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Maneuver Support Center of Excellence
Fort Leonard Wood, Missouri 65473-5000

*FLW Regulation 190-5

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Military Police

MOTOR VEHICLE TRAFFIC SUPERVISION ON FORT LEONARD WOOD

FOR THE COMMANDER:

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History. This publication has major revisions.

Summary. This regulation establishes policies and procedures for the operation of vehicles on Fort Leonard Wood (FLW). This regulation is punitive and any violation of this regulation is punishable under the Uniform Code of Military Justice, Article 92.

Applicability. This regulation applies to all personnel desiring to operate vehicles on FLW.

Proponent and execution authority. The proponent agency of this regulation is the Provost Marshal (PM).

Supplementation. Supplementation of this regulation is prohibited without prior approval by Headquarters, United States Army Maneuver Support Center of Excellence (MSCoE).

Administrative Note: The words "he" and "his" used herein are intended to include both the masculine and feminine genders, except where otherwise noted.

Suggested Improvements. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) to Commander, MSCoE (IMNE-LNW-ES), Fort Leonard Wood, MO 65473-5000.

Distribution: Electronic medium only and posted on the FLW Web site.

*This regulation supersedes FLW Reg 190-5, 6 November 2006.

Summary of Changes

To

FLW Reg 190-5 Motor Vehicle Traffic Supervision on Fort Leonard Wood

FLW Reg 190-5 has undergone major revisions. The revised regulation includes the updated guidance from FLW 190-5, 6 November 2006.

- Adds the prohibitive practice of “texting” or “text messaging” (paragraph 2-6).
- Adds a punitive provision prohibiting the operation of a civilian motor vehicle while one's on-post driving privilege has been either suspended or revoked (paragraph 5-2e).
- Deletes the requirement for civilians to have a Motorcycle Foundation Card while riding a motorcycle on FLW (paragraph 2-7)
- Adds the requirements of the motorcycle Basic Rider Course, the Basic Rider Course 2, and the Sport Bike Rider Course. Additionally, deletes the wear of the reflective belt as part of personal protective equipment. (paragraph 2-7).
- Provides notice that all operators of a motor vehicle on FLW shall be deemed to have given their consent to evidential tests for alcohol or other drug content of their blood, breath, or urine when lawfully stopped, apprehended, or cited for any offense allegedly committed while driving or in physical control of a motor vehicle on the installation to determine the influence of intoxicants (paragraph 6-2).
- Clarifies when installation driving privileges will be suspended or revoked if an individual is involved in an alcohol-related driving offense (paragraph 6-3).
- Identifies who are the primary and alternate authorities for suspending or revoking installation driving privileges with regard to an alcohol-related driving offense (paragraph 6-4).
- Updates references and forms (appendix A).
- Streamlines procedures for administrative due process for suspension and revocations (appendix B).
- Streamlines procedures for requesting restricted driving privileges (appendix C).
- Streamlines procedures for requesting the restoration of installation driving privilege (appendix D).
- Streamlines procedures for requesting administrative hearings (appendix E).
- Provides the Traffic Point System (appendix F).

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Chapter 1 INTRODUCTION

1-1. Purpose

a. This regulation incorporates the motor vehicle laws of the State of Missouri and Department of Defense (DOD) guidance for application on FLW; establishes punitive provisions; implements an administrative enforcement system; and establishes uniform requirements for the operation of motor vehicles on the installation.

b. The operation of privately owned vehicles (POVs) on FLW is a conditional privilege extended by the Senior Commander. Persons desiring this privilege will follow all rules and regulations herein.

1-2. References and forms

The required and related references and referenced forms are listed in appendix A.

1-3. Explanation of acronyms, abbreviations, and special terms

The acronyms, abbreviations, and special terms used in this regulation are explained in the glossary.

1-4. Objective

To ensure the safe and efficient movement of vehicles and people on FLW.

1-5. Scope and enforcement

a. This regulation applies to military personnel, their Family members, Department of the Army (DA) civilian employees, DOD civilian employees, contractor personnel, and all other persons located on FLW.

b. Portions of this regulation are punitive and are identified as such. The punitive provisions constitute a lawful general regulation of which the violation subjects military personnel to disciplinary action under the Uniform Code of Military Justice (UCMJ). The punitive provisions apply to all military personnel who are assigned, attached, or enter FLW.

c. Failure to comply with provisions of this regulation may also subject military personnel, their Family members, DA civilian employees, contractor personnel, and all other persons to adverse administrative sanctions, to include suspension or revocation of installation driving privileges and exclusion (bar) from FLW.

d. Unless otherwise stated, all regulations cited herein apply to areas for which FLW has jurisdiction.

1-6. Responsibility

Commanders (CDRs) and activity directors will ensure that all personnel under their supervision are informed of this vehicle code upon assignment, attachment, or employment. Copies of the vehicle code will be available at no cost to the public at the MP Desk, Building 1000 or by visiting the FLW Web site at <www.wood.army.mil>, (click on *Daily Blast* [must be an employee], *FLW Publications, Regulations*, and *190-5*).

Chapter 2 TRAFFIC OPERATIONS

2-1. State traffic laws in effect

Pursuant to Section 13, Title 18, United States Code, the motor vehicle laws of the State of Missouri will apply to the operation of POVs and military vehicles on FLW, except when modified in this regulation. Violators of motor vehicle laws may be issued violation notices and referred to the Federal Magistrate Court in accordance with AR 27-40 and AR 190-45, as supplemented, when applicable.

2-2. (Punitive) Military police (MP) orders

All persons shall comply with lawful orders or directions of any law enforcement person who is directing, controlling, or regulating traffic.

2-3. (Punitive) Speed limits

Every vehicle operator will drive at a rate of speed so as not to endanger the property, life, or limb of any person. Except for emergency vehicles responding to a call, the following

speed limits are in effect, unless otherwise posted:

- a. Twenty miles per hour (MPH) on all roadways without posted speed limit signs.
- b. Twenty MPH in residential areas and school zones.
- c. Fifteen MPH on all roadways used by tracked vehicles without escort or not in convoy. A convoy is comprised of five or more vehicles under provisions of FLW Reg 210-14.
- d. Fifteen MPH approaching within 200 meters of all access control points, or as otherwise posted.
- e. Ten MPH on service roads, in parking lots, and when passing troops marching or standing in formation.
- f. No one will drive at a reduced speed so as to impede or block the normal flow of traffic, except for safety reasons.

2-4. (Punitive) Radar detection devices

The use of radar detection devices to indicate the presence of speed recording instruments or to transmit simulated erroneous speed is prohibited on FLW.

2-5. (Punitive) Seat belts

a. Each driver and all passengers over the age of 4 in a passenger car manufactured after 1 January 1968, operated on FLW, shall wear a properly adjusted and fastened seat belt that meets Federal National Highway Transportation and Safety Act requirements.

b. Child passenger restraint system (car seat) requirements categories:

(1) LESS THAN 4 YEARS OLD - Children less than 4 years old, regardless of weight, must use a car seat.

(2) LESS THAN 40 POUNDS - Children weighing less than 40 pounds, regardless of age, will be secured in a car seat appropriate for the child.

(3) LESS THAN 8 YEARS OLD/80 POUNDS OR UNDER 4'9" - Children ages 4-7, who weigh between 40 to 80 pounds, and are less than 4'9" tall, must be secured in an appropriate car seat or booster seat.

(4) GREATER THAN 80 POUNDS OR TALLER THAN 4'9" - Children who are at least 80 pounds, or children taller than 4'9", shall be secured by a vehicle safety belt or booster seat appropriate for that child.

(5) A child may be transported in the back seat without a booster seat, if the child is secured with a lap belt when the vehicle is not equipped with combination lap and shoulder belt for booster seat installation.

c. Civilian taxi services operating on FLW shall require drivers and front-seat passengers to wear seat belts. Rear-seat passengers are required to wear seat belts if available. At no time will a taxi carry more occupants than the vehicle is designed to carry. A violation of this provision may incur a 60-day suspension of the taxi driver's installation driving privilege.

d. Any person who violates the seat belt requirement of this regulation three times during any 12-month period shall be considered to have consistently violated the FLW traffic regulations. The driving privileges for such persons are subject to suspension in accordance with the provisions of AR 190-5 and this regulation. Persons subject to suspension under the provisions of this paragraph shall be referred by the Provost Marshal's Office (PMO) to the Driving Privilege Adjudicator (DPA) for action, as outlined in AR 190-5, paragraph 2-6.

e. The provisions of this paragraph apply to all persons in both POVs and government vehicles on post, to military and civilian personnel in government vehicles off post, and to military personnel in POVs off post. The provisions of this paragraph shall not apply to United States Postal Service (USPS) vehicles.

2-6. (Punitive) Prohibited practices

a. The following practices are prohibited while in a moving vehicle:

(1) Carrying passengers in a standing position.

(2) Riding on loads.

(3) Loading beyond prescribed capacity.

(4) Sitting on the side of truck beds; hanging feet over the end of tailgates, riding on unenclosed truck beds, running boards, or fenders, or any other portions of a vehicle not designed to carry passengers.

(5) Jumping on or off of moving vehicles.

(6) Riding on the outside of track vehicles without command authorization.

(7) Wearing headsets, earphones, or other listening devices by the driver while operating a vehicle. This does not apply to required hearing protection, combat vehicle crew (CVC) helmets, or hands-free telephone devices.

(8) Driving between vehicles of a properly identified convoy or funeral procession.

(9) Throwing, placing, or causing to be thrown or placed, any ashes, garbage, refuse, or rubbish of any kind, nature or description from a vehicle, except in authorized receptacles and at authorized dumping or disposal areas.

(10) Operating or occupying a motor vehicle on any street, highway, alley, parking lot, or driveway playing sound systems at such a volume that is plainly audible from 50 feet away or more; from beyond private property lines; or inhibits the operator's ability to hear surrounding or approaching traffic, and jeopardizes the health, welfare, or safety of pedestrians or other drivers.

(11) Possessing or storing open alcoholic beverage containers in the passenger area of any vehicle. Open container is defined as, any container whose seal is broken, wherein is found any amount of alcoholic beverage. This does not preclude transportation of sealed containers in any portion of a vehicle, or transportation of open containers in storage areas remote from the passenger area of the vehicle, such as the trunk of an automobile.

(12) All drivers are prohibited from using cellular telephones while operating a motor vehicle on the installation unless the vehicle is safely parked, or the driver is using a hands-free device.

(a) All military personnel assigned to FLW are prohibited from using cellular telephones while operating a motor vehicle, regardless of location, unless the vehicle is safely parked, or the driver is using a hands-free device.

(b) Using a cellular telephone includes: engaging in oral telephonic communication, checking voicemails, entering data into a cellular telephone or actively attempting to retrieve data, sending or checking short message service (SMS) text messages, sending or checking e-mails, sending or checking instant messages, conducting internet searches, utilizing cellular telephone navigational functions, utilizing cellular telephone clock functions, or engaging in any other form of active data retrieval or electronic data communication.

