoes; long trousers; outer upper garment that includes long sleeves; and full- fingered gloves or mittens.

c. The person who is operating the vehicle is not using, or wearing, headphones or earphones of any type.

d. Any vehicle or low-powered cycle that is powered by an engine or battery with a capacity of or less than 49cc and/or one brake horsepower that does not meet the requirements in subparagraphs (b) and (c) of this paragraph must be operated on the sidewalks with the same age restriction as bicycles. But any operator of such vehicle must yield the right-of-way on those sidewalks to any pedestrian. No person shall operate a vehicle that is powered by an engine with a capacity of or greater than 50cc on

any sidewalk. A class 3 electric assisted bicycle may not be operated by a person under the age of 16 years.

2-15. Bicycles. A person who rides a bicycle, motorized bicycle, or electric-assisted bicycle on the installation is given the same privileges and subject to the same rules as a person who operates a motor vehicle on the installation.

a. No person shall ride a bicycle unless he or she is wearing a helmet that has been approved by the American Society for Testing and Materials or that meets or exceeds the Snell Foundation Safety Standard.

b. No person shall tow a bicycle behind another vehicle regardless of the source of that vehicle's power, to include a human-powered vehicle.

c. Unlawful acts; application of regulations.

(1) It is unlawful for any person operating a bicycle, motorized bicycle, or electric-assisted bicycle to violate traffic laws. This shall apply whenever a bicycle is operated upon any roadway or upon any path set aside for the exclusive use of bicycles. Adult (16 years of age or older) bicycle riders will operate on the roadway and shall obey all traffic control devices as a vehicle.

(2) When a bicycle is operated on a sidewalk, by a child under the age of 16 years, and upon approach of an intersection or crosswalk, The rider will come to a complete stop and walk their bicycle through the crosswalk as a pedestrian

(3) It is unlawful for any parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this regulation.

d. Riding on bicycles.

(1) A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto.

(2) No bicycle, scooter, moped, or ebike shall be used to carry more persons at one time than the number for which it is designed and equipped.

(3) Same; clinging to other vehicles prohibited. No person riding upon any bicycle, coaster, roller skates, scooter, sled or toy vehicle shall attach the same, himself or herself to any vehicle upon a roadway.

e. Riding on bicycles or mopeds; riding on roadways.

(1) Every person operating a bicycle or a moped upon a roadway at less than the normal speed of traffic at the time and place and under the conditions then existing shall ride as near to the right side of the roadway as practicable, except under any of the following situations when:

(a) Overtaking and passing another bicycle or vehicle proceeding in the same direction;

(b) preparing for a left turn at an intersection or into a private road or driveway; or

(c) reasonably necessary to avoid conditions including, but not limited to, fixed or moving objects, parked or moving bicycles, bicycles, pedestrians, animals, surface hazards or narrow width lanes that make it unsafe to continue along the right-hand edge of the roadway.

(2) Any person operating a bicycle or a moped upon a one-way highway with two or more marked traffic lanes may ride as near to the left side of the roadway as practicable.

(3) Persons riding bicycles upon a roadway shall not ride more than two abreast, except on paths or parts of roadways set aside for the exclusive use of bicycles.

(4) Wherever a usable sidewalk (paved, concrete, or dirt) for bicycles has been provided adjacent to a roadway, riders shall use such path and shall not use the roadway. A path is a trail designated specifically for bicycle usage.

(5) For purposes of this section, "narrow width lane" means a lane that is too narrow for a bicycle and a vehicle to travel safely side-by-side within the lane

f. Carrying Articles. No person operating a bicycle shall carry any package, bundle or article which prevents the driver from keeping at least one (1) hand upon the handlebars.

g. Lamps, brakes and other equipment on bicycles.

(1) Every bicycle when in use between sunset and sunrise shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and either:

(a) A red reflector on the rear which shall be visible from all distances from 100 feet to 600 feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle;

(b) a lamp on the rear that shall emit a red light visible from a distance of 500 feet to the rear; or

(c) the operator of such bicycle shall be wearing a device that emits a red or amber light that shall be visible from a distance of 500 feet to the rear.

