

(5) Treat or counsel alcohol and drug abusers and rehabilitate the maximum feasible number of them.

(6) Discipline and/or discharge drug traffickers and those alcohol and drug abusers who cannot or will not be rehabilitated, in accordance with appropriate laws, regulations, and instructions.

(7) Work in concert with national alcohol and drug abuse prevention programs, maintaining appropriate relationships with governmental and nongovernmental agencies.

(8) Prohibit members of the Armed Forces, and DoD civilians while on the job, to possess, sell, or use drug abuse paraphernalia.

(9) Prohibit the possession or sale of drug abuse paraphernalia by DoD resale outlets to include military exchanges, open messes, and commissaries, and by private organizations and concessions located on DoD installations.

(b) The Department of Defense encourages DoD Components to use, as guidance and as a legal background in addressing paraphernalia issues, the Model Drug Paraphernalia Act prepared by the Drug Enforcement Administration, at the request of the President (Model Drug Paraphernalia Act, Drug Enforcement, March 1980, Volume 7, No. 1).

(c) Programs and standards of care promulgated in execution of this policy for military personnel shall be in compliance with Pub. L. 92-129.

(d) Programs and standards of care promulgated in execution of this policy for civilian employees shall be in compliance with Pub. L. 92-255, Pub. L. 91-616, and FPM Supplement 792-2.

§ 62.5 Responsibilities.

(a) The *Assistant Secretary of Defense (Health Affairs) (ASD(HA))*, or designated representative, is responsible for the development, coordination, and supervision of the DoD alcohol and drug abuse prevention program, in accordance with this part and shall:

(1) In coordination with the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) (*ASD(MRA&L)*), develop and promulgate policies designed to ensure that the DoD alcohol and drug abuse pre-

vention programs reach military members, their families, DoD civilian employees and, to the extent feasible, their families. Programs and standards of care for family members shall be consistent with those for the military and civilian components, with accepted practice in the alcohol and drug abuse area, and with applicable laws and jurisdictional limitations.

(2) In coordination with the *ASD(MRA&L)*, issue DoD instructions to implement the DoD alcohol and drug abuse prevention program, with specific attention to the functional areas of assessment, deterrence and detection, treatment and rehabilitation, and education and training.

(3) Act as focal point for the Department of Defense for interagency and nongovernmental coordination of national alcohol and drug abuse prevention programs.

(4) Evaluate and report upon the effectiveness and efficiency of the DoD alcohol and drug abuse prevention program.

(5) Establish a DoD Alcohol and Drug Abuse Advisory Committee to advise on policy and program matters. The Committee shall include representatives of each Military Service, designated by the Military Department concerned, and such other advisors as the *ASD(HA)*, or designated representative, considers appropriate. The Committee charter shall be approved by the *ASD(HA)*.

(b) The *Secretaries of the Military Departments and Directors of Defense Agencies* shall establish and operate programs prescribed by this part and supporting DoD instructions. They may make exceptions to the policy contained in this part only for legitimate medical, educational, and operational purposes. This authority shall not be delegated.

(c) In addition, the *Secretaries of the Military Departments* shall require appropriate commanders to assess the availability of drug abuse paraphernalia in the vicinity of DoD installations through their Armed Forces Disciplinary Control Boards and in conformity with the Armed Forces Disciplinary Control Boards and Off-Installation Military Enforcement Guidance, and take appropriate action, when the

availability of drug abuse paraphernalia reveals a threat to the discipline, health, welfare, or morals of the Armed Forces.

PART 62b—DRUNK AND DRUGGED DRIVING BY DoD PERSONNEL

Sec.

- 62b.1 Purpose.
- 62b.2 Applicability.
- 62b.3 Policy.
- 62b.4 Procedures.
- 62b.5 Responsibilities.
- 62b.6 DoD Intoxicated Driving Prevention Task Force.
- 62b.7 Definitions.

APPENDIX 1 TO PART 62b—DRIVER'S LICENSE INFORMATION (SAMPLE LETTER)

APPENDIX 2 TO PART 62b—STATE DRIVER'S LICENSE AGENCIES

AUTHORITY: 10 U.S.C. 131.

SOURCE: 48 FR 41581, Sept. 16, 1983, unless otherwise noted.

§ 62b.1 Purpose.

This part:

(a) Establishes DoD policy regarding drunk and drugged driving by DoD personnel (hereafter referred to as "intoxicated driving").

(b) Assigns responsibility for and explains DoD policy and procedures on the establishment and operation of the DoD Intoxicated Driving Prevention Program, which is designed to address the problem of and increase the awareness and attention given to intoxicated driving by DoD personnel.

(c) Establishes the DoD Intoxicated Driving Prevention Task Force (DIDPTF).

§ 62b.2 Applicability.

This part applies to the Office of the Secretary of Defense, the Military Departments, the Organization of the Joint Chiefs of Staff, the Unified and Specified Commands, and the Defense Agencies (hereafter referred to collectively as "DoD Components"). The term "Military Services," as used herein, refers to the Army, Navy, Air Force, and Marine Corps.

§ 62b.3 Policy.

(a) Intoxicated driving is incompatible with the maintenance of high standards of performance, military dis-

cipline, 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 Department of Defense 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 that result 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 commanders, 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.

(b) The Department of Defense shall participate in the national effort to prevent intoxicated driving by maintaining appropriate relationships with other governmental agencies and private organizations and shall cooperate with responsible civil authorities consistent with statutory and regulatory constraints in detecting, identifying, apprehending, prosecuting, educating, and counseling intoxicated drivers and in reporting cases as required by State laws and applicable Status of Forces Agreements.

§ 62b.4 Procedures.

(a) *Education and training.* (1) The Military Services shall provide drug and alcohol education that focuses on intoxicated driving for each of the following: law enforcement, public information, emergency room, and safety personnel. Club managers, bartenders, and waitresses serving alcoholic beverages and Class VI or package sales personnel shall receive annual refresher training. In addition, leadership curricula at all levels (PCO/PXO indoctrination, training for judge advocates and military judges, and officer and noncommissioned officer schools) shall include specific information and a review of current Military Service policy on intoxicated driving.