(13) Federal employees shall not engage in text messaging when—

(a) Driving a government vehicle or POV while on official government business

(b) Using electronic equipment supplied by the government while driving, regardless of location.

b. On post violations of subparagraphs 2-6a (1)-(10) are subject to administrative actions (such as traffic point assessment, post driving privilege suspension/revocation, or letters of reprimand).

c. On post violations of subparagraph 2-6a (11)-(13) are subject to a fine of no more than \$50.00, or not more than 30 days imprisonment, or both, for each violation.

d. The number of passengers riding in the front seat of an official military vehicle will not exceed the number prescribed in FLW Reg 58-1.

e. Drivers will completely remove all snow, ice, frost, dirt, and debris from all windows and headlights of their vehicles prior to setting the vehicle into motion.

f. All motor vehicles without rear fenders shall be equipped with mud flaps for the rear wheels when operated. Mud flaps shall be wide enough to cover the full tread width of the tires being protected.

2-7. Operating motorcycles, motorized pedicycles (MOPEDs), Can-Am Spyders, three-wheeled motorcycles, and off-road vehicles to include all-terrain vehicles (ATVs)

a. The operation of these type of vehicles will comply with the following:

(1) Operators must be at least 16 years old and possess a valid driver's license for the equipment being operated.

(2) All military motorcycle operators must successfully complete a Motorcycle Safety Foundation (MSF) or other approved rider or operator safety course. ATV operators must complete an All-Terrain Vehicle Safety Institute (ASI)/MSF-approved operator course or provide documentation of successful completion of course within the past four years. This course must meet the requirements of DOD Instruction 6055.4, paragraph E-3 paragraph 4f(1)(c). Failure to provide proof of completion of an approved course may result in the denial of access to the installation.

(3) All military riders will complete the progressive training program as follows:

(a) Basic Rider Course (BRC). Completed prior to operation of a motorcycle on and off FLW.

(b) Basic Rider Course 2 (BRC2) (formerly known as Experienced Rider Course [ERC]). Completed by military motorcycle riders within 1 year of BRC.

(c) Motorcycle Sport Bike Rider Course (MSRC). Completed by all "Sport" and "Sport-Touring" motorcycle riders/owners within 1 year of completing BRC.

(d) Motorcycle Refresher Training (MRT). Completed by all motorcycle riders deployed for 6 months or longer, within 30 days of their return.

(e) Motorcycle Sustainment Training. Based on the type of motorcycle owned or operated, Soldiers are required to complete motorcycle sustainment training every 3 years, which consists of, at a minimum, retaking the BRC2 or MSRC.

(4) Civilian visitors (individuals temporarily in the installation, for example, for graduations) or contracted personnel, not considered DoD or DA civilian employees, properly licensed to ride a motorcycle are not required to complete the course in paragraph 2-7a(2) or any other motorcycle training, in order to operate a motorcycle on the installation.

(5) Operators will only ride on permanently attached seats and will not carry another person on a motorcycle not designed to carry more than one person. Passengers must ride on the permanent and regular seat (if designed for two persons) or on another seat firmly attached to the motorcycle at the rear or to the side of the operator.

(6) Operators and passengers must sit facing forward with one leg on each side of the motorcycle. For side cars, passengers must be fully inside the car.

(7) Operators will not carry bundles, packages, or other articles that prevent them from keeping both hands on the handlebars.

(8) Passengers will not interfere with the operation or control of the motorcycle or the view of the operator.

(9) Operators will not attach themselves, the passenger, or the motorcycle to any other vehicle on the road.

(10) Operators will not ride within any pedestrian area, to include sidewalks and crosswalks.

(11) Operators shall ride with no more than two such vehicles abreast, except during lawful passing.

(12) Operators and passengers must wear the following Personal Protective Equipment (PPE) when the vehicle is in operation:

(a) Helmets. Certified to meet Department of Transportation (DOT) standards and properly fastened under the chin.

(b) Goggles and Face Shields. Eye protection designed to meet or exceed American National Standards Institute Standard Z87.1-2003 for impact and shatter resistance. This must be goggles, wraparound glasses, or a full-face shield (properly attached to a helmet). A windshield or fairing does not constitute eye protection.

(c) Footwear. Leather boots or sturdy over the ankle shoes.

(d) Clothing. Long-sleeved shirt or jacket, long trousers, and full-fingered gloves or mittens designed for use on a motorcycle.

(13) When operating an off-road vehicle or ATV, riders must use additional PPE required for off-road riding, such as knee and shin guards and padded, full-fingered gloves.

b. Motorcycle operators—

(1) May use a full lane. Drivers of other vehicles will not deprive motorcycles of a lane.

(2) Will not drive between lanes of traffic or between adjacent lines of vehicles.

(3) Will operate the motorcycle with the headlight on at all times.

(4) Will operate the motorcycle with rearview mirrors attached on each side of the motorcycle/handle bars.

c. (Punitive) A motorcycle or MOPED owner may be subject to disciplinary action if they allow an individual to operate the vehicle when—

(1) The individual's driving privileges are suspended or revoked.

(2) The individual has not completed an Army motorcycle safety course (AMSC). See paragraph 2-7a(2).

(3) The individual is not in possession of a valid driver's license.

(4) The individual is not wearing required safety gear as stated above.

d. Operators of three- and four-wheeled ATVs and other off-road vehicles will—

(1) Wear the same protective gear as required of motorcycle operators, if the vehicle is capable of attaining a speed of 10 MPH or greater, as well as additional PPE requirements, such as knee and shin guards and padded, full-fingered gloves.

(2) Operate the vehicle on streets and roadways of FLW only when properly registered with the state.

(3) Operate the vehicle only in areas designated and appropriately marked.

(4) Be subject to the same punitive and administrative sanctions as drivers of motor vehicles.

(5) Comply with all federal and state laws and regulations concerning authorized use, operation, and owner responsibility.

2-8. Operation of bicycles

a. Bicycles shall be operated on this installation in accordance with good safety practices and the general rules of operation of all vehicles on the public roads and highways. Individuals will comply with post traffic regulations at all times when operating a bicycle on the installation. Sponsors will ensure that any Family member operating a bicycle is fully aware of post traffic regulations and is capable of operating a bicycle safely on the streets of the installation.

b. Bicyclists will—

(1) Ride only on a seat attached to the bike.

(2) Carry only the number of people the bicycle is designed and equipped to carry. Passengers must sit in an authorized, attached seat. Bicycle infant seats must be securely fastened to the bicycle.

(3) Not carry bundles, packages, or other articles that prevent the bicyclist from keeping at least one hand on the handlebars.

(4) Not ride a bicycle while using a cell phone.

(5) Ride as far to the right of the road as is possible.

(6) Not ride the bicycle seat other than astride. Standing on the pedals is permitted.

(7) Not ride more than two abreast on a roadway.

(8) Use caution when passing a stopped vehicle or a vehicle going in the same direction.

(9) Not park on a street or sidewalk.

(10) Wear a helmet that has been tested and meets the uniform safety standard issued by the U.S. Consumer Product Safety Commission (CPSC) or one or more of the voluntary bicycle helmet standards like American Standard Test Method (ASTM), Snell, or American National Standards Institute (ANSI). This includes children riding in carriers, attached or towed.

c. Bicycles shall not be operated during the hours of darkness unless equipped with the following:

(1) A white head light facing front that is visible for a distance of 500 feet.

(2) A red light facing rear that is visible for a distance of 600 feet.

(3) A reflective vest or belt worn by the cyclist visible at night from both front and rear views.

d. The use of listening devices (such as earphones or earplugs) while operating a bicycle on the installation is prohibited.

2-9. Special and emergency situations

a. During periods of reduced visibility, when insufficient light exists to render objects visible at a distance of 500 feet, each moving vehicle will have illuminated two front lights and at least two rear tail lights, except motorcycles and bicycles, which need only one front light and one tail light illuminated.

(1) During these periods, vehicles will not be in motion on roadways with only parking lights on.

(2) Vehicles will not operate under blackout conditions on the roadway.

(3) Headlights will be on low beam when following or meeting another vehicle or troop formation.

(4) A maximum of two fog lights may be added to the front of a vehicle. Fog lights shall not be used in conjunction with high beams. One additional red lamp may be added to the rear of a vehicle.

b. A tow bar will be used when towing any vehicle. A vehicle being towed will not be separated from the towing vehicle by more than 15 feet. Persons riding on bicycles, roller skates, skateboards, sleds, or toy vehicles will not be towed or pushed by any vehicle.

c. The MP will post signs/barriers at locations to warn drivers of high water or other adverse road or weather conditions.

d. (Punitive) Major repairs of vehicles will not be conducted in driveways of housing areas, traffic ways, or in parking lots. A major repair is any repair disabling a vehicle for longer than 24 hours.

e. The MP, upon reasonable cause to believe that a vehicle is unsafe, may require the owner or operator to submit the vehicle for inspection at a state-authorized inspection station if the vehicle is to be operated on the installation.

2-10. Pedestrian traffic

a. Pedestrians will obey all traffic control signs and will use sidewalks where available. If not available, they will walk on the left side of the roadway, facing oncoming traffic.

b. Pedestrians crossing a roadway will yield the right-of-way to all approaching vehicles except when in an intersection or marked crosswalk.

c. Use of headphones when walking, standing, or jogging on roadways is prohibited.

d. Soliciting rides in any manner on roadways is prohibited. This does not preclude the use of existing courtesy ride stations, acceptance of a voluntary offer, and use of taxicabs.

e. Marching troop columns have right-of-way over all traffic, except emergency vehicles, and will march on the right side of the roadway. Troops will march on roads or marked trails. Road guards will wear reflective safety equipment and maintain sufficient distance from the column to ensure ample warning to vehicle drivers.

f. Joggers will maximize use of sidewalks and troop trails. Where none exist, joggers will use the left side of the roadway and run in single file facing and yielding to oncoming traffic, except at authorized crosswalks. All joggers will wear reflective material (visible from both front and back) during the hours of darkness or restricted visibility, when jogging on any road (paved or unpaved).

g. The following roadways within the Fort Leonard Wood boundaries are off limits to any and all movement on foot (this includes individual and group/formation activities)-

(1) Polla Road.

(2) Missouri Avenue.

(3) FLW 10 (East Gate Road/First Street) from the East Gate to Missouri Avenue. Except the area between Minnesota Avenue and Nebraska Avenue from 0500 – 0645.

(4) FLW 15 (Big Piney Road) from Nebraska Avenue south to the Ammunition Supply Point (ASP).

2-11. Traffic rules for skateboards, rollerblades/in-line skates and kick-scooters

a. Skaters, skateboarders, and kick-scooter riders will—

(1) Use the right side of paths, trails, and sidewalks or other designated approved areas.

(2) Not skate or ride skateboards or scooters in traffic.

(3) Yield to pedestrians.

(4) Not carry anyone or ride with more than one person on the board.