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

(e) No person shall sell a pedal for use on a bicycle, unless such pedal is equipped with a reflector which is visible from the front and rear of the bicycle to which it is attached during darkness from a distance of 200 feet, and no person shall sell a new bicycle, unless it is equipped with pedals meeting the requirements of this subsection.

h. Electric-assisted bicycles or E-Bikes; application of traffic laws; vehicle registration, vehicle liability insurance, title certificate, license plate or driver's license not required; manufacturing requirements; location of operation; restrictions.

(1) Except as specifically provided, an electric-assisted bicycle or a rider of an electric-assisted bicycle shall be afforded all the rights and privileges, and be subject to all of the duties, of a bicycle or the rider of a bicycle. An electric-assisted bicycle is a vehicle to the same extent as a bicycle.

(a) On and after January 1, 2023, manufacturers and distributors of electric-assisted bicycles shall apply a label that is permanently affixed, in a prominent location, to each electric-assisted bicycle. The label shall contain the classification number, top assisted speed and motor wattage of the electric-assisted bicycle and shall be printed in Arial font in at least nine-point type.

(b) A person shall not tamper with or modify an electric-assisted bicycle in a manner that changes the motor-powered speed capability or engagement of an electric-assisted bicycle, unless the label indicating the classification required in subsection (c) is replaced after modification.

(c) An electric-assisted bicycle shall comply with the equipment and manufacturing requirements adopted by the United States consumer product safety commission, 16 C.F.R. part 1512.

(d) An electric-assisted bicycle may be ridden in places where bicycles are allowed, including, but not limited to, streets, highways, roadways, bicycle lanes, bicycle or multi-use paths, trails or trail networks.

(e) No person under 16 years of age may operate a class 3 electric-assisted bicycle. A person under 16 years of age may ride as a passenger on a class 3 electric-assisted bicycle that is designed to accommodate passengers.

i. Electric assisted scooters, bicycles, skateboards, hoverboards, one wheelers, and similar vehicles that are powered by a low power engine or electric battery system shall have all the rights and privileges, and be subject to all of the duties, of a bicycle or the rider of a bicycle.

j. The following provisions apply to all electrically powered or assisted bicycles, scooters, hoverboards, one-wheelers, and similar vehicles that are powered by a low power engine or battery system:

(1) No person shall park or stand an electrically powered or assisted vehicle in a manner that obstructs a walkway or building entrance. When bicycle racks are provided, all persons must secure their bicycles within those racks. All persons shall secure their bicycles when not in use.

(2) No person shall ride an electrically powered or assisted vehicle on the roadway of Grant Avenue, and no person shall ride a bicycle through a crosswalk; rather, the person shall dismount and walk the bicycle across the street.

(3) Electrically powered or assisted vehicles shall be ridden (16 years of age and older) on the roadways whenever possible. This does not pertain to family activities with children under the age of 16 years.

(4) No person shall ride an electrically powered or assisted vehicle through the National Cemetery or within the Fort Leavenworth golf course. This limits potential damage to the golf course grounds and injury to bicycle riders.

(5) Electrically powered or assisted vehicles may be ridden on sidewalks,(15 years old and younger) but any person who is riding a bicycle and is approaching a pedestrian shall give ample warning of his or her approach. All bicycle riders are strongly encouraged to equip their bicycles with a bell or a horn. Any person who is riding a bicycle on a sidewalk must yield the right of way to any pedestrian. Grant Avenue and Cody Road is an exception to this paragraph.

(6) During reduced visibility (e.g., overcast days, fog, rain, 30 minutes before or after sunrise or sunset, etc.), no person shall ride an electrically powered or assisted vehicle unless that person is wearing reflective clothing, which may be a reflective belt on their upper body.

(7) No person shall ride an electrically powered or assisted vehicle while also using, or wearing, headphones or earphones of any type.

2-16. Other Human-powered Vehicles.

A human-powered vehicle is a vehicle that the primary source of power is human muscle, to include skateboards, rollerblades, tricycles, non-motorized scooters, but is not a bicycle.

a. No person shall ride a human-powered vehicle without wearing a helmet.

b. No person shall tow a human-powered vehicle behind any other vehicle, to include human-powered or motor-powered vehicles, and no person shall tow another vehicle behind a bicycle, regardless of how that vehicle is powered.

c. No person shall ride a human-powered vehicle on any street, on any outside stairwell or walkway that is adjacent to an organization, or in any common-service area, to include the Post Exchange, Commissary, Burger King, and Shoppette.

d. A person who is riding a human-powered vehicle shall yield the right-of-way to pedestrians who are on the sidewalks.

e. No person shall ride a human-powered vehicle, other than a bicycle that has been equipped in accordance with this regulation, during the hours of darkness. During periods of reduced visibility, no person shall ride a human-powered vehicle without wearing reflective clothing on their upper body.

f. All persons who operate a human-powered vehicle within a parking lot shall exercise due caution.

2-17. Animals and Pets. No person shall ride an animal, to include horses, on Grant Avenue, Biddle Boulevard, Hancock Avenue, McClellan Avenue, or that portion of McPherson Avenue that lies to the east of McClellan Avenue or within any housing area without authorization. Any person who rides or walks an animal on any part of the installation shall clean up that animal's waste from the installation's roadways, sidewalks, or mowed areas.

2-18. Off-road Vehicles. Due to the potential for erosion, no person shall operate any motor vehicle (whether that vehicle is gasoline or electric powered) off the road. The Garrison Commander on a case-by-case basis may authorize official vehicles and select privately-owned vehicles to operate on forest access roads for training purposes and other approved post activities. All persons shall comply with the installation's hunting policies.

a. Privately owned UTVs and ATVs are not authorized for operation on roadways or sidewalks on Fort Leavenworth.

b. Government Owned UTVs and/or ATVs will be treated as a motor vehicle when authorized for use on the installation and for official purposes. The UTV/ATV used for official duties will be grant the rights and privileges, and be subject to all of the duties, of a motor vehicle.

c. Golf Carts. "Golf cart" means a motor vehicle that has not less than three wheels in contact with the ground, an unladen weight of not more than 1,800 pounds, is designed to be and is operated at not more than 25 miles per hour and is designed to carry not more than four persons including the driver.

(1) Operation of golf cart; It shall be unlawful for any person to operate a golf cart on any public roadway or street within the limits of any Fort Leavenworth, or on any street or highway with a posted speed limit greater than 20 miles per hour. Operation on a sidewalk is prohibited.

(2) A golf cart may cross a federal or state highway or a street or highway with a posted speed limit in excess of 30 miles per hour.

(3) A golf cart shall be operated on any public street or highway only during the hours between sunrise and sunset, unless equipped with: (1) Lights as required by law for motorcycles; and (2) a properly mounted slow-moving vehicle emblem.

2-19. Unattended Children. No person shall leave a child who is under the age of 10 in any motor vehicle unattended. During certain weather conditions, the person may be charged with Child Abuse/Neglect.

2-20. Excessive Noise. No person shall operate a motor vehicle or any equipment (to include the radio) within or attached to that vehicle in a manner that disturbs other individuals.

a. No person shall play music from or drive a motor vehicle such that the music or noise can be heard 100 feet from the vehicle when the windows are open or 50 feet from the vehicle when the windows are closed.

b. No person shall “rev” the engine of a motor vehicle unnecessarily or intentionally break the traction of the tires so that the tires squeal to breach the peace.

2-21. Radar Detection Devices. No person shall operate a motor vehicle while also operating a radar or laser detection device that indicates the presence of a speed-detecting system or is designed to transmit an erroneous signal to a speed-detection system; the device will be removed from the windshield or dash.

2-22. Transportation of Firearms. No person shall transport any firearm within a motor vehicle on Fort Leavenworth unless that firearm has been registered with the DES. A person shall not be subject to this paragraph if the person’s weapon is exempt from registration by law or regulation.

2-23. Accidents. In addition to any duty imposed by applicable law, all persons who are involved in a motor vehicle accident shall notify the DES of that accident and shall remain with their vehicles until released by the DES. The foregoing shall not be construed to limit the right of such persons to remove themselves and their vehicles to a safe location on the installation while awaiting the Fort Leavenworth Police. Drivers are encouraged to exchange information on scene, or leave a note for the unattended vehicle.

2-24. Implied Consent.

a. Any person who operates a motor vehicle on Fort Leavenworth is deemed to have given his or her consent to evidential test(s) to determine the presence of alcohol or other drug contents of his or her blood, breath, or urine when lawfully stopped, apprehended, or cited for any offense allegedly committed while driving or in physical control of a motor vehicle on Fort Leavenworth. See Title 18, United States Code, 3118 and KSA: 8-1001.