(5) Not use cellular telephones or wear listening devices, such as headphones or earphones.

b. Safety equipment. Skaters, skateboarders, and kick-scooter riders will wear—

(1) Protective head gear according to standards for bicycle helmets cited above.

(2) Kneepads, elbow pads, and wrist guards.

(3) Light-colored clothing or reflective accessories.

c. Skateboards, rollerblades and kick scooters will not be used in any place where there is danger due to immediate vehicular traffic. This includes roadways, the shoulder of the road, parking lots during business hours and areas around military and civilian offices during business hours.

d. Skateboarding, rollerblades and kick-scooters are prohibited in the following business areas at all times:

(1) Post Exchange (PX) and Commissary parking lots.

(2) Shoppettes.

(3) Burger King.

(4) Post Office.

(5) Banks.

(6) Post Gas Station.

(7) MSCoE Plaza (Hoge, Lincoln, and Thurman Halls and the Clarke Library).

e. Skateboarding, rollerblading and kick-scooters are prohibited during hours of darkness.

f. Skateboarding and rollerblading are permitted during daylight hours at the following:

(1) Sidewalks (except in the business areas noted). Pedestrians on sidewalks have the right of way.

(2) Playgrounds.

(3) Teen Center.

(4) Other areas that do not interfere with vehicular traffic.

g. Individuals are prohibited from using benches, ramps, and other permanent structures to aid in performing stunts. This does not include approved skateboards and rollerblade parks on FLW, such as the Teen Center park.

Chapter 3

STOPPING, STANDING, AND PARKING

3-1. (Punitive) Prohibited parking and stopping

Parking or stopping in any of the following places, except when directed by a traffic order or device, is prohibited:

a. On a sidewalk.

b. In front of a driveway except in housing areas where the owner of the vehicle may park in front of the driveway assigned to their own quarters.

c. Within 15 feet of a fire hydrant.

d. Within 30 feet of a crosswalk.

e. Within 30 feet of an intersection, refuse collection point, or loading area.

f. Alongside any vehicle (double parking) except in angle parking where permitted.

g. Within 15 feet of a building, except in areas officially designated as authorized parking areas for public works, MP, and other emergency vehicles excepted.

h. In or along service driveways.

i. On a seeded or grassy area.

j. Within 6 feet of any railroad track, except when loading or unloading railroad cars.

k. Near a mailbox in family housing areas in a manner which inhibits mail delivery.

l. In designated handicapped areas without proper documentation.

3-2. (Punitive) Unattended vehicles

No driver will stop, stand or park an unattended vehicle without—

a. Setting the emergency brake.

b. Placing the transmission in reverse or first gear or, if it is automatic, in “park.”

c. Turning the front wheels to the curb or side of the roadway, if on a grade.

d. Turning off the engine, locking the ignition switch, and taking the keys.

3-3. Parallel parking

Vehicles parked parallel to curbs must be within 12 inches of the curb, facing in the direction of traffic, and within boundary lines of angled parking or markings on curbs or pavement.

3-4. Parking lots

Vehicles parked in parking lots will be in marked stalls only.

3-5. (Punitive) Parking in housing areas

a. Parking along the streets of housing areas is permitted only when vehicles are parked headed in the direction of traffic and on the side of the street with even numbered quarters (house numbers, not Directorate of Public Works [DPW] building numbers).

b. Family quarters without driveways are authorized one parking space and can park additional POVs on the street.

c. On circular streets, vehicles will be parked against the outer curb.

3-6. Visitor parking

Visitor parking in the housing area is reserved for guests of quarters' occupants. It will be used on a first-come, first-serve basis, as will all other visitor parking and undesignated parking spaces on post.

3-7. (Punitive) Use of visitor parking for recreational vehicles (RVs)

Visitor parking will not be used to park campers, trailers, boats, oversized vehicles, or any other kind of RV, except by authorized visitors.

3-8. (Punitive) Avoiding roadways

No person will drive through parking areas to avoid roadways.

3-9. Reserved parking

a. The PM is authorized to alter or direct changes in any parking area plans for the purposes of promoting safety, regulating the flow of traffic, or providing emergency or temporary parking for special events.

b. All requests for reserved parking within unit/headquarters areas will be submitted through the PM to DPW for approval and will be limited to the following:

(1) Company level – CDR, First Sergeant (1SG), Executive Officer (XO), and Platoon Leaders.

(2) Battalion and Brigade level – CDR, XO, Command Sergeant Major (CSM), S-1, S-2, S-3, and S-4.

(3) Directorate-level activity – Director, Deputy Director, and Sergeant Major (SGM).

(4) Major subordinate branch (directorship-level activities) – Chief.

(5) Nondirectorate-level activity (division support mission) – one space.

(6) Nondirectorate-level activity (post mission) – one space.

(7) Handicapped areas, appropriately marked.

(8) Reserved parking spaces for military vehicles will be established based on activity requirements, not by individual or position.

(9) Reserved parking for visitors will be established based on activity requirements and space availability.

c. Reserved parking spaces shall not comprise more than 10 percent of the total number of parking spaces in any single parking lot.

d. Enforcement of reserved parking within unit areas is the responsibility of the CDR responsible for the parking area.

e. Requests for exception to the reserved parking guidelines will be submitted through DPW to the Garrison Commander (GC) for approval.

f. Reserved parking at Post Headquarters buildings or annexes will be established as directed by the senior commander or his designated representative.

g. Parking at facilities serving customers, such as the PX and the Commissary, will be limited to short-term parking as determined by the facility manager.

h. DPW is responsible for construction and emplacement of reserved parking signs, as requested by CDRs/activity chiefs.

3-10. (Punitive) Parking on roadways

a. Parking along named or numbered roadways, except in specifically designated areas or along wide-paved shoulders (for example, Iowa Avenue), is strictly prohibited.

b. Parked vehicles will not hinder the free movement of vehicular traffic.

3-11. (Punitive) Unattended minors

Children under the age of 10 will not be left unattended in a motor vehicle.

3-12. (Punitive) Abandoned vehicles

Motor vehicles will not be left unattended on installation roads or streets.

a. The PM can identify any motor vehicle, trailer, ATV, outboard motor, or vessel left unmoved and unattended for 72 hours or more as abandoned that meets any of the following criteria:

(1) A vehicle that is not operational.

(2) A vehicle not displaying current registration.

(3) A vehicle that is illegally parked or causing a safety hazard.

b. In the event of a mechanical failure, the operator will make every attempt to prevent the vehicle from obstructing traffic. If unable to do so, the operator will immediately notify the MP of the vehicle's location and the expected removal time.

c. MP are authorized to move any vehicle causing a safety hazard.

d. Any motor vehicle found unattended will be considered private property and will be respected as such.

3-13. Impounding of an abandoned or unclaimed vehicle

a. Any person granted the privilege to operate or register a motor vehicle on a military installation shall be deemed to have given implied consent for the removal and temporary impoundment of the vehicle when—

(1) it is parked illegally or for unreasonable periods, as determined by the installation CDR or applicable authority; or

(2) it is interfering with military operations, creating a safety hazard;

(3) it is disabled by accident, left unattended in a restricted or controlled area, or abandoned.

b. Such persons further agree to reimburse the United States for the cost of towing and storage should their motor vehicle be removed or impounded.

c. Any motor vehicle left unmoved and unattended for 72 hours or more will be impounded by the MP, or an authorized towing company, for safekeeping, if the owner cannot be identified or contacted to make disposition of the vehicle.

d. Vehicles will normally not be impounded if the owner is identified, and it is determined he is on leave, temporary duty (TDY), or authorized pass, unless there is a need to safeguard the vehicle from theft, damage, vandalism, or it is a safety hazard.

e. Impounded vehicles will be returned to their owner upon presentation of proof of ownership and payment of all towing and storage fees. Vehicles impounded as a safety hazard or towed due to operator noncompliance with the laws of Missouri or regulations of this installation will be towed from the lot at the expense of the owner.

f. The PMO is the only organization authorized to operate a vehicle impoundment lot on FLW.

g. PMO-controlled impound lot will be used only for securing abandoned or unclaimed vehicles and vehicles seized as evidence.

h. The PMO impound lot is not a storage area for vehicles belonging to persons who are absent without leave (AWOL) or in confinement. The unit CDR is responsible for securing the vehicle in the unit area until final disposition of the individual is determined.

i. Unit CDRs will ensure that members of their commands make provisions for securing their vehicles when away from the installation on leave, TDY, authorized pass, or field exercises.

j. Standards and procedures for impounding POVs will be conducted as outlined in AR 190-5, Chapter 6.

Chapter 4

TRAFFIC POINT SYSTEM

4-1. General

The traffic point system provides the military services with an impartial and uniform administrative device for evaluating driving performances of personnel under their jurisdiction. The use of this system is not to be construed as a disciplinary measure or substitute for punitive action. It is not intended to interfere with the installation CDR's prerogative to issue, suspend, revoke, or deny installation driving privileges for cause without regard to point assessment made under this chapter.

4-2. Policy

Use of this system and its provisions is mandatory and cannot be modified or altered. The point system applies to all persons, military and civilian operating POVs and government vehicles on post, to military and civilian personnel operating a government vehicle off-post, and military personnel operating a POV off-post. Points will be assessed when an individual has been found to have committed a violation by the unit CDR, the civilian supervisor, a military or civilian court, or upon

payment of a fine or forfeiture. The point system is further defined in AR 190-5, Chapter 5.

4-3. Suspension and revocation of driving privileges

a. Suspension of on-post driving privileges will result from 8 to 11 traffic points assessed within a 12-month period. This suspension will be for no more than 6 months.

b. Revocation of on-post driving privileges will result from 12 or more traffic points assessed within a 12-month period, or 18 or more points assessed within a 24-month period. The revocation will be for no more than 12 months.

c. Administrative due process for suspensions and revocations is outlined in appendix B. Under special circumstances, restricted driving privileges may be obtained as outlined in appendix C.

4-4. Driver improvement/remedial drivers training

Military or civilian personnel who, while operating a Government motor vehicle, have been convicted of a moving traffic violation or have been determined to have been at fault in a traffic mishap will be required to attend remedial drivers training. Attendance shall be coordinated with the Maneuver Support Center of Excellence Safety Office (MSO). Failure to attend the course will result in the loss of installation driving privileges.

Chapter 5

DRIVING PRIVILEGES

5-1. (Punitive) Suspended or revoked driver's license

No one will operate a civilian motor vehicle with a suspended or revoked state driver's license.