(1) Those testing procedures that are established by the State of Kansas and are current as of the date of the test are adopted for the purpose of carrying out this regulation. But in no circumstances shall a person who has a blood-clotting disorder, to include hemophilia, or is undergoing anticoagulant treatment be subject to a blood test. Nonconsensual extraction of bodily fluids shall be performed only after obtaining the concurrence of the Office of the Staff Judge Advocate. (For refusal to submit see section 3-2).

(2) Any person granted the privilege to operate a motor vehicle on Fort Leavenworth shall be deemed to have given his or her consent for the removal and temporary impoundment of the POV when it is parked illegally or for unreasonable periods, as determined by the Fort Leavenworth Police Department, or is interfering with military operations, is creating a safety hazard, or has been disabled by accident, left unattended in a restricted or controlled area, or abandoned. Such person further agrees to reimburse the United States for the cost of towing and storage should his or her motor vehicle be removed or impounded. Existence of these conditions will be determined by the Fort Leavenworth Police Department.

2-25. Vehicle Impoundment.

a. A privately-owned vehicle may be impounded if it interferes with ongoing operations, poses a security or safety risk to Fort Leavenworth, has been involved in criminal activity, or has been abandoned. Those reasons include:

(1) The POV has been illegally parked.

(2) The POV interferes with traffic, to include street cleaning and snow removal.

(3) The POV has been used in a crime or has evidence of criminal activity.

(4) The owner or operator of the POV has been apprehended and cannot or will not arrange for lawful transportation of the POV.

(5) The POV is mechanically defective and the owner or operator is unable or unwilling to arrange to have the POV towed.

(6) The POV has been abandoned. See definitions

(7) The POV is uninsured and there is no reasonable expectation that the owner can acquire insurance for the vehicle in a reasonable period of time, which shall be determined by the DES based on the location of the POV and the security or operational risk the POV poses in that location.

b. When the DES Police discover an apparently abandoned vehicle, the law enforcement officer shall tag that vehicle with a DD Form 2504 (Notice of Abandoned Vehicle) and shall annotate that fact in the journal. The owner of the vehicle shall be given three calendar days to remove the vehicle. If the owner fails to do so, the vehicle may be towed. Notwithstanding the foregoing, the DES may immediately tow an apparently abandoned vehicle if the circumstances warrant.

c. If a vehicle is impounded, the DES Police shall fill out a DD Form 2506 (Vehicle Impoundment Report), to include an inventory of the vehicle. If the owner of the vehicle is not present when the vehicle is impounded, the DES Police shall mail (certified, return receipt requested) a DD 2507 (Notice of Impounded Vehicle) to the owner's last known address.

d. A vehicle that is impounded for evidentiary purposes may be held until the vehicle is no longer needed for that purpose. Other vehicles shall be held until claimed by the owner in accordance with Kansas state law. If a vehicle is not claimed within 120 days of the impoundment, the DES shall follow the procedures in Army Regulation 190-5, paragraph 6-6(b), which governs the disposition of abandoned vehicles.

2-26. Tow Truck Services. Any person who operates a tow truck on the installation shall notify the Fort Leavenworth Police Station the reason why that person is operating a tow truck on the installation. The ECC will then notify Grant Gate security personnel of the tow. Unless directed to do so by the DES, no person shall tow or otherwise remove any vehicle

without the authorization of the Office of the Staff Judge Advocate and an escort from the Fort Leavenworth Police Department. For other towing incidents, a tow rotation will be established through the Emergency Communications Center (ECC). All local tow companies have been notified of the processes for obtaining access to the installation.

2-27. Modification by Law Enforcement. No person shall remove, add, or modify any traffic-control device, to include any traffic-control sign, without the permission of the DES Police. Further, only the Directorate of Public Works (DPW) is authorized to deploy or remove a traffic-control device outside of the Housing Areas. The provisions of this regulation may be modified at any time by the emplacement of official signs, signals, or devices by an Army Law Enforcement Officer or by road guards. This applies during periods of operational necessity, such as the implementation of emergency plans, and to provide traffic control at special events. All exceptions must be coordinated with the DES.

Chapter 3
Suspension, Revocation, and Reinstatement (See Appendix B)

3-1. Suspension or Revocation Procedures. Other than an immediate suspension of driving privileges under paragraph 3-2, the following procedures shall be used for all suspensions or revocations of a person's driving privileges.

a. Proposal. The DES Police shall propose that a person's driving privileges be suspended or revoked. The DES Police shall notify that person's unit or Directorate in writing of its proposal. The suspension for excessive points will be for a period of one year from the date of issuance. That notice shall state:

(1) The proposed basis for the suspension or revocation. The accumulation of points against on post driving privileges or the GC Policy – concerning temporary suspension, through the Unit/Directorate)

(2) That the person has the right to request an administrative hearing before the installation hearing officer; that the person's request must be received by the DES within 14 calendar days of the date of receipt of the notice; and that if the person does not request a hearing within 14 days, the person will be deemed to have waived the hearing and any appeal.

(3) That, for intoxicated-driving offenses, the proposed suspension is effective immediately (Temporary Post Suspension Letter) or that, for non-intoxicated driving offenses, the proposed suspension will become effective upon either the lapse of the 14-day period to request a hearing or 10 days after the decision of the installation hearing officer unless that hearing is delayed not due to the person's actions. If a hearing is delayed because of the person or the person's attorney, the proposed suspension shall become effective upon the lapse of the 14-day period.

(4) That the person may be represented by an attorney who he or she provides at his or her own expense.

(5) That a person who drives on the installation when his or her driving privileges have been suspended may be subject to a more than one-year revocation of those privileges.

b. Hearing. If the person requests an administrative hearing, the DES shall immediately transmit all appropriate documentation to the installation Hearing Officer, who will schedule a hearing. The hearing will occur within ten days of receipt of the request. The installation hearing officer will allow the person to present relevant evidence and will consider that evidence along with any documentation that is supplied by the DES. The hearing officer may suspend or revoke a person's driving privileges, or that officer may impose restrictions, as discussed in paragraph 3-6, to those privileges. Following the hearing, the officer will render a written decision, a copy of which will be given to the person and the DES. That notice shall include:

(1) The specific findings of fact and the decision of the hearing officer.

(2) That, if a suspension or revocation is ordered by the hearing officer, that suspension or revocation shall take effect 10 calendar days after the receipt of the hearing officer's decision.

(3) That if the person's driving privileges are currently suspended or revoked while driving on the installation may result in an additional period of revocation.

(4) That the person has a right to appeal the decision to the Garrison Commander and that any appeal must be submitted to the Garrison Commander within 10 calendar days of the date of the hearing officer's decision.

c. Appeal. The person whose privileges have been suspended or revoked shall have one opportunity to appeal. To appeal, the person shall submit a written memorandum of appeal to the Garrison Commander through the Office of the Staff Judge Advocate, Administrative Law Division, within 10 calendar days of receipt of the hearing officer's decision.

(1) A Judge Advocate who was not the hearing officer shall review the appeal and make specific recommendations to the Garrison Commander.

(2) The Garrison Commander shall act on the appeal, and his decision shall be forwarded to the person involved and the DES.

(3) During the pendency of the appeal, the hearing officer's decision to suspend or revoke the driving privileges shall stand. The Garrison Commander may grant exceptions to this rule on a case-by-case basis.

3-2. Immediate Suspension for an Intoxicated-Driving Incident.

a. The DES shall Issue a Temporary Post Suspension Letter, on behalf of the GC, until the initial meeting with the Hearing Officer can be coordinated.

(1) The person refuses to take or complete a lawfully requested chemical test to determine whether the person has alcohol or other drugs present in his or her blood.

(2) The person operated a motor vehicle with a blood-alcohol concentration of .08 or greater. If the person is under the age of 21, the person operated a motor vehicle with a blood-alcohol concentration of .02 or greater. If the person is operating a commercial vehicle and possesses a commercial driver's license, the person operated a commercial motor vehicle with a blood-alcohol concentration of .04 or greater.

(3) The DES Police receives an arrest report or other official documentation that indicates that a Service Member was arrested or charged with an intoxicated-driving incident off of the installation.

b. When a person's driving privileges have been immediately suspended under this paragraph, the DES shall give the driver Temporary Post Suspension Letter to the effect that includes all the information that is identified in paragraph 3-1(a).

c. Regardless of where the intoxicated-driving incident occurred, the suspension of driving privileges in this paragraph shall be applied to active-duty members of the Armed Forces, Family members, retired personnel, DOD-Affiliated civilian employees, and volunteers who have been granted the privilege of operating a motor vehicle on the installation.

d. A person's driving privileges shall be restored if the person is adjudicated not guilty of the intoxicated-driving offense or is adjudicated guilty of a lesser offense that is not an intoxicated-driving offense or if the charges against the person are dismissed. This paragraph does not apply if the suspension was based on a refusal to submit to a chemical test or the suspension was based on a facially valid chemical test.