5-2. (Punitive) Suspension or revocation of on-post driving privileges

a. On-post driving privileges may be suspended or revoked for any lawful, traffic or

no-traffic related reason by the installation's Senior Commander or designee.

b. Suspension. The following violations may result in suspension of on-post driving privileges for up to 6 months:

- (1) The owner knowingly permits an impaired/intoxicated person to operate the owner's vehicle.
- (2) The owner knowingly allows a person to operate the vehicle with a suspended or revoked state driver's license.
- (3) The owner knowingly allows a person to operate the vehicle while having suspended or revoked on-post driving privileges.
- (4) Operating a motor vehicle without insurance or other statutorily approved means of financial responsibility.
- (5) Multiple violations of installation parking rules and regulations.
- (6) Failure to appear in Magistrate Court or properly pay fines on tickets received while on Fort Leonard Wood.
- (7) Driving while intoxicated requires immediate suspension in accordance with (IAW) Chapter 6 of this regulation.

c. Revocation. Privileges will be revoked for a mandatory period of not less than 1 year when other available corrective actions, like suspension, fail. Revocation of on-post driving privileges is a severe administrative measure, which applies to all military installations and remains in effect upon permanent change of station (PCS).

d. (Punitive) No one will operate a civilian motor vehicle on FLW while their on-post privileges are suspended or revoked unless they have requested and received reinstated or restricted privileges IAW appendix C of this regulation. If operating a civilian motor vehicle under a grant of restricted on-post privileges the individual shall not operate a motor vehicle beyond the limitations set by the DPA.

5-3. Operation of Government Vehicle.

a. The unit CDR or activity chief will determine whether an individual whose on-post privileges to operate a civilian vehicle has been suspended or revoked will be permitted to operate a military or government vehicle in accordance with AR 385-10.

b. In accordance with FLW Reg 58-1, the CDR or activity chief will notify Transportation Motor Pool (TMP) of any individual whose military or government vehicle operating privileges have been suspended or revoked.

5-4. (Punitive) Operating a civilian motor vehicle on FLW while on-post driving privileges are suspended or revoked

Driving in violation of a suspension or revocation imposed under this regulation will result in the original period of suspension or revocation being increased by 2 years. For Army personnel, a 5-year revocation is mandatory in accordance with AR 190-5. Action may be initiated based on the commission of any traffic, criminal, or military offenses, for example, active duty military personnel driving on the installation in violation of a lawful order.

Chapter 6 ALCOHOL-RELATED DRIVING OFFENSES PROCEDURES

6-1. Policy

Intoxicated driving is incompatible with the maintenance of high standards of performance, military discipline, DOD personnel reliability, and readiness of military units and supporting activities. It is DOD policy to reduce significantly the incidence of intoxicated driving within the DOD through a coordinated program of education, identification, law enforcement, and treatment. Specifically, the goal of the DOD Intoxicated Driving Prevention Program is to reduce the number of fatalities and injuries suffered by DOD personnel and the amount of property damage resulting from intoxicated driving. Persons who engage in intoxicated driving, regardless of the geographic location of the incident, have demonstrated a serious

disregard for the safety of themselves and others. It is appropriate for military CDRs, in the exercise of their inherent authority, to protect the mission of an installation and the safety of persons and property therein to restrict driving privileges of persons who engage in such actions.

6-2. Implied consent

Persons who operate a motor vehicle on FLW shall be deemed to have given their consent to evidential tests for alcohol or other drug content of their blood, breath, or urine when lawfully stopped, apprehended, or cited for any offense allegedly committed while driving or in physical control of a motor vehicle on the installation.

6-3. Suspension or revocation of on-post driving privileges

a. Suspension. Immediate suspension of on-post driving privileges will occur—

(1) When an individual operates a motor vehicle with a blood alcohol content (BAC) of 0.08 percent by volume (0.08 grams per 100 milliliters) or higher, or if operating a commercial motor vehicle with a BAC of .04 percent by volume (0.04 grams per 100 milliliters) or higher, or in violation of the law of Missouri.

(2) Upon official notification of an apprehension for intoxicated driving.

b. Revocation. Pursuant to Section 3118(b), Title 18, United States Code, an operator of a motor vehicle who refuses to take a BAC test on FLW is subject to a 1-year revocation of his privilege to operate a motor vehicle anywhere within the special maritime and territorial jurisdiction of the United States. The special maritime and territorial jurisdiction of the United States includes all military installations, national parks, and Native American reservations.

c. The term individual includes: active duty military personnel, Family members, retired members of the military service, and DoD civilian personnel. Suspension or revocation is authorized for non-DoD affiliated personnel only with respect to incidents occurring on the

installation or in areas subject to military traffic supervision.

6-4. Reviewer

a. The Special Assistant United States Attorney (SAUSA) of the Office of the Staff Judge Advocate (OSJA) Litigation Division has been designated by the Senior Commander as the reviewing official authorized to immediately suspend or revoke installation driving privileges for all personnel apprehended on or off post for an alcohol-related driving offense, as described above.

b. The PMO is authorized to conduct reviews and impose suspensions or revocations in cases where the designated reviewer is not reasonably available and, in the judgment of the senior law enforcement officer on shift, such immediate action is warranted. When suspension or revocation is based on the senior law enforcement officer's review, the designated reviewer shall conduct a subsequent review as soon as practical, but not later than 72 hours after the initial suspension or revocation action was taken.

6-5. Applying for restoration of driving privileges

Upon completion of a specified period of suspension or revocation an individual must apply (in writing) for restoration of their installation driving privileges prior to operating a motor vehicle on the installation (see appendix D).

6-6. Remedial driver training attendance

An individual convicted of an alcohol-related driving offense on or off post, must attend the Substance Abuse Traffic Offenders Program (SATOP) or Alcohol and Drug Abuse Prevention (ADAP) training as remedial driver training and complete all other requirements for restoration of their installation driving privileges (see appendix D).

Chapter 7

SPECKER BARRACKS COMPLEX

7-1. Purpose

To provide vehicular standards and internal traffic patterns for the Specker Barracks Complex.

7-2. Objective

- a. To establish a single point of contact for control of vehicular traffic in the Specker Barracks Complex.
- b. To reduce sidewalk maintenance requirements.
- c. To maintain a good appearance and reduce damage to seeded areas and facilities resulting from vehicular operation.
- d. To increase safety of pedestrians.

7-3. General

The following vehicular restrictions will be adhered to in the Specker Barracks Complex:

- a. No POVs, taxicabs, or food delivery vehicles, other than government-contracted vehicles, will be allowed in the complex.
- b. When the nature of the work requires easy accessibility, the following vehicles will be allowed in the complex:
 - (1) DPW admin, DPW contractor's admin and repair; Fire Department admin; telephone repair; furnishings management vehicles; and billeting maintenance/supply vehicles.
 - (2) All vehicles of this nature must have permits displayed while in the complex area and should be parked on the existing wide sidewalks or on designated pull-out/parking areas.
 - (3) Military tactical vehicles, and all other vehicles, will not be allowed within the complex without prior authorization from the DPW. Requests may be made telephonically.

c. MP vehicles, Fire Department emergency response vehicles, and ambulances are allowed for emergency responses. MP vehicles may also be used to conduct routine patrolling of the complex.

d. Civilian transportation vehicles contracted by the Directorate of Logistics (DOL), Transportation Division, for the purpose of moving Service member's household goods/hold baggage into/out of the complex will be allowed within the complex but may not exceed a gross weight of 24,000 pounds.

e. USPS vehicles or similar parcel post service vehicles will be allowed into the complex to facilitate large or bulky deliveries.

f. The speed limit is 5 MPH in the complex.

g. Right-of-way will be given to pedestrians within the complex at all times.

h. Any vehicle permitted within the Specker Barracks Complex must drive or park on existing wide-service drives or on designated parking areas.

Chapter 8

MILITARY POLICE TRAFFIC ACCIDENT PROCEDURES

8-1. Traffic accident investigation

- a. All vehicle accidents regardless of severity will be reported to the MP immediately.
- b. The MP will conduct an investigation of all traffic accidents involving POVs and government vehicles resulting in any damage or injury.
- c. Conducting an accident investigation in a field or training environment will take precedence over participation of the involved vehicle(s) or personnel in the tactical or training scenario.
- d. (Punitive) Drivers involved in a traffic accident must give their name, address, rank or work sections, organization, telephone number, vehicle registration, proof of insurance, and driver's license upon request to the MP.

e. (Punitive) Vehicle occupants or other witnesses will provide their name, address, organization and telephone number upon request by the MP.

f. Accidents involving government vehicles off post will be reported to the local authorities.

8-2. Protecting the traffic scene

a. Priority will be given to treatment of persons injured, including evacuation when necessary.

b. (Punitive) Except when necessary to aid in removal of injured persons, no person will move or otherwise tamper with vehicles and property, government or private, until released by the investigating MP. When location of vehicles or property involved in an accident pose a safety or movement hazard, those persons at the scene will establish emergency traffic control, pending arrival of the MP who will assume subsequent responsibility.

c. Persons involved in a traffic accident and all witnesses will remain at the scene until released by the investigating MP. The only exception is for persons evacuated for treatment of injury.

8-3. Traffic accident investigation reports

a. All reports of accidents investigated by the MP involving military personnel or government property will be furnished to the appropriate CDR(s) or activity director(s).

b. Individuals can request copies of reports concerning POV accidents from the MP Operations Office Records Section, Building 1000.

c. The traffic accident investigation report does not relieve unit CDRs of the requirement to complete DA Form 285 (U.S. Army Accident Report) IAW AR 385-10.

8-4. Accidents

a. The driver of a vehicle involved in an accident will stop immediately as close to the scene as possible without obstructing traffic and perform the following:

(1) Render first aid if necessary.

(2) Report the accident to the MP by giving their name, rank, organization, and location of the accident. In cases involving civilian employees, they will give their name, work section, and location of the accident.

(3) Remain at the scene until released by the MP.

b. The drivers of both vehicles involved in the accident will exchange their names, addresses, vehicle information, and insurance information.

c. (Punitive) The driver of a vehicle that has damaged an unattended vehicle will stop immediately and attempt to locate the owner/operator of the other vehicle. If unable to locate, the driver will leave—in a conspicuous place on the other vehicle—a written notice containing their name, address, phone number, and a statement of the circumstances. The driver will report the incident to the MP immediately.

d. The driver of a military vehicle will also complete a DD Form 518 (Accident-Identification Card) and a SF 91 (Motor Vehicle Accident Report) and notify TMP within 24 hrs..

e. (Punitive) For subjects of a traffic accident, drinking alcoholic beverages is forbidden within 90 minutes after involvement in a traffic accident on or off post.

Chapter 9 OPERATING GOVERNMENT VEHICLES DURING DEGRADED ROAD CONDITIONS

9-1. General

Risk assessments will be completed prior to movement to identify hazards when there has been a change to normal road conditions.

9-2. Road conditions

a. AMBER road conditions.

(1) AMBER road conditions are defined as difficult to hazardous with patches of ice or

packed snow. Limit travel on AMBER roads to essential traffic. Advise all personnel to use caution when traveling on AMBER roads.

(2) Tactical vehicles (TV) and nontactical vehicles (NTVs) dispatched during AMBER conditions must be approved by an O-5 commander in the chain of command concerned. The unit must submit a list of NTV vehicles required under AMBER road conditions to TMP by memo or e-mail prior to 15 October each year.

(3) NTV cargo vehicles may be dispatched for mission essential duties. Battalion commanders must conduct a risk assessment and are the approving authority to transport personnel by cargo NTVs. Coordination for movement of personnel should be made with TMP.

(4) Commanders and section or activity chiefs should advise all POV operators to restrict travel to essential trips and caution them to use extreme care and drive at reasonably safe speeds.

b. RED road conditions.

(1) RED road conditions are deemed or considered "extremely hazardous." Travel by TVs or NTVs is limited to emergency operations (MP, ambulance, fire truck, DPW, and snow and ice removal [SNAIR] support team mission essential vehicles).

(2) Use of NTVs assigned to DPW will be approved in writing by the Director or Deputy Director of Public Works. The DPW will forward a memorandum to TMP listing the vehicles required under RED road conditions prior to 15 October of each year.

(3) The Motor Transportation Officer (MTO) has dispatch approval authority for all General Services Administration (GSA) and TMP vehicles under DOL control. The brigade commanders will have dispatch approval authority only for those vehicles assigned to their unit from DOL.

(4) TMP will retrieve troops from training areas and be responsible for troop transport in emergency situations.

(5) Commanders and section/activity chiefs should advise all POV owners not to travel and to use extreme caution if they do.

c. BLACK road conditions.

(1) BLACK road conditions present a real risk of life and limb.

(2) All vehicular traffic on FLW is restricted with the exception of SNAIR equipment and emergency vehicles. (MP, ambulance, fire truck, DPW, and SNAIR support team mission essential vehicles)

(3) Non-emergency vehicles must obtain approval from the CG (Commanding General) or authorized delegated officer.

(4) POV travel will be restricted to mission essential personnel only and will not be used in lieu of military vehicles. BDE CDRs may authorize use of other vehicles for mission essential activities. The PM may authorize vehicles to enter the installation from one of the access points.

(5) Food service vehicles, vendors, and essential contract food service employees will be allowed to enter the installation and travel to the dining facilities.

d. Initial entry training (IET) Soldiers, or other Service members, conducting motor transport training will not operate TVs or NTVs, under AMBER, RED, or BLACK road conditions. Instructors must conduct vehicles when weather and road conditions deteriorate.

Chapter 10 ROAD CLOSURE

10-1. Notification

a. Units, construction companies, and utility companies will notify DPW and the PMO of any road closures. This notification may be telephonic.

b. The notification will list the reason why the road is to be closed, the unit's or company's point of contact, the location of the closure,

means of traffic control closure, time and date of closure and reopening.

c. The unit or company will be responsible for any further notifications or changes to the traffic control plan.

d. The DPW and the PMO have the authority to deny any request that may interfere with the safety or day-to-day operations at FLW.

10-2. Physical training run route (safe and secure routes)

No vehicles, except emergency vehicles, are authorized to travel on any designated physical fitness run route during designated physical training (PT) hours. For further information, contact the MSO.

Appendix A REFERENCES AND FORMS

Section I. Required references

- a. AR 15-6 (Procedures for Investigating Officers and Boards of Officers). Cited in paragraph E-2d.
- b. AR 27-40 (Litigation). Cited in paragraph 2-1.
- c. AR 190-5 (Motor Vehicle Traffic Supervision). Cited in paragraphs 2-5d, 3-13j, 4-2, 5-4, B-1, D-1, E-1, appendix F.
- d. AR 190-45 (Law Enforcement Reporting). Cited in paragraph 2-1.
- e. AR 385-10 (The Army Safety Program). Cited in paragraphs 5-3a and 8-3c.
- f. DOD Instruction 6055.4 (DOD Traffic Safety Program). Cited in paragraph 2-7a(2).
- g. FLW Reg 58-1 (Management of Nontactical Vehicles). Cited in paragraphs 2-6d and 5-3b.
- j. Uniform Code of Military Justice. Cited in the Summary and paragraph 1-5b.

Section II. Related references.

a. AR 200-1 (Environmental Protection and Enhancement).

b. 32 CFR 634 (National Defense Motor Vehicle Traffic Supervision).

Section III. Referenced forms.

a. DA Form 285, U.S. Army Accident Report.

b. DD Form 518, Accident-Identification Card.

c. OF 346, U.S. Government Motor Vehicle Operator's Identification Card.

d. SF 91, Motor Vehicle Accident Report.

Appendix B ADMINISTRATIVE DUE PROCESS FOR SUSPENSIONS AND REVOCATIONS

B-1. Purpose

This appendix establishes procedures in which the senior commander through his designee may, for cause, administratively suspend or revoke driving privileges on the installation IAW AR 190-5, paragraphs 2-4 and 2-6.

B-2. Reviewer

- a. The senior commander has designated the FLW SAUSA as the suspension and revocation authority for all personnel apprehended on or off post for an alcohol-related driving offense.
- b. The PMO is authorized to conduct reviews and authorize suspensions or revocations in cases where the designated reviewer is not reasonably available and, in the judgment of the senior law enforcement officer on shift, such immediate action is warranted.
- c. When suspension or revocation is based on the senior law enforcement officer's review, the designated reviewer shall conduct a subsequent review as soon as practical, but not

later than 72 hours after the initial suspension or revocation action was taken.

B-3. Driving Privilege Adjudicator (DPA)

a. The senior commander has designated the DPA as the suspension and revocation authority for all traffic point cases IAW Chapter 4 of this regulation.

b. The DPA will be a neutral and detached judge advocate, to include GS-11 and above, designated by the Staff Judge Advocate.

c. The DPA's primary responsibilities are to—

(1) Serve as a suspension and revocation authority for all traffic point cases.

(2) Serve as the appellate authority and conduct administrative hearings, as outlined in appendix E.

(3) Adjudicate all requests for restricted driving privileges, as outlined in appendix D.

B-4 Unit commander

a. Unit commanders or supervisors may recommend suspension of driving privileges of personnel under their command to the DPA without regard to the traffic point system.

b. All requests for suspension of installation driving privileges will be routed through the individual's chain of command, to the DPA (Litigation Division, OSJA) for action.

c. If a civilian employee is involved, such request will be routed through his/her supervisory chain.

d. Included with each request will be a list of all actions taken by the commander/supervisor to improve the individual's driving performance.

B-5. Alcohol-related driving offenses

a. The Reviewer, or the PMO, shall not impose immediate suspension or revocation of installation driving privileges without reviewing all reliable evidence readily available.

(1) Reliable evidence includes witness statements, military or civil police reports of apprehension, chemical tests (if completed), refusal to consent to complete chemical testing, field sobriety or preliminary breath test results, and other pertinent evidence.

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

b. The individual whose driving privileges have been suspended will be informed of the right to request a hearing. Such request must be made in writing and routed through the individual's chain of command, to the DPA (Litigation Division, OSJA). If a civilian employee is involved, the request will be routed through his/her supervisory chain. The request must be made within 14 calendar days of the notice of suspension.

c. The DPA will determine if post driving privileges will be restored pending resolution of the charge.

d. Hearings on suspension actions for alcohol-related driving offenses will be conducted IAW appendix E of this regulation.

Appendix C REQUESTS FOR RESTRICTED DRIVING PRIVILEGE (RDP)

C-1. General

a. RDP will not be granted to any person whose driver's license, or right to operate motor vehicles, is under suspension or revocation by a state, federal, or host nation licensing authority. Prior to application for RDP, the state, federal, or host nation driver's license or right to operate motor vehicles must be reinstated.

b. The burden of proof lies with the person applying for RDP.

C-2. Procedures

Following notification of a suspension or revocation of installation driving privilege, an individual may request RDP. All requests must

be in writing and will be routed through the individual's chain of command, to the DPA for action. If a civilian employee is involved, then such request will be routed through his/her supervisory chain. The RDP must meet the criteria outlined below. Considerations to be used in evaluating requests for RDP—

a. A valid adverse military mission impact, serious family hardship, or detrimental effect on an ongoing or contemplated alcohol/drug treatment/rehabilitation program would result from the revocation/suspension.

b. If other members of the family are not licensed drivers, a reason will be provided as to why they cannot drive or obtain a valid state driver's license.

c. Proof of attendance and the successful completion of a remedial driver training course. The RDP cannot be granted unless the individual has attended and successfully completed the course.

d. For suspension or revocation resulting from alcohol-related driving offenses, an alcohol/drug evaluation must have been completed prior to requesting RDP. To satisfy this requirement, Service members, Family members, and DA civilian employees can obtain an assessment at the Clinical Army Substance Abuse Program (ASAP) Office, General Leonard Wood Army Community Hospital (GLWACH). Attendance at Substance Abuse Traffic Offenders Program (SATOP) will satisfy this requirement as well.

e. The individual's past driving record both on and off the installation will be considered.

C-3. Unit commander's evaluation of request

On receipt of the initial request from the individual, the unit commander will carefully review and evaluate the request. If the request is based on an adverse military mission impact, a statement will be included by the commander stating why adequate military transportation is not available for the individual to perform his job. The commander will then make an appropriate recommendation to the DPA. Endorsements must be signed by the

appropriate commanders. "FOR THE COMMANDER:" signatures are not acceptable.

Appendix D REQUESTS FOR RESTORATION OF INSTALLATION DRIVING PRIVILEGE

D-1. General

Acquittal, dismissal, alternate plea, or failure to prosecute any alcohol-related driving offense will not result in vacation of suspension or revocation of driving privileges unless the preponderance of the evidence available to the determining authority establishes that no alcohol-related offense occurred IAW AR 190-5, paragraph 2-9.

D-2. Procedures

a. Application for restoration will be by written request. All requests will be routed through the individual's chain of command, to the DPA for action. If a civilian employee is involved, then such request will be routed through his/her supervisory chain.

(1) Proof of training completion. For alcohol-related driving offenses, requests for restoration of installation driving privileges shall be accompanied by proof of completion of a SATOP or ASAP. For nonalcohol-related suspensions/revocation, proof of completion of the Accident Avoidance Course must be after the suspension/revocation.

(2) Drug and alcohol evaluation. For suspensions and revocations resulting from alcohol-related driving offenses, an evaluation from an alcohol/drug treatment center shall be included with the request for restoration of installation driving privileges. Active duty and retired Service members, their Family members, and DA civilians may obtain an evaluation from the Clinical ASAP Office. Other civilians may obtain evaluation from an appropriate off-post facility. The evaluation will indicate that the individual has been evaluated and has no problems, is scheduled to attend treatment, or has completed such treatment.

(3) Commander's recommendation. On receipt of the initial request from the individual,

the unit commander will carefully review and evaluate the request. If the required evaluations are completed, the commander will then make an appropriate recommendation to the next higher element of the chain of command. Endorsements must be signed by the appropriate commanders. "FOR THE COMMANDER:" signatures are not acceptable. Commanders will forward their recommendation in a timely manner. In cases where all requirements for reinstatement have been met, but the commander recommends disapproval, he/she must provide justification for why the privilege should not be reinstated.

b. Upon acquittal (a finding of not guilty), an individual must apply in writing for full restoration of his driving privileges prior to operating a motor vehicle on this installation. Application for restoration will follow the same procedures described above.