3-3. Suspension.

a. Army Regulation 190-5, table 5-2, establishes a system of points for specific traffic violations. The DES shall establish and maintain a system of records to track each driver's accumulated points in accordance with Appendix B. Upon receipt of a traffic citation (non-Warning DD FM 1408 or CVB), for a violation of the GC policy (his/her standard) the DES Police, will notify the individual's unit or Directorate of a temporary suspension.

(1) The DES shall send an advisory letter to the individual's unit or Directorate who accumulates six or more points within a six-month period. A person who accumulates no less than six points and no more than 11 points in a 12-month period shall be counseled by his or her commander or, if a civilian, his or her supervisor. A person's driving privileges shall be suspended or revoked if that person receives 12 or more points in a 12-month period or 18 or more points in a 24-month period.

(2) Unless a different reporting period is specified in Army Regulation 190-5, a point shall expire 24 months after it has been placed on the person's record.

b. Driving privileges may also be suspended for up to six months should a driver violate the parking portion of this regulation repeatedly.

c. Upon notification by the Special Assistant United States Attorney and without further hearing or appeal a person's driving privileges on Fort Leavenworth shall be suspended if the person fails to comply with a traffic citation that was issued on Fort Leavenworth and shall remain suspended until the person complies with the citation. For the purpose of this paragraph, a person fails to comply with a traffic citation if the person fails to forfeit collateral in accordance with the instructions on the citation or fails to appear when directed to do so by the court.

d. If the circumstances warrant, a person's driving privileges may be suspended even if he or she has not accumulated sufficient points under this paragraph.

3-4. Revocation.

a. A person's driving privileges shall be revoked for no less than 12 months if that person operates a motor vehicle on Fort Leavenworth while that person's Fort Leavenworth driving privileges were suspended.

b. A person's driving privileges may be revoked if the person's driving privileges have been suspended two or more times in a 24-month period; this revocation may be in addition to any proposed suspension.

c. A person's driving privileges shall be revoked for a period of no less than one year if any of the following occurs:

(1) A person fails to submit to a lawfully requested chemical test for the purpose of determining the alcohol or other drugs present in the person's blood.

(2) The person has been convicted of a crime or was subject to nonjudicial punishment or administrative action that resulted in the suspension of the person's driving privileges for intoxicated driving.

d. If circumstances warrant, the DES may propose that a person's driving privileges be revoked regardless of the number of previous suspensions.

3-5. Suspension/Revocation of Civilians' Privileges. A non-DOD affiliated civilian's driving privileges may be suspended or revoked only in response to incidents (whether traffic violations, accidents, etc.) that occur on Fort Leavenworth. If the individual is found to have been driving while on revocation or suspension, the term of revocation/suspension may be extended or face administrative/UCMJ action.

3-6. Restricted Driving Privileges.

a. A person whose driving privileges have been suspended or revoked may petition the installation hearing officer for restricted driving privileges. Any request from a Soldier shall be forwarded to the installation hearing officer through that Soldier's chain of command.

The decision of the hearing officer is subject to appeal as provided in paragraph 3-1.

b. Restricted driving privileges may be granted by the installation hearing officer after a case-by-case review of each circumstance and on the basis of the following reasons:

(1) Mission requirements.

(2) Unusual personal or family hardships.

(3) A delay that exceeds 90 days in the adjudication of any intoxicated-driving incident provided that the delay is not attributable to the person or the actions of the person's attorney.

c. The installation hearing officer shall impose whatever restrictions on the person's driving privileges that the officer concludes is necessary to ensure the safety and security of the Fort Leavenworth community.

d. A person who cannot meet the requirements of paragraph 2-2 (operator standards) shall not be eligible for restricted driving privileges.

3-7. Reinstatement. Unless a person fails to comply with the directives of the hearing officer or, on appeal, the Garrison Commander, the person's driving privileges shall be restored automatically upon the expiration of the term of suspension or revocation.