Appendix E ADMINISTRATIVE HEARINGS

E-1 Purpose

This appendix establishes guidance in preparing and conducting administrative hearings requested under the provisions of AR 190-5, paragraphs 2-4 and 2-6.

E-2. General

a. Administrative hearings are not granted when individual driving privileges are suspended, revoked, or withdrawn by civil authorities of the state of Missouri, or the state which issued the individual's driver license. In such cases, installation driving privileges are automatically withdrawn.

b. Requests for administrative hearings must be submitted in writing within 14 calendar days from notice of this suspension. Requests will be routed through the individual's chain of command, to the DPA for action. If a civilian employee is involved, then such request will be routed through his/her supervisory chain.

c. The administrative hearing will be conducted by the DPA.

d. Administrative hearings will be conducted under the general guidelines of AR 15-6. Verbatim transcripts are not required. However, if one is made, a copy will be enclosed with the hearing results.

e. The DPA is solely responsible for conducting the hearing. Witnesses may be called to testify at the hearing, if determined appropriate by the DPA.

E-3. Hearings on suspension and revocation actions for alcohol-related driving offenses

Determination of guilt or innocence is not the purpose of the hearing and such findings will not be made. Administrative hearings will cover only the pertinent issues of whether or not the following occurred:

a. The law enforcement official had reasonable grounds to believe the person was driving or in actual physical control of a motor vehicle while under the influence of an intoxicant.

b. The person was lawfully cited or apprehended for a driving under the influence offense.

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

d. The person refused to submit to the blood alcohol content test; failed to complete the test; submitted to the test and the results were 0.08 percent or higher blood alcohol; or showed results indicating presence of other drugs for an on-post apprehension or in violation of State laws for an off-post apprehension.

e. The law enforcement official had probable cause to believe that the person was driving or in actual physical control of a motor vehicle while impaired although the blood alcohol content was less than 0.08.

f. The testing method used was valid and reliable, and the results accurately evaluated.

E-4. Determinations made by a preponderance of the evidence

If the DPA makes a determination, by a preponderance of the evidence, that any of the above circumstances occurred, the individual will be notified that his suspension or revocation of installation driving privilege will remain in effect. If the DPA does not find that any of the above circumstances were established by a

preponderance of the evidence, then the suspension or revocation of the individual's driving privileges shall be vacated.

E-5. DPA's findings

The DPA's findings in the administrative hearing are solely for the purpose of acting on the subject's suspension or revocation. The DPA's findings will not prejudice the rights of any party in a subsequent criminal or administrative proceeding involving the same or a related incident.

Appendix F TRAFFIC POINT SYSTEM

STATUTE	DESCRIPTION	ROC	POINTS
304.022	Activated siren/warning lights on emergency vehicle when not in pursuit/on emergency mission	Y	2
303.025	As owner, oper or auth another to oper a mtr veh w/out maintain financ l respons (mtr veh reqrd to be reg)	Y	4
302.260	Authorized or knowingly permitted person to drive mtr veh who had no legal right	Y	4
304.017	Car/motorcycle/truck under 18000 lbs followed another vehicle too closely	Y	2
302.250	Caused or knowingly permitted child or ward under age 16 to drive mtr veh	Y	4
304.015	Change lanes when movmnt could not be made w/safety on rdwy having 3 or > lanes, causing immed threat of accident	Y	2
304.015	Change lanes when movmnt could not be made w/safety on rdwy having 3 or > lanes, resulting in accident	Y	2
304.015	Changed lanes when movement could not be made with safety on roadway having 3 or more lanes	Y	2
302.233	Commits/assists another in committing fraud/deception during license examination	Y	12
304.016	Cut in on overtaken vehicle	Y	2
302.220	Display or possess fictitious-canceled-suspended-revoked-altered drivers license	Y	2
302.780	Drive comm motor vehicle/BAC over .04%	Y	2
302.727	Drive comm mtr veh while comm mtr veh license is revoked, suspended or cancelled	Y	12
302.727	Drive comm mtr veh while driver is disqualified from operating a comm mtr vehicle	Y	2
302.725	Drive comm mtr veh without comm driver's license in possession <i>Note. Production of proof that the license had been issued before the ticket date by the time of trial or payment date is a defense.</i>	Y	2
302.725	Drive comm mtr veh without comm mtr veh driver's license	Y	2
302.725	Drive comm mtr veh without proper class of license/endorsement	Y	2
303.370	Drive motor vehicle on highway while driver's license is suspended/revoked pursuant to Chap 303	Y	12
307.400	Driver under 21 transported hazardous material	Y	2
302.321	Driving while revoked (suspended for stealing motor fuel as per Sec 302.286)	Y	12
304.011	Drove at speed less than 40 mph on interstate highway	Y	2
304.011	Drove at such slow speed to impede/block normal and reasonable traffic movement	Y	2
302.780	Drove comm motor vehicle under influence of controlled substance	Y	8
302.780	Drove comm vehicle with willful/wanton disregard for safety	Y	2
304.015	Drove in center lane of 3 lane roadway when view obstructed or not clear of traffic	Y	2
304.015	Drove in center lane of 3 lane roadway when view obstructed or not clear of traffic, resulting in an accident	Y	2

304.015	Drove in center lane of 3 lane rdwy when view obstructd or not clear of traffic, causing immed threat of accident	Y	2
302.321	Drove mtr veh on hwy while drivers lic suspended for improprieties in compact state	Y	12
229.210	Drove on bridge/hwy under construction/improvement that was closed by barriers	Y	2
304.035	Drove through RR crossing without sufficient space	Y	2
304.035	Drove through RR crossing without sufficient undercarriage clearance on vehicle	Y	2
304.016	Drove vehicle to left side of roadway when view obstructed by hill or curve	Y	4
304.016	Drove vehicle to left side of roadway within 100 ft of bridge/viaduct/tunnel when view obstructed	Y	4
304.016	Drove vehicle to left side of roadway within 100ft of intersec/railroad grade crossing	Y	4
304.015	Drove wrong direction on hwy divided into two or more rdwys	Y	2
304.015	Drove wrong direction on hwy divided into two or more rdwys, causing an immed threat of an accident	Y	2
304.015	Drove wrong direction on hwy divided into two/more rdwys, resulting in an accident	Y	2
577.010	DWI - alcohol	Y	8 – 1st offense 12 – 2nd offense
577.010	DWI - alcohol - aggravated offender	Y	8 – 1st offense 12 – 2nd offense
577.010	DWI - alcohol - chronic offender	Y	8 – 1st offense 12 – 2nd offense
577.010	DWI - alcohol - persistent offender	Y	8 – 1st offense 12 – 2nd offense
577.010	DWI - alcohol - prior offender	Y	8 – 1st offense 12 – 2nd offense
577.010	DWI - combined alcohol/drug intoxication	Y	8 – 1st offense 12 – 2nd offense
577.010	DWI - combined alcohol/drug intoxication - aggravated offender	Y	8 – 1st offense 12 – 2nd offense
577.010	DWI - combined alcohol/drug intoxication - chronic offender	Y	8 – 1st offense 12 – 2nd offense
577.010	DWI - combined alcohol/drug intoxication - persistent offender	Y	8 – 1st offense 12 – 2nd offense
577.010	DWI - combined alcohol/drug intoxication - prior offender	Y	8 – 1st offense 12 – 2nd offense

577.010	DWI - drug intoxication	Y	8 – 1st offense 12 – 2nd offense
577.010	DWI - drug intoxication - aggravated offender	Y	8 – 1st offense 12 – 2nd offense
577.010	DWI - drug intoxication - chronic offender	Y	8 – 1st offense 12 – 2nd offense
577.010	DWI - drug intoxication - persistent offender	Y	8 – 1st offense 12 – 2nd offense
577.010	DWI - drug intoxication - prior offender	Y	8 – 1st offense 12 – 2nd offense
304.311	Entered/traveled in a lane over which a red signal was shown	Y	2
304.010	Exceeded posted speed limit (exceeded by 1 - 5 mph)	Y	0
304.010	Exceeded posted speed limit (exceeded by 6 - 10 mph)	Y	3
304.010	Exceeded posted speed limit (exceeded by 11 - 15 mph)	Y	3
304.010	Exceeded posted speed limit (exceeded by 16- 19 mph)	Y	3
304.010	Exceeded posted speed limit (exceeded by 20 mph or more)	Y	3
577.012	Excessive BAC	Y	8 – 1st offense 12 – 2nd offense
577.012	Excessive BAC - aggravated offender	Y	8 – 1st offense 12 – 2nd offense
577.012	Excessive BAC - chronic offender	Y	8 – 1st offense 12 – 2nd offense
577.012	Excessive BAC - persistent offender	Y	8 – 1st offense 12 – 2nd offense
577.012	Excessive BAC - prior offender	Y	8 – 1st offense 12 – 2nd offense
304.022	Fail proceed w/cautn/yld right-of-way/reduce spd when approach statnry emergncy veh dsply red/blue light	Y	2
577.600	Fail to comply with court order requiring use of ignition interlock device-1st ofns	Y	2
577.600	Fail to comply with court order requiring use of ignition interlock devic-2nd ofns	Y	2
304.015	Fail to drive in rgt hand lane of rdwy with 3 or > lanes when travel at speed < normal, resulting in accident	Y	2
304.035	Fail to slow comm mtr veh when approaching RR grade crossing	Y	2
577.065	Fail to stop and report ATV accident to prop ownr/injur person or police officer/law enforcmnt agency	Y	2
304.351	Fail to yield to approaching vehicle when entering/crossing hwy from alley/driveway	Y	2

304.351	Fail to yield to approaching vehicle when turning left into alley/private road/driveway	Y	2
304.022	Fail to yield to emergency veh sounding siren and displaying red/blue light	Y	2
302.175	Failed to comply with condition of restricted drivers license (for vision)	Y	2
302.178	Failed to comply with conditions of intermediate driver's license	Y	0
302.301	Failed to comply with conditions of restricted drivers license (for physical infirmity)	Y	2
307.070	Failed to dim lights when within 500 ft of oncoming veh/300 ft of rear of a veh	Y	2
307.040	Failed to display lighted lamps on mtr veh/mtr drawn veh/motorcycle as required (general law)	Y	2
304.015	Failed to drive in right hand lane of rdwy with 3 or more lanes when travel at speed < normal, causing immed threat of accident	Y	2
304.015	Failed to drive in right hand lane of roadway with 3 or more lanes when traveling at speed less than normal	Y	2
304.015	Failed to drive on right half of rdwy when rdwy was of sufficient width	Y	2
304.015	Failed to drive on right half of rdwy when rdwy was of sufficient width, causing an immed threat of accident	Y	2
304.015	Failed to drive on right half of rdwy when rdwy was of sufficient width, resulting in an accident	Y	2
304.015	Failed to drive w/in right lane of hwy w/2 or more lanes in same direct, causing immed threat of accident	Y	2
304.015	Failed to drive w/in right lane of hwy w/2 or more lanes in same direct, resulting in an accident	Y	2
304.015	Failed to drive within right lane of hwy with 2 or more lanes in same direction	Y	2
304.015	Failed to drive within single lane on roadway having 3 or more lanes	Y	2
304.015	Failed to drive within single lane on roadway having 3 or more lanes, causing an immed threat of an accident	Y	2
304.015	Failed to drive within single lane on roadway having 3 or more lanes, resulting in an accident	Y	2
304.341	Failed to make/approach for left turn within proper lane	Y	2
304.341	Failed to make/approach for right turn as close as practicable to right curb/edge of roadway	Y	2
304.015	Failed to obey official signs temp designating lanes, causing an immed threat of an accident	Y	2
304.015	Failed to obey official signs temporarily designating lanes	Y	2
304.015	Failed to obey official signs temporarily designating lanes, resulting in an accident	Y	2
304.271	Failed to obey traffic control device	Y	2
304.019	Failed to signal/gave improper signal when stopping/turning left or right	Y	2
304.351	Failed to slow to reasonable speed for existing conditions or stop for yield sign	Y	2
304.301	Failed to stop for flashing red signal at stop line/crosswalk/point nearest intersec	Y	2
304.050	Failed to stop for school bus receiving/discharging school children	Y	2
304.281	Failed to stop for steady red signal at crosswalk/stop line/point nearest intersec	Y	2
304.351	Failed to stop for stop sign at stop line/before crosswalk/point nearest intersec	Y	2
304.030	Failed to stop loaded bus or hazardous/inflammable/corrosive materials truck for railroad grade crossing	Y	2

43.170	Failed to stop or obey reasonable signal direction of patrolman	Y	2
304.341	Failed to turn as directed or required by intersec traffic control device	Y	2
302.020	Failed to wear protective/approved headgear when on motorcycle in motion	Y	0
304.351	Failed to yield after stopping to vehicle that entered intersec/so close to cause hazard	Y	0
304.291	Failed to yield right of way to pedestrian facing walk signal	Y	2
304.281	Failed to yield right of way to vehicle/pedestrian lawfully in controlled intersec/crosswalk	Y	2
304.080	Failed to yield to blind pedestrian with guide dog or white cane	Y	2
304.351	Failed to yield to vehicle approaching from opposite direction when turning left	Y	2
304.351	Failed to yield to vehicle on right that entered intersec at approximately same time	Y	2
304.351	Failed to yield to vehicle that had entered intersec with no traffic control	Y	2
304.678	Failure of operator of motor veh to maintain safe distance when passing bicycle	Y	2
304.678	Failure of operator of motor veh to maintain safe distance when passing bicycle - involves accident	Y	2
302.130	Failure to comply with temporary instruction/driver permit	Y	0
304.035	Failure to obey RR-hwy grade crossing restrictions not specified	Y	2
304.035	Failure to obey traffic control device/direction of enforcement official at RR crossing	Y	2
303.040	Failure to report accident to DOR within 30/10 days	Y	2
304.035	Failure to stop at RR track	Y	2
304.044	Followed another bus/truck closer than 300 ft	Y	2
304.013	Handicapped person operated ATV on primary highway	Y	2
304.013	Handicapped person operated ATV on roadway between the hours of official sunset and sunrise	Y	2
304.013	Illegally operating ATV on highway for agricultural purposes between official sunset and sunrise	Y	2
304.013	Illegally operating ATV upon highway	Y	2
304.023	Improper passing of a streetcar	Y	2
304.016	Increased speed while being passed	Y	2
390.066	Knowingly allow person to drive a comm veh while the person's lic is suspended/revoked/cancelled	Y	4
302.233	Knowingly conceal/provide false info/commit fraud in application for license/permit	Y	12
577.065	Leaving scene of ATV accident--death or 2nd ofns	Y	12
577.065	Leaving scene of ATV accident--injury	Y	12
577.060	Leaving scene of motor vehicle accident	Y	12
577.060	Leaving scene of motor vehicle accident--injury, property damage or 2nd ofns	Y	12
302.230	Made false statement/affidavit or knowingly swore/affirmed falsely to any matter req by Sec 302.010-302.540	Y	12
304.341	Made U-turn at intersec controlled by traffic signal/police officer	Y	2
304.015	Made U-turn/left turn on divided hwy not at intersctn/interchng/any signed location-causing immed threat of accidnt	Y	2

304.015	Made U-turn/left turn on divided hwy not at intersctn/interchng/any signed location - resulting in accident	Y	2
304.015	Made U-turn/left turn on divided hwy not at intersec/interchange/any signed location	Y	2
304.341	Make U-turn/interfere w/traffic where vision less than 300 ft/traffic hazard created	Y	2
304.013	Oper ATV carrying a passenger when seat not designed for such	Y	2
304.013	Oper ATV while under the influence of alcohol	Y	8 – 1st offense 12 – 2nd offense
304.013	Oper ATV while under the influence of controlled substance	Y	8 – 1st offense 12 – 2nd offense
302.755	Oper commercial mtr veh beginning at issuance of order until it expires (1st ofns)	Y	2
302.755	Oper commercial mtr veh beginning at issuance of order until it expires (2nd ofns)	Y	2
302.755	Oper commercial mtr veh beginning at issuance of order until it expires (3rd/subsequent ofns)	Y	2
302.321	Oper mtr veh on hwy w/driver lic/priv revoked (revoked-fail to stop for school bus)	Y	12
302.321	Oper mtr veh on hwy while driver lic/priv revkd (suspnd for non-payment of child support- 454.1000 - 454.1018)	Y	12
302.321	Oper mtr veh on hwy while driver lic/priv revkd (suspnd for prob cause of .08% BAC and zero tolerance)	Y	12
302.321	Oper mtr veh on hwy while driver lic/priv revoked (revoked for assisting w/license applictn fraud)	Y	12
302.321	Oper mtr veh on hwy while driver license/priv revkd (suspnd for nonappear/nonpayment of court fine/costs)	Y	12
302.321	Oper mtr veh on hwy while driver license/privilege revkd (revkd for points/fail to submit to chem test)	Y	12
302.321	Oper mtr veh on hwy while driver license/privilege revoked (revoked for prob cause of .08% and zero tolerance)	Y	12
302.321	Oper mtr veh while suspended or revkd after failing examination/failing to submit to exam required by DOR	Y	12
307.040	Oper mtr veh without lighted lamps during periods of fog	Y	2
307.040	Oper mtr veh without lighted lamps when using windshield wipers	Y	2
302.276	Oper school bus while endorsement suspended (suspended for fail to pass drug/alcohol/chem test)	Y	12
304.079	Oper/drive mtr veh with disabled placard hanging from rearview mirror	N	2
303.025	Operate motor vehicle owned by another knowing owner of vehicle has not maintained financial responsibility	Y	4
302.020	Operate motorcycle when driver's license not valid for such operation-1st/2nd ofns	Y	2 – 1st offense 4 – 2nd offense
302.272	Operate school bus w/o a school bus endorsement	Y	2
304.012	Operated a motor vehicle in a careless and imprudent manner (Reckless Driving)	Y	2
304.012	Operated a motor vehicle in a careless and imprudent manner, involving an accident	Y	2

302.200	Operated motor veh without obtaining new driver's license after being revoked/suspended	Y	12
302.321	Operated motor vehicle on highway while drivers license/privilege revoked (suspended for points)	Y	12
302.321	Operated motor vehicle on highway while driving license/privilege revoked (revoked for abuse and lose law)	Y	12
307.195	Operated motorized bicycle on interstate highway	Y	2 – 1st offense 4 – 2nd offense 6 – 3rd offense
302.321	Operated mtr veh on hwy while driver's license/priv revoked (canceled/suspended/revoked for unknown reasons)	Y	12
302.020	Operated vehicle on hwy without valid license - 1st or 2nd ofns	Y	2 – 1st offense 4 – 2nd offense 6 – 3rd offense
253.155	Operating a motor veh in a non-designated area in a state park	Y	2
304.013	Operating ATV in careless way, endangering person or property of another	Y	2
304.013	Operating ATV on highway in excess of thirty miles-per-hour	Y	3
304.013	Operating ATV on highway without operator's or chauffeur's license	Y	2
304.013	Operating ATV without proper bicycle safety flag	N	2
304.580	Overtake/pass a motor vehicle within a work or construction zone on a hwy divided into 2 or more lanes	Y	3
304.016	Passed vehicle and interfered with approaching traffic	Y	4
304.016	Passed vehicle on right and traveled off main portion of road	Y	3
302.020	Permitted unvalidated licensee to operate motorcycle	Y	4
304.013	Person under 18 years oper ATV without securely fastened safety helmet on head	N	2
302.220	Provided fraudulent information in application for drivers lic	Y	12
302.220	Represented the drivers lic of another person to be his/hers	Y	2
304.050	School bus driver failed to permit following vehicle to pass	Y	2
304.019	Stop/slow speed/turn from direct course/move vehicle right/left when unsafe	Y	3
304.017	Truck - 18,000 lbs or more/bus followed another vehicle too closely	Y	2
304.281	Turned right on red signal where prohibited by sign	Y	2
302.755	Viol out-of-service ordr while oper mtr veh desgnd to transprt > 16 passengers includ driver-1st ofns	Y	2
302.755	Viol out-of-service ordr while oper mtr veh desgnd to transprt > 16 passengers includ drive-2nd/subsqnt ofns	Y	2
302.725	Violate operator's license restriction while operating a comm mtr veh	Y	2
302.755	Violated an out-of-service order while transporting hazardous materials (1st ofns)	Y	2
302.755	Violated an out-of-service order while transporting hazardous materials (2nd and subsequent ofns)	Y	2
577.612	Violation of ignition interlock restrictions	Y	2
AR 190-5	Owner knowingly and willfully permitting a physically impaired person to operate the owner's motor vehicle.		6
AR 190-5	Fleeing the scene (hit and run)–property damage only.		6

AR 190-5	Speed Contest		6
AR 190-5	Speed too fast for conditions		2
AR 190-5	Speed too slow for traffic conditions, and/or impeding the flow of traffic, causing potential safety hazard.		2
AR 190-5	Following too close.		4
AR 190-5	Wearing of headphones/earphones while driving motor vehicles (two or more wheels).		3
AR 190-5	Failure to wear an approved helmet and/or reflectorized vest while operating or riding on a motorcycle, MOPED, or a three or four-wheel vehicle powered by a motorcycle-like engine.		3
AR 190-5	Other moving violations (involving driver behavior only).		3
AR 190-5	Driver involved in accident is deemed responsible (only added to points assessed for specific offenses).		3