Appendix A
References

Section 13, Title 18 U.S. Code
Assimilative Crime Acts

CFR
Code of Federal Regulations

DOD 4160.21-M
Defense Reutilization and Marketing Manual

DOD Directive 5525.4
Enforcement of State Traffic Laws on DoD Installations

DOD Instruction 6055.4
DOD Traffic Safety Program

AR 190-5
Motor Vehicle Traffic Supervision

AR 385-10
Army Safety Program

AR 385-55
Prevention of Motor Vehicle Accidents

DA Pam 25-30
Personnel Parking Facilities Program and DA Ridesharing Program

Combined Arms Command & Fort Leavenworth Regulation 27-1 Military Justice

Kansas Statutes Annotated
Chapter 8 Automobiles and Other Vehicles.

Manual on Uniform Traffic Control Devices, 1988.

Michaels Military Housing Guidelines.

APPENDIX B

Table 5–2
Point assessment for traffic violations

Violation: Reckless driving (willful and wanton disregard for the safety of persons or property).
Points assessed: 6

Violation: Owner knowingly and willfully permitting a physically impaired person to operate the owner's motor vehicle.
Points assessed: 6

Violation: Fleeing the scene (hit and run)–property damage only.
Points assessed: 6

Violation: Driving vehicle while impaired (BAC more than 0.05 percent and less than 0.08 percent).
Points assessed: 6

Violation: Speed contests. (Street Racing)
Points assessed: 6

Violation: Speed too fast for conditions.
Points assessed: 2

Violation: Speed too slow for traffic conditions, and/or impeding the flow of traffic, causing potential safety hazard.
Points assessed: 2

Violation: Failure of operator or occupants to use available restraint system devices while moving (operator assessed points).
Points assessed: 2

Violation: Failure to properly restrain children in a child restraint system while moving (Refer to paragraph 2-8(b)).
Points assessed: 2

Violation: One to 10 miles per hour over posted speed limit.
Points assessed: 3

Violation: Over 10 but not more than 15 miles per hour above posted speed limit.
Points assessed: 4

Table 5–2
Point assessment for traffic violations—Continued

Violation: Over 15 but not more than 20 miles per hour above posted speed limit.
Points assessed: 5

Violation: Over 20 miles per hour above posted speed limit.
Points assessed: 6

Violation: Following too close.
Points assessed: 4

Violation: Failure to yield right of way to emergency vehicle.
Points assessed: 4

Violation: Failure to stop for school bus or school–crossing signals.
Points assessed: 4

Violation: 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 full stop or yield of right of way; denying entry; or requiring direction of traffic.
Points assessed: 4

Violation: Improper passing.
Points assessed: 4

Violation: Failure to yield (no official sign involved).
Points assessed: 4

Violation: Operating a motor vehicle while using a personal-communications device that is not in a hands-free mode.
Points assessed: 4

Violation: Improper turning movements (no official sign involved).
Points assessed: 3

Violation: Wearing of headphones/earphones while driving motor vehicles (two or more wheels).
Points assessed: 3

Violation: Failure to wear an approved helmet and PPE while operating or riding on a motorcycle, MOPED, or a three or four–wheel vehicle powered by a motorcycle–like engine.
Points assessed: 3

Table 5–2
Point assessment for traffic violations—Continued

Violation: Improper overtaking.
Points assessed: 3

Violation: Other moving violations (involving driver behavior only).
Points assessed: 3

Violation: Operating an unsafe vehicle (see note 2).
Points assessed: 2

Violation: Driver involved in accident is deemed responsible (only added to points assessed for specific offenses).
Points assessed: 1

Notes:
1. When two or more violations are committed on a single occasion, points may be assessed for each individual violation.
2. This measure should be used for other than minor vehicle safety defects or when a driver or registrant fails to correct a minor defect (for example, a burned out headlight not replaced within the grace period on a warning ticket).

System procedures
Reports of moving and nonmoving traffic violations recorded on DD Form 1408 or CVB will serve as a basis for determining point assessment. For DD Form 1408, return endorsements will be required from commanders or supervisors within 30 days of receipt of the citation. A person's installation driving privileges shall be suspended or revoked if that person receives 12 or more points in a 12-month period or 18 or more points in a 24-month period. If the circumstances warrant, a person's driving privileges may be suspended even if he or she has not accumulated sufficient points.