Glossary

Section I. ACRONYMS, ABBREVIATIONS AND BREVITY CODES

1SG first sergeant	COL Colonel
AMSC Army motorcycle safety course	CPSC U.S. Consumer Product Safety Commission
ANSI American National Standards Institute	CSM command sergeant major
AR Army regulation	CVC combat vehicle crew
ADAP Alcohol and Drug Abuse Prevention	DA Department of the Army
ASAP Army Substance Abuse Program	DD Department of Defense
ASI All-Terrain Vehicle Safety Institute	DOD Department of Defense
ASP ammunition supply point	DOL Directorate of Logistics
ASTM American Standard Test Method	DOT Department of Transportation
ATV all-terrain vehicles	DPA Driving Privilege Adjudicator
AWOL absent without leave	DPW Directorate of Public Works
BAC blood alcohol content	DUI driving under the influence
BRC Basic Rider Course	DWI driving while intoxicated
BRC2 Basic Rider Course 2	ERC Experienced Rider Course
CDR commander	FLW Fort Leonard Wood
CG commanding general	GC Garrison Commander

GLWACH
General Leonard Wood Army Community
Hospital

GS
general schedule

GSA
General Services Administration

IAW
in accordance with

LTC
lieutenant colonel

MSCoE
Maneuver Support Center of Excellence

MOPED
motorized pedicycle

MP
military police

MPH
miles per hour

MRT
motorcycle refresher training

MSF
Motorcycle Safety Foundation

MSO
Maneuver Support Center of Excellence Safety
Office

MSRC
Motorcycle Sport Bike Rider Course

MTO
Motor Transportation Officer

OF
optional form

OSJA
Office of the Staff Judge Advocate

PCS
permanent change of station

PM
Provost Marshal

PMO
Provost Marshal's Office

POC
point of contact

POV
privately owned vehicle

PPE
personal protective equipment

PT
physical training

PX
post exchange

RDP
restricted driving privilege

Reg
regulation

ROC
record of conviction

RR
railroad

RV
recreational vehicle

SATOP
Substance Abuse Traffic Offenders Program

SAUSA
Special Assistant United States Attorney

SF
standard form

SGM
Sergeant Major

SMS
short message service

SNAIR
snow and ice removal

TDY
temporary duty

TMP
Transportation Motor Pool

USC
United States Code

UCMJ
Uniform Code of Military Justice

USPS
United States Postal Service

XO
Executive Officer

Section II. EXPLANATION OF TERMS.

Abandoned or Unclaimed Vehicle. Any motor vehicle left unmoved and unattended for 72 hours or more when the owner cannot be identified or contacted to make disposition of the vehicle.

Active duty personnel. Military personnel, whether Active Army, U.S. Army Reserve, or Army National Guard of the United States, on active duty under 10 U.S.C.

Alcoholic Beverage. Alcohol for beverage purposes, alcoholic, spirituous, vinous, fermented, malt, or other liquors, or combination of liquors, a part of which is spirituous, vinous, or fermented, and all preparations or mixtures for beverage purposes, containing in excess of one-half of one percent by volume.

Chemical Breath Testing Device. An instrument which uses sophisticated physical or chemical methods to quantitatively determine blood-alcohol concentrations. Instruments in this category include, but are not limited to, the following devices: Alco-Analyzer Gas Chromatograph, Alco-Tector, Breathalyzer, Gas Chromatograph Intoximeter, and the Photo Electric Intoximeter.

Conviction. A final adjudication that may include one or more of the following:

a. An unvacated forfeiture of bail or collateral deposited to secure a defendant's appearance in court.

b. Pleas of nolo contendere accepted by a court,
c. Payment of a fine,
d. Plea of guilty or finding of guilty on a traffic violation charge, regardless of whether the penalty is rebated, suspended or probated. Includes judicial and nonjudicial actions taken under the Uniform Code of Military Justice.

Driver. Any person who operates or is in physical control of a motor vehicle. A person is considered to be in physical control when he is in position to control the motor vehicle, whether to regulate or restrain its operation or movement, for example, sitting in the driver's seat of a parked car, keeping it in restraint or in position to control its movement. The term "driver" is used interchangeably with the term "operator."

Driver's License. A permit to operate a motor vehicle issued under the laws of a State.

Driving Privilege. The privilege extended by a Senior Commander to an individual permitting the operation of a privately owned motor vehicle within the limits of the installation. This privilege, once extended, is subject to administrative suspension or revocation for cause determined by the Senior Commander within the standards set forth in this regulation.

Driving Privileges Adjudicator (DPA). The Senior Commander's designee to serve as the reviewing official for suspension or revocation of installation driving privileges. Additionally, serves as the appellate authority (i.e. hearing officer) for all appeals of suspension or revocation actions. Also serves as the approval authority for all requests for restricted driving privileges.

Emergency. A situation requiring immediate action to save a life, prevent serious injury, or prevent serious property damage.

Emergency Vehicle. Military Police and fire department vehicles, ambulances, civilian police vehicles, Explosive Ordnance Disposal (EOD) vehicles, general officers' vehicles and other vehicles authorized by the Senior Commander.

Field Sobriety Test. An examination usually performed by law enforcement personnel to determine if the actions, conduct, and appearance of a suspect indicate intoxication.

Hands-Free Device. Any device which functions independently, or through interfacing with a motor vehicle stereo system, and after being activated permits a person to engage in oral telephonic communication without requiring the operator to physically manipulate the cellular telephone; hands-free device does not include the use of a cellular telephone speaker phone function.

Highway. Any public thoroughfare which vehicles may use, including state roads, county roads and public streets, avenues, boulevards, parkways or alley.

Intoxication. A diminished ability to act with full mental and physical capabilities because of alcohol or drug consumption.

Intoxicating Beverage. Any beverage with an alcohol content capable of impairing the full and rational exercise of the user's mental and physical faculties.

Law Enforcement Personnel (Officials). Persons under supervision of the installation law enforcement officer who are authorized to direct, regulate and control traffic, and to apprehend or arrest violators of laws or regulations. They are usually identified as military police, security police, civilian guard, or DOD police.

MOPEDS. A moped is defined as any two- or three-wheel device having operative capability by—

- a. Human propulsion power (or no pedals if powered solely by electrical energy).
- b. An automatic transmission.
- c. A motor that produces less than two gross brake horsepower, and—

(1) Propels the device at a maximum speed of not more than 30 mph on level ground.

(2) Has a maximum engine size of 50 cubic centimeters.

Motorcycles. A motor vehicle that has a seat or saddle for use of the rider and is designed to travel on not more than three wheels in contact with the ground. Tractors and Mopeds are excluded. Any other vehicles with open cockpits that are not clearly motor vehicles and required to meet those standards will be subject to motorcycle standards.

Motor Vehicle. Any vehicle driven or drawn by mechanical power manufactured primarily for use on public streets, roads and highways, except any vehicle operated exclusively on a rail or rails.

Motor Vehicle Traffic Accident (crash). An unintended event resulting in injury or damage, involving one or more motor vehicles on a highway, or parking lot that is publicly maintained and open to the public for vehicle travel.

Motor Vehicle Registration. The procedures which culminate in the issuance of registration certification and registration plates for a motor vehicle under the laws of a state (state registration). The term also applies to the registration form and identification media to a vehicle authorized to operate on a military installation.

Moving Violation. A violation of any traffic law, ordinance, or regulation which was promulgated primarily with the objective of making use of traffic-ways safe. Moving violations typically involve unsafe acts and/or unsafe conditions. ILLEGAL PARKING IS NOT A MOVING VIOLATION.

Off-Road Vehicle. Any vehicle manufactured or modified to be operated primarily off the roadway, such as (but not limited to) trail/dirt bikes, minibikes, go-carts, dune buggies, hovercrafts, racing or competition vehicles, four wheel drive vehicles, snow-mobiles, and ATVs. This definition does not apply to construction equipment such as, but not limited to, graders, dozers, back hoes, and grass cutting tractors.

Passenger Car. Any motor vehicle with a gross weight requirement of 10,000 pounds or less,

designed to carry 10 persons or less. Passengers cars include trucks and multipurpose passenger vehicles. This term does not include two and three-wheeled vehicles such as motorcycles, MOPEDS, and ATVs.

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

Plainly Audible. Any sound that can be detected by a person using his or her unaided hearing faculties. The law enforcement officer need not determine the title of a song, specific words, or the artist performing the song. The detection of the rhythmic bass component of the music is sufficient.

Reviewer. Senior Commander's designee who serves as the reviewing official authorized to immediately suspend or revoke installation driving privileges for all personnel apprehended on or off-post for an alcohol-related driving offense. **Revocation of Driver License.** The termination by formal action of a State authority of a person's license or privilege to operate a motor vehicle on the public highways, which termination shall not be subject to renewal or restoration except that application may be presented and acted on by the state after the expiration of the applicable period of time prescribed by state law. Such action disqualifies the individual from operating a privately owned motor vehicle on a military installation since he is no longer "licensed" to drive.

Revocation of Driver's Privilege. Action taken by a Senior Commander, or designee, to terminate an individual's privilege to operate a motor vehicle on a military installation. This action precludes renewal or restoration except by application and after the expiration of a specified period of time but not less than 6 months.

Sport Bikes. Fast, light, sleek motorcycles designed for maximum performance, for racing or spirited road riding. They are distinguishable by their full fairings and the rider's tipped-forward seating position.

Sport-Touring Motorcycles. With the combined attributes of a sport bike and a touring bike,

they are built for comfortable long-distance travel while maintaining a forward-leaning riding position, good handling, and high performance.

State. A constituent unit of the US having a definite territory and governmental organization and includes the District of Columbia, the Commonwealth of Puerto Rico, and territories and possessions of the United States as defined in Section 101, Title 10, United States Code. The term "State" also refers to a foreign country or to an appropriate political subdivision of a foreign country.

Suspension of Driver License. The temporary withdrawal by formal action (of State authority) of a person's license or privilege to operate a motor vehicle on the public highways, which temporary withdrawal shall be for a period specifically designated. Such action disqualifies the individual from operating a privately owned motor vehicle on a military installation since he is no longer "licensed" to drive.

Suspension of Driving Privilege. The temporary withdrawal by the Senior Commander, or designee, of an individual's privilege to operate a motor vehicle on a military installation.

Sound System includes, but not limited to, any radio, tape player, compact disc player, loud speaker, or any other electrical device from within the motor vehicle

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

Traffic Control Devices, Signs, signals, markings, lights, and devices placed or erected by an official having jurisdiction for the purposes of regulating, warning, or guiding traffic.

Traffic Laws. All laws, ordinances, and regulations concerning roadway traffic, including weight, size, and type of vehicles and vehicle cargo.

Traffic Supervision. Keeping traffic in order on streets and highways within existing laws and regulations to make their use safe and

expeditious. This includes, but is not limited to, traffic law enforcement as it applies to laws and regulations relating to use of streets and highways, and ownership and operation of motor vehicles.

Troop Trail. A road or street (paved or unpaved) intended exclusively for marching troops and pedestrians, and which is posted as such.

Unsafe act. An act or omission in traffic which is hazardous.

Unsafe condition. Causing or permitting an illegal and possible hazardous condition of streets or highways used by traffic, vehicles used in traffic, or a pedestrian or driver in traffic.

USAREUR License Plate. A license plate issued by competent USAREUR authority in accordance with the Status of Forces Agreement