Glossary

Section I
Abbreviations

CAC
Combined Arms Command

CFR
Code of Federal Regulations

DES
Directorate of Emergency Services

DOD
Department of Defense

DOW
Department of War

DUI
Driving Under the Influence

DES Police
Army Law Enforcement assigned to the Fort Leavenworth Police Department

GOV
Government Owned (Leased) Vehicle

KSA
Kansas Statutes Annotated

POV
Privately Owned Vehicle

UCMJ
Uniform Code of Military Justice

USC
United States Code

Section II
Terms

Abandoned Vehicle
Abandonment of a vehicle is the unlawful leaving of a motorized vehicle unattended for a legally defined period, often with visible neglect, either on the roadway or in a parking lot.

Bicycle
Every device propelled by human power upon which any person may ride, having two (2) tandem wheels, either of which is more than fourteen (14) inches in diameter.

Crosswalk
That part of a roadway at an intersection included within the connections of the lateral lines of sidewalks on opposite sides of the highway/roadway measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway, or any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

Electric-assisted bicycle
Electric-assisted bicycle" means a bicycle with two or three wheels, a saddle, fully operative pedals for human propulsion, and an electric motor of less than 750 watts that meets the requirements of one of the following three classes:
(a) "Class 1 electric-assisted bicycle" means an electric-assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour;
(b) "class 2 electric-assisted bicycle" means an electric-assisted bicycle equipped with a motor that may be used exclusively to propel the bicycle and is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour; or
(c) "class 3 electric-assisted bicycle" means an electric-assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour

Golf Cart
"Golf cart" means a motor vehicle that has not less than three wheels in contact with the ground, an unladen weight of not more than 1,800 pounds, is designed to be and is operated at not more than 25 miles per hour and is designed to carry not more than four persons including the driver.

Home State
The current state where the vehicle is legally titled or registered.

Intoxicated-Driving Incident
A violation or alleged violation of any criminal law or regulation that prohibits operating a motor vehicle while under the influence of any intoxicant, to include alcohol (e.g., driving under the influence, driving while intoxicated, etc.)

Low-powered cycle
Every vehicle, bicycle and tricycle not to exceed 49cc or one brake horsepower

provided by battery or motorcycle type engine. Low-powered cycles must abide by all bicycle traffic laws.

Moped
A motor bicycle or moped is a device having two tandem wheels or three wheels which may be propelled by either human power, helper motor or by both, and which has a motor which produces not more than 3.5 brake horsepower; a cylinder capacity of not more than 130 cubic centimeters and the capability of a maximum design speed of no more than 30 miles per hour.

Motorcycle
"Motorcycle" means every motor vehicle, including autocycles, having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding an electric-assisted bicycle or a tractor.

Motor vehicle
Every vehicle, other than a motorized bicycle or a motorized wheelchair, which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

Owner
A person, other than a lienholder, having the property in or title to a vehicle; and such term includes a person entitled to the use and possession of a vehicle subject to a security interest in another person, but excludes a lessee under a lease not intended as security.

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

Pedestrian
Any person afoot, any person in a wheelchair, either manually or mechanically propelled, or other low-powered, mechanically propelled vehicle designed specifically for use by a physically disabled person, or any person using an electric personal assistive mobility device.

Personal-Communications Device
Any piece of electronic equipment that is not physically a part of a vehicle and is used to perform communications functions, to include a cell phone, a blackberry, a personal-digital assistant, a laptop, etc.

Regularly Accesses
Entering the installation two or more times in a given month.

Revocation of Driving Privileges
Is a severe administrative measure that removes a person’s driving privileges for a period greater than six months, applies to all military installations, and remains in effect upon reassignment.

Right-of-way
The right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other.

Roadway, road, street, etc.
The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular traffic.

Scooter (non human powered)
A motor-driven cycle, which includes motor scooters, hover boards, and skateboards with handlebars refers to any two-wheel vehicle with a gas or electric motor which produces not to exceed 5 brake horsepower.

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

Stand or Standing
The halting of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in receiving or discharging passengers.

Stop or Stopping
When required means complete cessation from movement. When prohibited means any halting, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control sign or signal.

Suspension of Driving Privileges
A temporary withdrawal of that person's privilege to drive a motor vehicle (regardless of whether that vehicle is privately or government-owned) on Fort Leavenworth for a period of up to six months.

Vehicle
Unless context indicates otherwise, any constructed device that is intended for or is used to transport persons and the primary power source of which is not human-powered.